

THE SERPENT IN THE GARDEN STATE: JUVENILE DELINQUENCY IN 1920s
NEW JERSEY

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To My Fiancé, Shannon Kavanaugh; My Son, Michael Ferry; My Dad, Sister, Brother,
and Mom, Thomas J. Ferry, Theresa Wilson, Chris Ferry, and Mary Ferry; My
Colleagues and Friends, Joseph Marinzoli and Kenneth Popovich; Former Teachers, Mr.
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ABSTRACT OF THE DISSERTATION

The Serpent in the Garden State: Juvenile Delinquency in 1920s New Jersey

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School administrators, educators, psychologists, social workers, the juvenile courts, institutional reformers, and others shape the manner in which children are labeled, portrayed, and treated. However, the agendas, motivations, political language, and influence of these "helping professionals" in "treating" and "reforming" juvenile delinquents have rarely been scrutinized. Multiple other factors which contour the lives of so-called juvenile delinquents have also gone largely unexamined. These include: the context of the era; the importance of testing and measurement on delinquency; the consequences of labeling; the influence of the juvenile court; the motives and practices of the public school; the agendas of institutional reformers; and the current beliefs about cutting edge treatments. All of these factors collectively and concurrently shape the lives of so-called delinquent children. Because juvenile delinquency data are generally unreliable, inquiries other than quantitative studies are needed to advance knowledge about juvenile delinquency. Little new knowledge about the "causes" or "solutions" to the complex problem of juvenile delinquency have been offered in the last 90 years, and many practitioners who approach the modern day issue of juvenile delinquency fail to

appreciate that the seemingly new problem is truly an old one with new contextual variations. In an attempt to address this problem, I answered the following question: how was juvenile delinquency defined, portrayed, and addressed by would-be-reformers in New Jersey during the 1920s?

This historical dissertation was conducted using a “New History” perspective. By examining a myriad of intersecting histories with a fluid Venn diagram as a lens, this study reconstructed the history of juvenile delinquency in 1920s New Jersey. These histories included the context of the 1920s; the “political language” of the budding helping professions; the development of the New Jersey juvenile court; the role of New Jersey public schools during the Twenties; the development of the New Jersey Department of Institutions and Agencies, the State Home for Boys in Jamesburg, and The Training School at Vineland; and the deadly practices of Dr. Henry Cotton at the State Hospital in Trenton. By examining these disparate themes in isolation and subsequently formulating and developing theories on how they were interrelated or interdependent, I attempted to reconstruct the history of this topic.

The examination of the definition, portrayal, and treatment of juvenile delinquency in 1920s New Jersey has hopefully provided a rich historical study of a problem that is seemingly unique to the present day. Current educators, educational administrators, and others concerned with the problem of juvenile delinquency should be able to use the framework of this dissertation as a lens through which they may examine juvenile delinquency from multiple vantage points and assess the manner in which delinquency is currently being defined, portrayed, and addressed. Modern educators and school administrators will hopefully examine the formal and informal labels they are

currently affixing to individual and groups of children and contemplate how their personal, professional, and institutional efforts shape the fates of these students.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS.....	ii
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Chapter

1. INTRODUCTION.....	1
Context.....	2
Methodology.....	8
Chapters.....	11
Limitations to this Dissertation.....	15
Purpose and Value of Study	18
2. CHAPTER TWO	23
The Red Scare and Its Impact.....	25
Overview of the Red Scare.....	26
Immigration Quota Acts.....	37
Racial Tension in the Cauldron of Fear.....	44
The Ku Klux Klan.....	47
Prohibition.....	54
Prohibition in New Jersey.....	56
Woman's Suffrage.....	62
The Roaring Twenties; New Freedoms and Corresponding Resistance.....	64
Final Thoughts for Chapter Three.....	70

3. CHAPTER THREE.....	72
Measurement.....	73
Overview on Measurement as an Indication of Human Worth Prior to the 1920s; Pseudoscience Prior to Intelligence Testing.....	74
Crime and the Measuring of Heads and Bodies.....	76
Significance of Early Pseudoscience to this Dissertation.....	78
The Pseudoscience of Intelligence Testing.....	79
Eugenics.....	89
Eugenics and Intelligence: A Dangerous Enmeshment for New Jersey.....	99
New Jersey's Quest to Eradicate Focal Infection in Feeble-Minded Children.....	104
Concluding Thoughts for Chapter Three.....	107
4. CHAPTER FOUR.....	111
Juvenile Delinquency "Defined".....	112
Definition of Delinquency in 1920s New Jersey	114
The Political Language of the Helping Professions....	121
Final Thoughts for Chapter Four.....	146
5. CHAPTER FIVE.....	149
Compulsory Education.....	150
Surging Popularity of Public School Education in New Jersey.....	157
New Jersey Schools as Vehicles for Social Conformity.....	162

Americanization and Efficiency in New Jersey	
Schools during the 1920s.....	163
The Boy Scouts and the American Legion.....	168
Character Education and Morality in New Jersey	
Public Schools.....	175
The Paradoxical Public Schools of 1920s New Jersey; Sorting Machines Disguised as Progressive Institutions of Learning.....	183
Continuation Schools.....	194
Vocational Schools in New Jersey during the 1920s.....	202
Concluding Thoughts for Chapter Five.....	228
6. CHAPTER SIX	232
The Juvenile Court.....	234
1903 Juvenile Court Act.....	236
Acts of 1905, 1906, and 1908.....	241
Acts of 1910 and 1914.....	246
The (Broken) Arms of the Juvenile Court: Probation and Classification.....	250
Probation in 1920s New Jersey.....	251
Act of 1929.....	255
Juvenile Court Discrimination along Lines of Gender.....	258
Juvenile Court Discrimination along Lines of Race...	266
Final Thoughts on Chapter Six.....	274
7. CHAPTER SEVEN.....	276
Background on the Development of New Jersey's	

Juvenile Institutions.....	277
The New Jersey Department of Institutions and Agencies.....	289
Classification; The Department's Most Dangerous Accomplishment.....	298
The State Home for Boys in Jamesburg.....	312
The State Home for Boys Circa the 1920s.....	315
Other Forms of Incentive, Control, and Reform in 1920s Jamesburg.....	327
Frederick Ambuhl's Hamlet at the State Home for Boys.....	338
The Training School at Vineland.....	349
Growth of the Vineland Political Machine.....	358
The Fruit of Vineland's Political and Pseudoscientific Labor.....	372
Final Thoughts for Chapter Seven.....	384
8. CHAPTER EIGHT.....	386
Henry Cotton's Background and Rise to Power.....	388
Henry Cotton's Reshaping of the Asylum.....	390
The Aligning of the Stars; the Genesis of Henry Cotton's Focal Infection Theory and the Birth of The New Jersey Department of Institutions and Agencies.....	393
Henry Cotton as De Facto Dentist.....	395
The Investigations of Phyllis Greenacre and the Bright Committee.....	408
Political Tap Dancing on and around the Maimed Bodies of New Jersey Children.....	426

Final Thoughts on Chapter Eight.....	434
9. CHAPTER NINE.....	437
Definition.....	442
Portrayal of Juvenile Delinquency.....	441
Treatment of Juvenile Delinquency.....	446
Limitations of the Dissertation.....	453
Suggestions for Future Research.....	455
Significance for Education and Educational Administration.....	457
Final Thoughts.....	466
APPENDIX.....	469
REFERENCES.....	474

THE SERPENT IN THE GARDEN STATE: JUVENILE DELINQUENCY IN 1920s NEW JERSEY

CHAPTER ONE: Introduction

Historically, the behavior of youngsters has been a topic of intrigue, interest, and discussion. Similar to how many Americans consider themselves quasi-experts on education because they once attended public schools,¹ the fact that all adults have journeyed through childhood and adolescence creates a natural desire to compare the behavior of children then and now. Not surprisingly, there have been reports in every twenty-year period since 1900 portraying a decline in the behavior and/or morality of youth.² The conduct of children in any of those twenty-year periods rarely measured up to how much better youngsters were purported to have behaved “back in the good old days.”

This historically pervasive public perception that the behavior of the current generation’s youth is worse than the previous generation provides a rich ground for scholarly inquiry. Multiple generations perceived that youth behavior deteriorated over

¹ David Tyack, *Tinkering toward Utopia : A Century of Public School Reform* (Cambridge, Massachusetts: Harvard University Press, 1995).

² Peter Applebomes, "Juvenile Crime: The Offenders Are Younger and the Offenses More Serious," *New York Times*, April 3, 1987; Leo Bergman, "Recreation for Children," *New York Times*, April 25, 1942; "City Inquiry Urged on Juvenile Crime," *New York Times*, January 22, 1943; "Delinquency Agency Proposed by Jansen," *New York Times*, April 25, 1958; "Increase in Crime Called U.S. Peril; Catholic Educator Tells Court Aides of Menace in 'Disrespect for Law'," *New York Times*, April 23, 1959; Vivian Kellerman, "Serious Crimes by Juveniles on Rise," *New York Times*, September 3, 1989; Arnold H. Lubasch, "Reforms Are Urged to Halt Sharp Rise in Children's Crime," *New York Times*, October 24, 1971; "Plans to Combat Delinquency Given," *New York Times*, March 19, 1944; "Us Notes Sharp Rise in Delinquency of Girls," *New York Times*, April 12, 1972.

time. Attempting to confirm or reject these perceptions by conducting quantitative research on juvenile delinquency trends during the first half of the twentieth century, however, would be futile due to an absence of reliable data throughout the majority of the country.³ While the topic of juvenile delinquency may not be suitable for quantitative studies due to the lack of reliable US data, the topic is ripe for intense historical study.

This dissertation's historical examination of juvenile delinquency in New Jersey during the 1920s provides a rich study of a problem from which current educators, educational administrators, and others concerned with the problem of juvenile delinquency can learn. Due to the difficulties that can arise by examining a topic through too broad a lens,⁴ I set parameters for this historical study and answered the following question: *How was juvenile delinquency defined, portrayed, and addressed by reformers in New Jersey during the 1920s?*

Context

Throughout both New Jersey and the United States, the 2000s mirrored the 1920s in a myriad of ways. During both decades, United States citizens feared subversion from internal enemies; educational systems embraced measurement and testing to the point of obsession; many citizens believed that the country was caught up in a frenzied pace of life, threatening those accustomed to "traditional values" and the slower lifestyle of "the good old days;" schools embraced nation-wide Character Education movements; major financial crises moved the nation moved from decades marked by wealth and a booming

³ Thomas Monahan, "On the Incidence of Delinquency," *Social Forces* 39, no. 1 (1960, October); Thomas Monahan, "On the Trend in Delinquency," *Social Forces* 40, no. 2 (1961, December).

⁴ Catherine Marshall and Gretchen Rossman, *Designing Qualitative Research*, 3rd ed. (London: 1999).

economy to near economic collapse; and society experienced significant transformation as it shifted to an industrial society in the 1920s and a technological society in the 2000s.⁵ While the similarities between the 1920s and 2000s will be touched upon in the concluding chapter, examining the uncanny parallel between these decades is not this dissertation's aim. The focus is the history of juvenile delinquency in 1920s New Jersey.

The 1920s, sometimes called the Roaring Twenties, have been described as "America's gaudiest and most exuberant decade."⁶ The Twenties were exhilarating for some, but for countless others the changes and events that unfolded threatened a traditional way of life. During the 1920s, the 19th Amendment was ratified (August 18, 1920), giving women the right to vote, eugenicists sought to build a supreme race in America, the Immigration Quota Acts of 1921 and 1924 placed discriminatory caps on immigration from specific countries,⁷ the Supreme Court dictated who could and could not procreate by sanctioning and recommending the sterilization of inmates,⁸ and the Eighteenth Amendment, Prohibition, made it unlawful to consume alcohol (January 29, 1919). But change brings resistance. Not surprisingly, the 1920s became a battlefield as multiple cultural tug-of-wars ensued between those wishing to enjoy their newfound

⁵ While industrialization began long before the 1920s and technology before the 2000s, a boom in industrialization and technology took place during the Twenties and 2000s, respectively.

⁶ Jerome Rodnitzky, "Getting the Ear of the State; a Pioneer University Radio Station in the 1920s," *History of Education Quarterly* 8, no. 4 (1968, Winter)., 505.

⁷ Sam McSeveney, "Immigrants, the Literacy Test and Quotas: Selected American History College Textbooks' Coverage of the Congressional Restriction of European Immigration, 1917-1929," *The History Teacher* 21, no. 1 (1987, November).

⁸ *Buck V. Bell*, 274, (US 200 1927).

freedoms and those wishing to suppress or control adversaries through legislation or other means.

During this era of instability, reports about juvenile delinquency and crime flourished in the newspaper and other popular media. The frequent and sensationalistic manner in which crime was reported gave the appearance that a crime wave had seized New Jersey and the nation. Data found by me, and the data not found, do not generally support claims made that a rise in crime or juvenile delinquency occurred during the 1920s.

Any extant delinquency data were highly unreliable for a number of reasons. First, the frequency with which incidents of delinquency were reported differed based upon the personnel in place to detect it. Because the sizes of police forces often varied from one municipality to the next, municipalities with more police officers naturally had a better chance of observing and addressing delinquent behavior compared to like-sized towns with smaller police forces.⁹ Similarly, changes in delinquency rates within the same location may have merely reflected changes in the size of the police force. For example, a report on 3,192 Juvenile Arrests made by the New Jersey State Police from 1930 to 1937 included arrests disaggregated by race, gender, county, time of day, and type.¹⁰ Charts in the report depicted a sizeable decline in delinquency in 1932; however, the author of the study explained that the decline was probably due the elimination of

⁹ Monahan, "On the Incidence of Delinquency."

¹⁰ E. Plummer, *Report on 3192 Juvenile Arrests Made by Members of This Department from 1930-1937 Inclusive* (Trenton, NJ, 1938).

fifty state police officer positions rather than an actual reduction in juvenile crime.¹¹ With fewer police officers, less crime and delinquency could be detected and addressed.

An additional problem causing a lack of reliable delinquency data was that juvenile misbehavior often went unrecorded. While a positive step was taken when the US Children's Bureau rallied numerous juvenile courts to uniformly report delinquency statistics in 1927,¹² accurately ascertaining the extent of delinquency in New Jersey was not possible during the 1920s because of the juvenile court systems, the number of probation officers, the number of police officers, and the procedures of courts wildly varied from one New Jersey county to the next.¹³ In some counties, reports on juvenile delinquents contained excellent detail, and in others logs containing the names of supposed delinquents could scarcely be found.¹⁴

Yet another reason tracking trends in delinquency was difficult was due to the inconsistencies with how juvenile delinquents were handled. Some police departments and courts handled minor matters "unofficially," while others employed more stringent,

¹¹ Ibid. With fewer officers, less crime/delinquency could be detected and handled.

¹² Grace Abbott, "The Child," *The American Journal of Sociology* 37, no. 6 (1932, May).

¹³ J. Bentley, Seufert, W., Van Riper, W., Meany, T., Murphy, J., Sharpley, P., and Messick, C., *New Jersey Juvenile and Probation Study Commission Report March 28, 1927* (Trenton, NJ, 1928).

¹⁴ The gross inconsistencies with the recording of data plagued not only New Jersey but the vast majority of the United States throughout the decade. See Monahan, "On the Trend in Delinquency." Despite the US Children's Bureau plea in 1927 for juvenile courts to uniformly report delinquency data, very few states or cities had consistency in their methods of data collection or stability with personnel. In Philadelphia, the Municipal Court had exclusive jurisdiction over all delinquency matters for many decades. The court, almost at its outset, created a statistical department in 1915 that was under the direction of the same trained statistician for at least forty years. Therefore, delinquency data from Philadelphia were one of the few sets of reliable data in the nation during the 1920s through the 1950's.

formalized procedures.¹⁵ Data were potentially misleading. Whether analyzing arrest records or court records for juveniles, differences between counties in New Jersey or states in the United States often reflected differences in how delinquents were handled rather than actual differences in delinquency rates.¹⁶

The minimal 1920s data that were actually found for New Jersey do not support claims that a crime wave had seized New Jersey. The commitment rates for juvenile delinquents to state institutions remained relatively stable throughout the Twenties.¹⁷ During the 1930s, these commitment rates actually declined as problems with children were handled outside of the courtroom more frequently.¹⁸

Despite the near absence of data and the lack of reliability with data that did exist, newspapers, journals, and books that claimed crime was out of control were most often accepted at face value in the 1920s, just as they are by most people in modern times.

¹⁵ Turner, Hopkins, and Ellis (1939) discussed that police officers function as a “Blue Court.” They wrote, “To many Americans, the blue-coated police officer is ‘The Law.’ Police departments were created to deter would-be offenders from committing crimes and to take into custody those who are accused of violating the law. But every police officer is expected to exercise discretion as to whether or not he should make an arrest. Whenever he has to make such a decision, he becomes in effect a judge and jury.” See Benjamin Turner, Thomas Hopkins, and William Ellis, *Justice and the Child in New Jersey* 1939. Vol. Final rpt., p. 122. Turner and colleagues added, “The Blue Court has long been especially relied on to adjust many cases involving minors. . . . When offenses are committed by boys and girls who have grown up in a neighborhood and are well-known to the police officers, the Blue Court is expected by the public to make every possible effort to avoid recourse to more formal arrest and trial procedures.” *Ibid*, p. 122-123. As explained previously, the fact that police officers unofficially handled or provided “adjustments” for many cases of delinquency adds to the challenge of assessing delinquency trends. The size of a police force, individual attitudes, beliefs, or biases of individual officers, or philosophies of entire police departments greatly impacted the number of children brought before a juvenile court.

¹⁶ Monahan, “On the Trend in Delinquency.” One of the first researchers to thoroughly explore both the inconsistencies in the informal versus formal handling of delinquency and the difficulty in measuring delinquency was Sophia Robison. See Sophia Robison, *Can Delinquency Be Measured?* (New York: Columbia University Press, 1936).

¹⁷ Emil Frenkel and Helen Heyer, *Juvenile Delinquents Enter State Institutions - 1930; Statistical Summary of Admissions and Discharge for the Year Ending June 30, 1930* 1931.

¹⁸ Turner, Hopkins, and Ellis.

Reformers easily swayed citizens to believe that they were in danger by bombarding the public with alarming reports about crime and delinquency. The methods used by reformers to mislead the public were clever and, at times, sinister. One theme woven throughout this dissertation is that individuals hiding under a cloak of professionalism and zealots parading as scientists were able to accomplish horrifying things in 1920s New Jersey by easily duping the public, providing a reminder that although “we dream that we live under a government of laws, we are actually under a government of men and of newspapers.”¹⁹

During the 1920s, reformers used newspapers, journals, books, and lectures to feed the fear of citizens during one of the most dynamic decades in our nation’s history and on the heels on the Red Scare. I investigated the methods used by reformers to amplify fear and examined their motives for exacerbating it. I framed juvenile delinquency as a social construct, sculpted by reformers of the 1920s to advance their diverse and sometimes conflicting agendas. Just as the Temperance Movement²⁰ and the Immigration Quota Acts of 1921 and 1924 were designed by reformers to control “undesirable” populations in American society,²¹ reformers’ efforts to address delinquency in radical new ways in 1920s New Jersey was not purely altruistic. The

¹⁹ Edward Ross, *Sin and Society; an Analysis of Latter-Day Iniquity* (Boston: Houghton Mifflin Company, 1907), 23.

²⁰ Joseph Gusfield, *Symbolic Crusade; Status Politics and the American Temperance Movement* (Urbana: University of Illinois Press, 1963); John L. Merrill, "The Bible and the American Temperance Movement: Text, Context, and Pretext," *The Harvard Theological Review* 81, no. 2 (1988).

²¹ Mae M. Ngai, "The Architecture of Race in American Immigration Law: A Reexamination of the Immigration Act of 1924," *The Journal of American History* 86, no. 1 (1999).

succeeding chapters reveal the shrewd and clever tactics used by reformers to advance their sometimes covert and often overt agendas.

Methodology

I conducted this study using a “New History”²² perspective. Everything, including juvenile delinquency, has a history; “that is, everything has a past which can in principle be reconstructed and related to the rest of the past.”²³ Reporting on juvenile delinquency in isolation, as if its history occurred in a vacuum, would have been unwise. Instead, this study looked at a myriad of intersecting histories when reconstructing the history of juvenile delinquency in New Jersey in the 1920s.

I examined multiple disparate topics and themes related to juvenile delinquency. The array of topics examined included, and was not limited to: the impact of social issues of the 1920s on delinquency; New Jersey institutions that housed delinquents, the role of the juvenile court in delinquency; the relation between schools and juvenile delinquency; the definition of delinquency; the portrayal of delinquency in newspapers, books, and journal articles; historical changes in the definition of childhood; the impact of eugenics on delinquency; the interplay between the efficiency movement and delinquency; social biases that impacted the treatment of delinquents; statistics related to juvenile delinquent commitments; and the motivations, covert, and overt agendas of reformers who impacted juvenile delinquency in 1920s New Jersey. By examining these disparate themes in

²² Peter Burke, ed. *New Perspectives on Historical Writing* (University Park, Pennsylvania: The Pennsylvania State University Press, 2001).

²³ J.B.S. Haldane, *Everything Has a History* (London, 1951) in Burke, *New Perspectives on Historical Writing* (University Park, Pennsylvania: The Pennsylvania State University Press, 2004)., 3.

isolation and subsequently formulating and developing theories on how they were interrelated or interdependent, I attempted to reconstruct the history of this topic.

One additional methodological approach employed was to examine the story of juvenile delinquency from multiple vantage points. While much of this historical dissertation does employ a “history from above” perspective, I attempted to find source materials written by various constituents and players involved in defining, portraying, or addressing juvenile delinquency. Institutional records, commission reports, reformers’ books and articles, personal correspondence and papers, statistical reports, newspaper articles, and professional journals are just some of the diverse records analyzed in an attempt to piece together how various individuals, organizations, and institutions perceived, defined, portrayed, and addressed delinquency.

Based upon information collected from both primary and secondary historical sources, this dissertation presents the historical study of juvenile delinquency in 1920s New Jersey by using a multi-faceted Venn diagram as a lens. Primary source material consisted mostly of items from the 1910s, 1920s, and early 1930s. I analyzed newspaper articles from the *New York Times*, *Trenton Evening Times*, and other regional newspapers, books from the era, written records and materials from the New Jersey State Board of Education, New Jersey Commissioner of Education, New Jersey Education Association, New Jersey Superintendent of Schools, Trenton State Hospital, Vineland Training School, Jamesburg State Home for Boys, and other New Jersey educational leaders, institutions, and agencies. Available statistical reports on crime and/or juvenile delinquency published by the State Police, other law enforcement agencies, and other government entities were examined. Additionally, reports written in the 1920s by

committees appointed or sanctioned by the state legislature that pertain to juvenile delinquency were reviewed. Journal articles pertaining to juvenile delinquency, social work, social reform movements, education, and other pertinent topics also informed this study and are cited throughout.

New York Times articles from the 1920s were researched using the ProQuest search engine (ProQuest was available to me as a doctoral student at Rutgers University), and *Trenton Evening Times* articles were reviewed using America's Historical Newspapers (this search engine was available to me as a guest at Firestone Library at Princeton University). Journal articles from the 1920s were also found and explored using the JSTOR search engine. The Special Collections and University Archives located on the basement level of Alexander Library on College Avenue, New Brunswick, New Jersey at Rutgers University were invaluable, allowing me to find archived materials from the 1920s that pertained to this study. The New Jersey State Archives in Trenton, New Jersey provided important access to primary documents from the Trenton State Hospital, and the Firestone Library at Princeton University were also extremely useful to me.

The secondary literature included the history of juvenile delinquency, juvenile delinquency in the context of the 1920s, the juvenile court movement, eugenics, prohibition, progressivism, the efficiency movement, the Red Scare, and multiple other topics related to the 1920s. Secondary sources included, but were not limited to, books from the Rutgers Library, New Jersey State Archives, Princeton University, and Google Scholar, as well as articles obtained from JSTOR, other computer search engines, and library collections.

Chapters

This introduction serves as Chapter One of the doctoral dissertation. The research question, context of the 1920s, methodology, overview of chapters, and limitations to the dissertation are presented to frame the study.

In Chapter Two, *The Cauldron of Fear*, the tumult of the 1920s is presented. The dynamic nature of the Twenties was exhilarating for some, but for many the changes and events that unfolded threatened a traditional way of life. As shown in this and subsequent chapters, reformers stirred up a cauldron of fear and used this instability as a catalyst to justify their programs and agendas. Historical topics that influenced New Jersey during the 1920s included The Red Scare, Women's Suffrage, Prohibition, a newly emerged youth culture, high profile kidnappings, new technology, and the Ku Klux Klan. These and other developments of the decade are presented in Chapter Two.

In Chapter Three, *Science to the Rescue*, the Twenties' fixation of finding scientific answers to pressing problems is unveiled. With fear of internal enemies and change fueled by reformers, the era was ripe for "experts" and budding professions to present fix-all solutions. The efficiency movement, intelligence testing, and eugenics all profoundly shaped the manner in which juvenile delinquents were defined, portrayed, and "treated" during the 1920s. Each of these movements significantly impacted the portrayal, definition, and treatment of juvenile delinquency in 1920s New Jersey.

Chapter Four, *Calling a Spade a Serpent: The Promiscuous Use of Labels in the Garden State during the 1920s*, reveals the plethora of labels reformers applied to rather normal children in an effort to advance their agendas. Drawing heavily upon Murray

Edelman's "The Political Language of the Helping Professions,"²⁴ this chapter introduces how "helping professionals" self-servingly and promiscuously applied a plethora of interchangeable labels to classify children during the 1920s. As this chapter highlights and future chapters verify in more depth, these labels had significant, and in some cases, life-altering consequences for children of New Jersey

Chapter Five is entitled *NJ Public Schools: Vehicles for Social Reform*. Similar to other parts of the country, New Jersey's public schools, particularly its secondary schools, were burgeoning during the 1920s. The Americanization and Character Education movements were popular during the era, illustrating that schools were used as vehicles for social influence and reform. New Jersey's schools found many avenues to avoid educating its most challenging youth. Some school districts simply ignored laws requiring them to educate all students. Some children never received an education, and districts merely chose not to follow compulsory education laws because they felt certain children were "uneducable." A New Jersey law that permitted children to leave school at age 14 to work was another popular way to rid public schools of unwanted students, and state statutes mandating that "Continuation Schools" be in place to continue to educate such teenagers were, again, often simply ignored. Hundreds, if not thousands, of other children were removed from the school because they were all-too-easily assigned the label "delinquent." Armed with dozens of popular labels that could be deleteriously applied to challenging youngsters, school officials easily ousted many students who made education inefficient.

²⁴ Murray Edelman, "The Political Language of the Helping Professions," *Politics and Society* 4, no. 3 (1974).

Chapter Six, *The Garden State's Juvenile Court System: Disorganized yet Dangerously Omnipotent*, details the status of the juvenile courts during the decade. The juvenile court system began in the United States in 1899, and was therefore only a few decades old in New Jersey during the 1920s. New Jersey's juvenile courts and its probation systems lacked any uniformity as wild disparities existed from one county to the next during the decade. Consequently, delinquents in one locale faced entirely different consequences than children in another locale. Significantly, this chapter illuminates the tremendous power that juvenile courts possessed. With the creation of a psychiatric "clinic" as an arm of the juvenile court, a dangerous door was opened that led to grave consequences for many "delinquents." The psychiatric clinic created a perception that modern science would help delinquents reform and be "healed," but, in reality, it perpetuated pseudoscience and led to the disfiguring and death of some children.

Chapter Seven, *New Jersey's Institutions*, highlights several prominent New Jersey institutions for its feeble-minded and/or delinquent children. With a powerful court system that could place children in any reform school, detention facility, or training school for the feeble-minded, New Jersey delinquents who landed in juvenile court during the 1920s were often remanded to facilities that significantly altered their lives.

Several key institutions of the state, such as the Jamesburg State Home for Boys and the Training School at Vineland, are discussed in some depth. Juvenile delinquent institutionalization rates in 1920s New Jersey often mirrored societal biases and discriminatory mindsets of the era. Chapter seven also describes how delinquent children became entangled in social and professional webs, exposing the fact that close personal

and professional relationships shaped delinquency during the 1920s in New Jersey. With key ingredients (fear, political language and professional jargon that could garner public and fiscal support, a powerful court system, schools that wanted to get rid of difficult children, and institutions that were eager to take them) all in place, reformers wishing to bind or intertwine their personal, professional, or fiscal agendas were in a unique position to do so. This chapter calls attention to the fact that tightly coupled personal and professional circles of individuals greatly influenced the fate of many children labeled as juvenile delinquent in 1920s New Jersey. The relationships presented in this chapter illustrate that a web of individuals with enmeshed professional and personal ties helped to advance the agendas of the individuals and institutions. These men included Edward Johnstone, Alexander Johnson, Henry Goddard, William Ellis, Edgar Doll, Adolf Meyer, and Henry Cotton.

These colleagues were linked together in a manner that was ultimately dangerous for New Jersey's children. Some of the men were related through blood or marriage, unbeknownst to the outside world, others had professional ties that stemmed from college, and still others provided overly enthusiastic praise for their colleagues' aggressive new methods to cure delinquency, praise that would not allow them to later denounce some of the overzealous approaches once they were proven to be dangerous or deadly for children.

Chapter Eight, entitled *Henry Cotton: De Facto Dentist and Doctor of Death*, unearths the frightening practices of Dr. Henry Cotton. As Director of the State (psychiatric) Hospital in Trenton and head of the "clinic" that diagnosed, classified, and recommended transfers for all delinquents and criminals in the state institutions, Cotton

was in perhaps the most powerful position in the state to directly affect the lives of the largest number of New Jersey's juvenile delinquents. As a fitting finale to the story of juvenile delinquency in 1920s New Jersey, the horrors exacted by Henry Cotton will be presented. Cotton's influence led to thousands of unnecessary tooth extractions and tonsillectomies for New Jersey children during the 1920s. Worse yet, countless surgeries were performed on adults and children during the era, and, in the process, many organs and body parts, including the tonsils, spleen, colon, uterus, and cervix were needlessly removed.²⁵ Although the data have been difficult to find, particularly those that definitively show the number of surgeries for those who were classified as juvenile delinquents, my findings have unveiled the fact that some of the transfers effected, during which children were sent to the State Hospital from one of the other state institutions, did lead to senseless deaths during the 1920s. This tragic but true tale was yet another frightening example of the danger of the overzealous application of pseudoscience.

Chapter Nine serves as the concluding chapter of the dissertation. The findings of the research are summarized and recapitulated. Strengths and limitations of the study are reviewed. Implications and suggestions for future research are presented.

Limitations to this Dissertation

Years of research on this topic have allowed me to unearth and place together many significant pieces of an important historical story. Despite the breadth and depth of the investigation presented in this dissertation, there were and remain a number of limitations.

²⁵ Henry Andrews Cotton, *The Defective, Delinquent, and Insane; the Relation of Focal Infections to Their Causation, Treatment, and Prevention*, Princeton University. The Louis Clark Vanuxem Foundation Lectures, (Princeton,: Princeton University Press, 1921).

It would have been ideal if oral histories could have been incorporated as part of this study. Unfortunately, most individuals alive today who were living throughout all of 1920s were not of school age during the decade (or if so, barely of school age). The study would have been strengthened if a number of individuals were found who could recall with some accuracy how schools, institutions, and society reacted to juvenile delinquents in New Jersey during the 1920s. This would have allowed the story to be told from a different perspective and, possibly, provide information that may not be obtainable through an examination of written documents.

I analyzed thousands of primary and secondary written documents. The breadth of the documents examined and the disparate themes explored in this dissertation served as both a strength and weakness of this study. The parameter I set, juvenile delinquency in 1920s New Jersey, proved to be an umbrella encompassing a myriad of topics and themes, any one of which could probably be studied in isolation as its own dissertation. While I acquiesced to this fact and the limitations that existed due to it, I found that trying to cohesively weave the disparate themes together was the most meaningful and interesting way to tell this story.

Trying to reconstruct any history by examining primary and secondary sources is never an easy task, and I faced additional limitations in my ability to access some vital data. The most poignant example of such a roadblock relates to the most gruesome chapter in this story of juvenile delinquency in 1920s New Jersey, Chapter Eight, which chronicles some of the horrors exacted under the leadership of Dr. Henry Cotton, Medical Director of Trenton State Hospital and Director of the Psychiatric Clinic for the State of New Jersey. The New Jersey State Archives contained a treasure trove of information on

the Trenton State (Psychiatric) Hospital. In five visits to the Trenton State Archives, I faced increasingly tall walls blocking my access to vital information. During the second visit, I was informed that I would have to write a letter to Mr. Karl Nederer, Director of the Archives, to access some of the requested documents. A series of emails documenting my communication with high ranking officials at the New Jersey Department of Archives and Records Management, dated August 27, September 1, September 2, and September 3, 2009, made it clear that archives' officials for the State of New Jersey were blocking my access to some materials which might definitively show the manner in which juvenile delinquents transferred to the Trenton State Hospital during the 1920s died due to Cotton's mistaken belief that mental instability was caused by focal infections, curable by teeth extractions and/or repeated surgeries on infected organs and body parts.²⁶ Mr. Joseph Klett, Deputy Director for the Archives, explained that he was referring the matter to the Attorney General's office for an opinion, but the door was essentially closed to me, despite the fact that 80-90 years have passed since the 1920s and despite my promise that no names of former patients would ever be disclosed in any way.

Furthermore, the data that were found were, in some cases, fragile documents that were decaying with time. While *New York Times*, *Trenton Evening Times*, and journal articles are likely to remain available indefinitely through ProQuest, America's Historical Newspapers, and JSTOR, respectively, a number of other primary documents related to juvenile delinquency and education in 1920s New Jersey may not enjoy the same fate.

²⁶ Bette Epstein, "Re: Request for Permission to Access Records, E-Mail Message to Thomas Ferry, September 1, 2009. "; Thomas Ferry, "Re: Request for Permission to Access Records, E-Mail Message to Joseph Klett, September 2, 2009. "; Thomas Ferry, "Request to Permission to Access Records, E-Mail Message to Joseph Klett, August 27, 2009. "; Joseph Klett, "Re: Request for Permission to Access Records, E-Mail Message to Thomas Ferry, September 1, 2009. "; Joseph Klett, "Re: Request for Permission to Access Records, E-Mail Message to Thomas Ferry, September 3, 2009. "See Appendix A.

The various archives allowed me to examine one of a very small number of copies of certain textbooks, articles, documents, and personal correspondence. Due to the age of these materials, they are brittle and cannot be removed from the premises. Because of their condition and limited number, there may be a time in the future when these materials will no longer be available. Therefore, this study will hopefully paint a picture and capture a moment in time that may not be able to be reconstructed in the same manner in the future.

Purpose and Value of Study

In 1927, the New Jersey Commission to Investigate Crime explored reasons behind a purported “crime wave” and reported their findings to the New Jersey legislature.²⁷ The commission attributed the crime and disturbing conditions in society to the breaking up of home life, the lessening of responsibility of the family, liberal self-expression, movies glorifying violence and crime, negative influences of music, the demise of religious faith, alcohol, drugs, weapons, unwelcome aliens, the coddling of criminals, poor conditions in cities, a departure from traditional discipline and morals, and modern technology.²⁸ Contemporary readers may be surprised to hear that the same arguments being espoused today to explain undesirable conditions in modern society were stated, almost verbatim, eighty-three years ago. The reactions of those people with whom I have shared this fact can best be described as shock and awe; this reaction

²⁷ T. Raymond and others, *N.J. Commission to Investigate the Subject of Crime* (Trenton, NJ: MacCrellish and Quigley Co. Printers, 1927).

²⁸ Ibid.

reinforces the notion that every generation seems to recall the “good old days” as better, safer, more virtuous times with less crime and chaos.

The commission’s 1927 summation of society’s problems, and additional examples shared in this dissertation, suggest that new problems are truly old ones with new contextual variations. I am convinced that there is value beyond quantitative research and believe we can approach modern day situations with more wisdom if we learn from history. As David Tyack and Larry Cuban observed, while history is not predictive, it is instructive—particularly in educational policy and administration.²⁹

A common cliché is that “educational is cyclical.” This statement haunted me when I was a young, idealistic educator with tireless energy but limited experience and wisdom. I pondered, “Why is educational cyclical? If we have been here before, are we like hamsters on a wheel, or have we made progress? What happened before that ended “this thing” that we educators are now trying again?” These and other questions plagued my mind. Yet with 125 students per day and a responsibility to teach these children a rigorous mathematics curriculum, I had limited time to find answers and felt perplexed for several years.

Among other reasons, a belief that administrators could make more systemic changes led me to seek out and attain a position as a school administrator in New Jersey. For the past eight years, I have served as both a High School Vice Principal and Middle School Vice Principal. One of the primary roles of the Vice Principal is to discipline children who have misbehaved. The administrator is charged with redirecting or “reforming” children who are causing disruption to the educational process and wasting

²⁹ Tyack.

their ability. The past eight years have afforded me the opportunity to gain practical experience working with thousands of misbehaving children, some of whom might be called “juvenile delinquents.” I have also been fortunate enough to watch systemic processes in action; observe the influences of the community on the school; witness changes in both the world and American society impact the operation of schools; feel the pressures and positive influences on education caused by a very litigious society; and broaden my horizons by becoming a better student of the history of education, quantitative research, and qualitative research. These experiences have provided enhanced insight and wisdom and have shaped my belief that historical research can be a worthwhile, meaningful endeavor.

Educational change and innovation is indeed not a linear process. Education reform seems to take place on a pendulum. Any given educational reform or ideology is inevitably seen as extreme, and the pendulum often swings back to the opposite extreme. Educators often feel dizzy from an equilibrium that is dynamic. They become accustomed to one set of rules, and the rules of the game then change. These rules are often imposed from above, often at the state or national level. The philosophies for changes are rarely shared and even less frequently diffused; instead, teachers and school administrators blindly grapple with the newest set of instructions, prescriptions, and conditions upon which they must teach children in the classroom and operate schools. This creates resentment, resistance, frustration, confusion, and, despair.

Understanding where you have been, where you currently stand, and where you want to go creates a sense of purpose and direction. The dynamic nature of education makes this vital, yet few educators are students of history. Supposedly new panaceas fail

the second and third time around because too few people are aware that a miraculous new approach to education has been tried before. Those that are aware frequently never studied the reasons for the creation and demise of the reform the last time it was tried. Moreover, the “big picture” is rarely discussed, and panaceas fail in part because there is little discussion of the philosophy behind the reform. Disjointed, misunderstood, and dropped upon educators from above like a bomb released from the belly of a warplane, the majority of reforms, designed as panaceas, never stand a fighting chance of success.

While research abounds on juvenile delinquency, these studies rarely, if ever, reach educators. This dissertation will hopefully be useful for educators, sociologists, researchers, psychologists, and others who may see, through this historical example, that issues they are trying to ameliorate, such as juvenile delinquency, are not new and are enmeshed in social, political, and cultural webs. While the past cannot be generalized to be an accurate mirror of the present, there are lessons to be learned if we understand a topic on more than at surface-level. This study provides a special focus on juvenile delinquency in New Jersey in the 1920s. The investigation specifically reveals how juvenile delinquency was defined, portrayed, and addressed by multiple reformers during the Twenties. The value of the study is two-fold. The study presents a thorough examination of a topic (juvenile delinquency) in a specific location (New Jersey) during a specific timeframe (1920s) that may not be able to be as thoroughly reconstructed in the future. This study therefore “preserves” a piece of history while simultaneously telling a story that I have not, to date, seen in print. Secondly, and probably more importantly, this study may allow more informed studies or decision making in the future. Optimistically speaking, we may be able to avoid the same pitfalls and replicate previous successes if

we learn from history. Irrespective of the truth of the previous statement, a dissertation such as this one, which examines a specific issue with a multi-faceted Venn-diagram as a lens, provides an opportunity to see that juvenile delinquency is a social construct that is created (defined), amended, steered, portrayed, and addressed by reformers, many of whom have self-serving interests in the “treatment” and “reform” of the children under their “care.”

As shall be shown throughout this dissertation, New Jersey faced a multitude of changes and challenges during the 1920s. By examining how the societal issues of the 1920s impacted education, in general, and delinquency, in particular, future researchers, educators, or criminal justice workers may gain enhanced insight that may allow them to approach “new” situations with more wisdom. This examination of the school, juvenile court, probation, and detention systems in 1920s New Jersey in the context of the era should allow a researcher, educator, or juvenile justice worker to compare and contrast the modern day delinquency problem to the issue eighty years ago. While it is beyond the scope and intent of this study at this time to fully draw these comparisons, I hope to, at the very least, provide a rich historical context to a problem that is seemingly unique to the present day.

CHAPTER TWO: The Cauldron of Fear

The post-World War I period was a time when the country felt deeply threatened from within. In a quest for stability and cohesion and control, Americans attempted to legislate a dry America, an end to immigration, and even to legislate who could or could not procreate.¹

The quotation above captures the dynamism of the 1920s, yet it inaccurately lumps all Americans together, portraying them as united reformers who effectuated Prohibition, Immigration Quota Acts, and a Supreme Court decision that sanctioned the sterilization of feeble-minded inmates. These events indeed symbolized a struggle for stability, cohesion, and control, but they were accomplished at the hands of Nativists and Eugenicists in an attempt to thwart and crush new immigrants and other opposing factions. Various reformers and reform groups, many with conflicting agendas, engaged in intense cultural battles during the Twenties. It would be impossible to fully appreciate the story of juvenile delinquency in 1920s New Jersey without first having an understanding of these cultural battles and the major events which shaped the landscape of the era.

Chapter Two is entitled *The Cauldron of Fear* because specific factions of reformers intentionally amplified extant fear to accomplish their goals. One of our basic human needs is to feel safe; fear is therefore a powerful human emotion. Good leadership can allay anxiety and fear, yet shrewd leaders with ulterior motives can manipulate and exacerbate fear to sway and steer the public. Reformers of the 1920s self-servingly stirred up a *cauldron of fear* to keep

¹ Sol Cohen, "The Mental Hygiene Movement, the Development of Personality and the School: The Medicalization of American Education," *History of Education Quarterly* 23, no. 2 (1983, Summer).

anxiety alive in the American public to advance their agendas. Reformers who developed the definition, portrayal, and treatment of juvenile delinquency used fear as a tool to justify arguments that delinquents posed a real threat to society, while diminishing potential resistance to their solutions.

Various other reformers similarly stoked fear during the decade. Diverse groups of reformers called anyone who opposed a specific idea about government *bolshevists*,² labeled trendy new women *flappers*,³ dubbed children perceived as less intelligent *feeble-minded*,⁴ and called those who sold, purchased, or consumed alcohol *criminals*.⁵ In each of these cases, reformers distorted reality and portrayed the opposition as a “dangerous” class, perilous to a healthy society.

Specific themes that are presented in this chapter (the Red Scare, Racial Tensions of the 1920s, Prohibition, Immigration Quota Acts, and others) have been selected to illuminate the backdrop for this dissertation’s focus on juvenile delinquency. Appreciating the complexity of the cultural tug-of-wars that took place during the 1920s will allow readers to better discern the biases, discriminatory practices, and questionable motives of reformers who determined the fate of juvenile delinquents in the Garden State during the 1920s.

² Sol Cohen, "A Study in Nativism: The American Red Scare of 1919-1920," *Political Science Quarterly* 79, no. 1 (1964, March).

³ Catherine Gourley, *Flappers, and the New American Woman : Perceptions of Women from 1918 through the 1920s*, Images and Issues of Women in the Twentieth Century V. 2 (Minneapolis, MN: Twenty-First Century Books, 2008).

⁴ James W. Trent, *Inventing the Feeble Mind; a History of Mental Retardation in the United States* (Los Angeles: University of California Press, 1994).

⁵ Gusfield.

The Red Scare and Its Impact

As a result of the terrorist attacks of September 11, 2001, Middle Eastern-Americans have experienced discrimination and harsh treatment from some fearful, misguided Americans during the 2000s. Because the terrorists were primarily from the Middle East, thousands of peaceful, patriotic Middle Eastern citizens were painted with a single brush, lumped together and vilified due to ethnicity and religions (Islam). The CIA and FBI have recently come under intense scrutiny for the interrogation and torture practices they employed with suspected terrorists, and the agencies have also been criticized for the almost boundless license they have enjoyed in wiretapping and monitoring the innocent public. Regardless of the need or perceived merit of these procedures, that they took place with the knowledge and support of both government officials and the lay public illustrate the power of fear. Because so many Americans were nearly paralyzed by fear in the wake of 9/11 attacks, reformers were able to effectuate change and employ questionable, intrusive practices that would not have been permissible in times when fear was not widespread. One theme of this dissertation is that reformers in 1920s New Jersey were able to effectuate change and employ questionable, intrusive practices with juvenile delinquents due in large part to widespread fear during the Twenties.

The Red Scare is important to this dissertation because it laid the foundation of panic upon which reformers were able to erect multiple edifices of fear. The Red Scare alerted the American public that the nation was besieged by hidden enemies seeking to overthrow the government. Thus, reformers' portrayal of delinquency as a great risk to the stability and future of society was particularly potent. The overview of the Red Scare

provides an essential understanding of the fear ushering in the 1920s, a scare that quickly subsided but left in its wake a rather paranoid public.

Overview of the Red Scare

The First World War ended in 1918; despite the fact that American soldiers returned home to US soil, the fear that the nation was still threatened persisted and, for a short time, intensified. Unlike the fear from the Great War that American enemies were across a vast ocean, the Red Scare of 1919-1920 marked a time when some Americans peered over their shoulders, fearful that the neighbor next door could be the new nemesis. The “super-patriotism” that swept through the nation during World War I, combined with long standing Nativist fears of foreign immigrants, contributed to “The Red Scare,” a era in the United States during which left-wing radicals were actively persecuted.⁶

In March 1919, the new “Soviet” government organized The Third International to promote worldwide revolution; at the time, communism made tremendous gains in Germany, Hungary, and along the Soviet border.⁷ This caused great anxiety about a possible Bolshevik revolution in the US. Although the fear of radicalism and anarchism existed before and during the war, the spread of revolutionary principles to other countries (the Communists’ Third International) was a catalyst to the widespread reactions that became known as the Red Scare.⁸ The Communist Party, Socialist Party, and other left-wing organizations in the United States came under attack. However, it was

⁶ Patrick Renshaw, "The IWW and the Red Scare 1917-1924," *Journal of Contemporary History* 3, no. 4 (1968, Oct.).

⁷ David Colburn, "Governor Alfred E. Smith and the Red Scare, 1919-1920," *Political Science Quarterly* 88, no. 3 (1973, Sep).

⁸ William Leuchtenburg, *The Perils of Prosperity, 1914-32* (Chicago: The University of Chicago Press, 1958).

not the size or overt actions of the American Communist or Socialist Parties in the US that ignited the Red Scare; the Communist Party was a small and non-influential organization by the time of the scare, and the Socialist Party's ranks were depleted and morale low.⁹ Although radical organizations did not possess power in numbers and were not ultimately viewed by some historians as key players in the Red Scare, a struggling economy, bomb scares, violent labor strife, and a bombardment of radical literature left Americans psychologically vulnerable.¹⁰ Americans had expected prosperity following the war, and the subsequent tough economic times coupled with social turbulence and the international influence of the Third International created an atmosphere ripe for fear and (over)reaction.

Historically, a bad economy can create unrest in a country. Its contribution to the Red Scare, though not overt, is appreciable. "Prices shot up in the spring of 1919 and continued to climb until the fall of 1920; the cost of living soared in 1920 to 105 percent above the prewar level, which not only created a public sense of irritation on which the Red Scare could feed but also touched off a wave of strikes by workers attempting to keep up with rising prices."¹¹ The strikes, fueled by the bad economy, added to alarm. In the years prior to and during the Red Scare, a group that created fear for some was the International Workers of the World (IWW), a militant labor organization. Although by

⁹ Colburn.

¹⁰ Ibid.

¹¹ Leuchtenburg., pp. 70-71.

the time of the Red Scare its membership and influence had largely dwindled,¹² the more aggressive nature of organized labor action instilled a lingering fear for some Americans.

In New Jersey, the fear of revolution was also alive, and strikes were nothing new. For example, working class labor unions in the textile industry led violent strikes in Paterson, New Jersey in 1902 and 1913.¹³ Italian-American anarchist Luigi Galleani rallied workers in the silk industry during these strikes, and he was actually shot by the military during the 1902 strike. Labor strife in New Jersey further intensified during the time of the Red Scare. New immigrants who settled in New Jersey cities faced harsh working conditions and discriminatory wages. Consequently, they continued to unionize and took aggressive action to protest the undesirable conditions.¹⁴

New Jersey was also home to a powerful and highly secretive anarchist organization during the time of the Red Scare named Gruppo L'Era Nuova. This Paterson, New Jersey based anarchist group was under close scrutiny and surveillance by the Bureau of Investigations, the predecessor to the Federal Bureau of Investigation.¹⁵

In other parts of the country, the Red Scare was also causing concern for the Bureau of Investigations and millions of regular citizens. On April 28, 1919, a brown package delivered to Seattle Mayor Hanson's office was found to contain a homemade bomb. The next day a similar package was delivered to Thomas Hardwick, a Georgia

¹² Renshaw.

¹³ Philip V. Cannistraro and Gerald Meyer, *The Lost World of Italian American Radicalism: Politics, Labor, and Culture*, Italian and Italian American Studies (Westport, CT: Praeger, 2003).

¹⁴ David Joseph Goldberg, *A Tale of Three Cities: Labor Organization and Protest in Paterson, Passaic, and Lawrence, 1916-1921*, Class and Culture (New Brunswick, NJ: Rutgers University Press, 1989).

¹⁵ Regin Schmidt, *Red Scare: The F.B.I. And the Origins of Anticommunism in the United States, 1919-1943* (Copenhagen: Museum Tusculanum Press, University of Copenhagen, 2000).

Senator; this package blew off the hands of his maid when she opened it. Concurrently, 34 other packages, 16 of which were sent to New York and 18 sent elsewhere around the country, were discovered to be bombs aimed at prominent and lesser known individuals. The men targeted included John D. Rockefeller, Postmaster-General Burleson, Judge Kenesaw Mountain Landis, Senator Hardwick, Justice Holmes, Secretary of Labor William B. Wilson, and Frederic Howe, commissioner of immigration at Ellis Island. Regardless of the actual position of these men on the issues, it appears that they were all targeted for being perceived as opponents of organized labor and advocates of immigration restriction.¹⁶

On June 2, 1919, a new series of bombings created panic. This time, eight bombs exploded in the same hour in eight different US cities. These bombs targeted various officials, most notably Attorney-General A. Mitchell Palmer's in Washington, D.C. The bomber who attacked Palmer threw a bomb at Palmer's house, shattering its entire front. The bomber was killed himself in the blast; he was found to be an Italian alien from Philadelphia and an anarchist.¹⁷

These bombings fueled the national fear. Emblematic of this national sense of fear was the Boston Police Strike of 1919. During the summer of 1919, the Boston Police affiliated themselves with the AF of L. The Police Commissioner then fired 19 officers for union membership. In reaction, the police officers went out on strike. The sense of unrest and lack of police protection led to some rioting and looting. Three men were

¹⁶ William Leuchtenburg, *The Perils of Prosperity, 1914-32* (Chicago: The University of Chicago Press, 1958).

¹⁷ Ibid.

killed, store windows were smashed on Summer and Washington Streets, and looters took shoes and neckties. While the rioting, looting, and violence were not extensive given the size of the city, the national public perception that thugs were committing crime on the doorsteps to the Massachusetts State House, while striking officers left the city defenseless against crime, was poignant. President Wilson called the strike a “crime against civilization.”¹⁸

Major strikes that followed failed to garner public support. On September 22, 1919, a national strike made headlines as 365,000 steelworkers went out on strike throughout the country against the United States Steel Corporation.¹⁹ Despite the fact that these steel workers were trying to alleviate oppressive working conditions, including requirements that they work seven days a week, twelve hours per day, the public ultimately did not support their strike. Although the public initially supported the legitimate grievances due these harsh working conditions, the steel companies, reinforced by Attorney General Palmer, rallied public support against the striking workers by painting it as a radical Red outbreak. Two months later the strikers returned to work without gaining a thing. Twenty lives and \$100,000,000 in wages were lost.²⁰

Miners working in the anthracite (hard) coal industry also went out on strike. Due in part to the rising cost of living and food and the fact that soft bituminous coal miners received no wage increases, mine workers rebelled. The United Mine Workers (UMW)

¹⁸ Ibid.

¹⁹ Pittsburgh, Pennsylvania, was particularly hard-hit as three-fourths of the city’s steel mills were shut down by the strike. See David Brody, *Labor in Crisis : The Steel Strike of 1919*, Illini books ed. (Urbana: University of Illinois Press, 1987).

²⁰ Leuchtenburg.

went out on strike against the Potter Coal and Coke Company in April 1919; the original site-specific strike took place in Coral, Indiana. By November 1, 1919, 400,000 United Mine Workers were out on strike nationwide. Although their leaders had previously negotiated a no-strike agreement that was to last until March, 1920, the intense pressure from the workers forced the UMW leadership to yield to demands for a strike. Although the union leaders were conservative and against radical unionists, mine owners, like owners had done in the steel industry, successfully painted the strikers as dangerous radicals.²¹ Mine owners slandered the workers, saying that the strike was directly financed by Lenin and Moscow. President Wilson and Attorney General Palmer took drastic action and obtained injunctions against the strike. The miners' union leader ultimately ordered the men back to work. They defied even their own leader and remained on strike. Only a personal appeal by President Wilson, coupled with an offer of a substantial wage increase, ended the strike.²²

“By the autumn of 1919 millions of Americans had come to believe that the country was faced by the menace of a revolution, although genuine revolutionaries constituted almost no thread of any kind and the great strikes were for the most part expressions of legitimate grievances.”²³ The strikes, coupled with the bombings and the financial distress of the country, led to overreaction, persecution of left-wing radicals, and the violation of the civil rights of many Americans.

²¹ Ibid.

²² Ibid.

²³ Ibid., p. 76.

A number of prominent citizens offered extreme solutions to address the perceived “Red Menace.” Senator McKellar of Tennessee suggested sending native-born citizens with radical beliefs to a penal colony in Guam. Other prominent individuals, including evangelist Billy Sunday and General Leonard Word, the Army Chief of Staff, extolled similar ideas about deporting, exiling, or *executing* Bolsheviks and other suspected radicals. In Indiana, a jury spent only two minutes deliberating before setting free Frank Petroni, the man who had supposedly shot and killed a man for yelling, “To Hell with the United States!”²⁴

During the Red Scare prominent individuals in America not only spouted rhetoric about deporting those who were viewed as radicals; they acted upon their fears and their perceptions of the threats facing them. Thousands of individuals were rounded up like cattle and given unfair trials; many were deported. Ironically, Attorney General Palmer, who was a Quaker with a long record of support for progressive legislation, woman’s suffrage, child labor laws, labor, and immigration, executed an ideological about-face during the Red Scare. After being sworn into office in March of 1919, Palmer began his attacks against enemy aliens. His budget increased \$500,000 to combat radicalism, and he set up an antiradical division in the Department of Justice under J. Edgar Hoover.²⁵

On November 7, 1919, the “Palmer raids” began with 250 members of the Union of Russian Workers arrested in a dozen cities: some of whom were beaten by police and handled roughly. Many were released with black eyes and lacerated scalps. Only 39 men were recommended for deportation from this raid. But on December 21, 1919, 249 aliens,

²⁴ Ibid., p. 66.

²⁵ Ibid.

“...most of whom had no criminal record and had committed no criminal offense, were deported to Russia on an army transport, the “Buford.”²⁶ While the country feared a Bolshevik revolution, most arrested were not Communists but anarchists. Many of these anarchists were philosophical anarchists who never intended to use violence.²⁷

Raids continued as 1919 drew to a close and 1920 began. Between November 1919 and April 1920, the Department of Labor issued 6,350 arrest warrants for individuals who were supposedly in violation of the law.²⁸ During the last week of December 1919, more than 3,000 aliens who were alleged members of either the Communist Party or the Union of Russian Workers were arrested. During one night of January 1920, more than 4,000 individuals purported to be communists were arrested throughout the nation in 33 cities. People were held incommunicado, denied counsel, and subjected to unfair trials. In one city, prisoners were put on display as they walked through the city chained together by handcuffs. In Detroit, 300 people were eventually found to be innocent of any involvement in a revolutionary movement. But they were held for a week in jail, forced to sleep on the bare floor of a dirty corridor, and denied food for 24 hours. “Not for at least half a century, perhaps at no time in our history, had there been such a wholesale violation of civil liberties.”²⁹

New Jersey was not immune to these raids or the grips of the Red Scare. On Valentine’s Day, 1920, special agents working under the command of Edgar Hoover

²⁶ Ibid., p. 78.

²⁷ Ibid.

²⁸ Constantine M. Panunzio, *The Deportation Cases of 1919-1920*, Civil Liberties in American History (New York,: Da Capo Press, 1970).

²⁹ Leuchtenburg., p. 78. Round ups post September 11, 2001 come to mind, however.

raided L'Era Nuova, the aforementioned Italian Anarchist Group in Paterson, New Jersey. On February 14, Hoover's agents arrested and held 29 suspected New Jersey anarchists for deportation.³⁰ Unlike many other groups, the New Jersey anarchist groups had violent intentions, and its leader, Luigi Galleani, believed that only through force and violence could results actually be achieved.

Just two days later, *The New York Times* featured a special article on the NJ Valentine's Day raids.³¹ The authors explained that the anarchists arrested under warrants from the Department of Immigration were "terrorists" in the truest sense of the word. Federal agents seized records, pistols, knives, and other weapons from the group.³² Historians have linked the New Jersey anarchists to the deadly Wall Street explosion of September 16, 1920, a terrorist act that killed 33 people.³³

Yet, the Red Scare came to an end as abruptly as it began. While a significant amount of actual violence had occurred, most due to the limited number of anarchist groups that advocated violence, the Red Scare's overzealous pursuit of anyone who was perceived to be a threat to social order led to its quick ending. As fanaticism reached the point of lunacy, the pendulum quickly swung back in the other direction. In New York, five Socialist members of the state Assembly were expelled because of their affiliation with a party that had long been recognized and respected. In newspapers throughout the country, prominent individuals spoke out against the action taken by the New York

³⁰ Schmidt.

³¹ Special to The New York Times, "Terrorists Caught in Paterson Raids," *New York Times*, February 16, 1920.

³² Ibid.

³³ Cannistraro and Meyer.

legislature. Increasingly, the Red Scare was seen as a witch-hunt. Palmer, who had hoped to run for President, was ultimately rejected by many for his views that were popular just a year earlier. While threats still continued, such as the aforementioned wagonload of bombs exploding on September 16, 1920 in New York City during the lunch hour in the financial district, Palmer's attempts to rally public support for continued aggressive action against perceived Reds began to fall on deaf ears. Besides the popular disapproval of the New York legislature's misstep in ousting Socialist legislators, remaining public support for Palmer and aggressive action collapsed when Palmer convinced authorities to put all 11,000 men on the New York City police force on 24 hour duty to prevent and thwart a purported plot to overthrow the U.S. government. This was set to take place on May 1, 1920. Not a single violent outbreak of any kind occurred: no bullet was fired nor bomb exploded. Congress now turned their eyes not at radicals but instead at Palmer and began an investigation. By the end of 1920 the Red Scare was over, and the country focused its attention on other topics of interest.³⁴

Although the 1920s were chauvinistic and conservative in many ways, the decade was hostile to the spirit of the Red Scare. Interest in politics during the decade was at its "lowest ebb" in half a century, and "Palmer was defeated less by liberal opponents than by the hedonism of the age. ...At the same time, the Red Scare left a bitter heritage of suspicion of aliens, distrust of organized labor, hostility to reformers, and insistence on political conformity, which created a smothering atmosphere for reform efforts in the 1920s."³⁵

³⁴ Ibid.

³⁵ Ibid., p. 81.

Despite its abrupt ending, the Red Scare ushered in the 1920s and set the stage for the exaggerated claims about a crime wave seizing New Jersey. New Jersey was home to some of the most violent anarchists during the Red Scare, and labor violence in its cities and bombings, such as the one in nearby Wall Street in New York City, left New Jersey citizens legitimately concerned for their safety. While the Red Scare may have been a misplaced “witch hunt” for “Reds,” the actual violence coupled with the unfounded fears that were rampant opened the doors for reformers and leaders who wished to allay these fears. As shall be shown in later chapters, the legacy of the Red Scare in 1920s New Jersey was appreciable.

For those children who came to be labeled as juvenile delinquents in 1920s New Jersey, the Red Scare was significant. While in any era news of a crime wave sparks excessive panic, the foundation of paranoia laid by the Red Scare made New Jersey residents hypersensitive. In the years during and subsequent to the Red Scare, paranoid New Jersey citizens were endlessly bombarded with claims that they were in the midst of a crime wave and that juvenile delinquency was out of control.³⁶ New Jersey reformers such as Henry Goddard, Henry Cotton, Alexander Johnson, Edward Johnstone, and others attempted to alarm the public during this era by painting most groups of juvenile

³⁶ "Adopt Police Zones, Call Reserves to Reduce the City's Crime Wave; One Hold-up Yesterday, Robber Caught," *New York Times* (1857-Current file)1920; "Crime Conference Meets with Hylan," *New York Times* (1857-Current file)1922; "Jersey Towns Move to Bar out Crooks," *New York Times* (1857-Current file)1920; "Jersey Will Expel Crime, Says Silzer," *New York Times* (1857-Current file)1925; Mabel Macomber, "Juvenile Delinquents," *New York Times*, November 26, 1929; "Special to the New York Times. 200 Police Chiefs Meet: Crime Wave as by-Product of War Cited by Convention Speaker.," *New York Times*, June 8, 1920; "Urges State to Aid City's Delinquents," *New York Times*, November 29, 1928. Margaret Holmes Bates Burdette G. Lewis, "Behind the Crime Wave," *New York Times* (1857-Current file)1921; "New Jersey Cities Act in Crime Fight," *New York Times* (1857-Current file)1926; "Open Fight to End Jersey Crime Wave," *New York Times* (1857-Current file)1926; Times Special to The New York, "New Jersey Board to Map Crime War," *New York Times* (1857-Current file)1926.

delinquents as a dangerous class of individuals. These reformers and others had a great deal to gain by using fear as a catalyst to promote their solutions.

Immigration Quota Acts

The Red Scare may have ended almost as quickly as it began, but the increased distrust of foreigners that it left in its wake added fuel to the fire of long-standing U.S. racism and Nativism. Several million Americans are probably ready to participate in a “Red Scare” at any time; “these people permanently hold attitudes which characterize the Nativists of 1919-1920: hostility toward certain minority groups, especially radicals and recent immigrants, fanatical patriotism, and a belief that internal enemies seriously threaten national security.”³⁷ A plethora of restrictive legislation, including the Immigration Quota Acts of 1921 and 1924, proved that Nativists were extremely influential in 1920s America and could succeed in lobbying for legislation that did, in essence, legalize racism and ethnocentrism. The intense cultural battle of the 1920s between those wishing to oppress and restrict others and those wishing to enjoy new found freedoms was fought on many fronts. The Immigration Quota Acts were evidence of the Nativist battle against and desire to control immigrants from “undesirable” countries.

The Immigration Quota Acts of 1921 and 1924 benefited those Americans whose ancestors were from northern and western Europe and discriminated against individuals from southern and eastern Europe.³⁸ While immigration restriction had, in one form or

³⁷ Sol Cohen, "A Study in Nativism: The American Red Scare of 1919-1920," *Political Science Quarterly* 79, no. 1 (1964, March). See the current “Tea Party” movement.

³⁸ Henry Pratt Fairchild, "The Immigration Law of 1924," *The Quarterly Journal of Economics* 38, no. 4 (1924).

another, been a topic of discussion for over a hundred years, the Literacy Test of 1917 and the Immigration Quota Acts of 1921 and 1924 marked a new era of immigration restriction. Entire groups (nations) of potential immigrants were now targeted through wide-reaching legislation.³⁹

The Literacy Test passed by Congress in February 1917, over a Presidential veto, required potential immigrants to be able to satisfactorily read 30 to 40 words of the English language.⁴⁰ While a series of previous laws attempted to keep out supposedly undesirable individuals, the Literacy Test of 1917 was the first literacy-based law passed⁴¹ that restricted the immigration of entire groups (nationalities). It differed from previous selective tests in that its supporters believed that it would reduce the immigration stream.⁴² Previous laws restricted undesirable individual immigrants with perceived defects (for example, prostitutes and criminals);⁴³ by contrast, the Literacy Act of 1917 differed in that it discriminated against individuals from nations with seemingly less advanced educational systems and favored those nations that had such systems. This legislation favored immigrants from northern and western Europe where popular

³⁹ Ibid.

⁴⁰ Sam McSeveney, "Immigrants, the Literacy Test, and Quotas: Selected American History College Textbooks' Coverage of the Congressional Restriction of European Immigration, 1917-1929," *The History Teacher* 21, no. 1 (1987).

⁴¹ Ibid. Several previous Literacy Tests were vetoed by former presidents and the current one (Cleveland, Taft, and Wilson); it was not until 1917 and the Congressional override of President Wilson's second veto that the Literacy Test passed

⁴² Henry Pratt Fairchild, "The Literacy Test and Its Making," *The Quarterly Journal of Economics* 31, no. 3 (1917).

⁴³ John Ralph and Richard Robinson, "Immigration and the Expansion of Schooling in the United States, 1890-1970," *American Sociological Review* 45, no. 6 (1980, December).

education was widespread.⁴⁴ The Literacy Act, in a separate provision, also defined an “Adriatic Barred Zone.” Through this provision of the law, all persons native to India, Australia, and Japan were declared inadmissible for immigration into the United States.⁴⁵ The ban on Japanese and Indian immigrants closed the door on additional Asian countries, expanding existing discriminatory government policies.⁴⁶

Since the 1917 Literacy Test did not restrict immigration to the extent its supporters had hoped, the Immigration Act of 1921 was passed by Congress as an emergency measure to stop the flood of “new”⁴⁷ immigrants.⁴⁸ This act limited immigration from European countries to three percent of any country’s particular citizenship base in the United States as of the 1910 census.⁴⁹ The act favored Anglo-Saxons and discriminated against southern and eastern European immigrants by basing immigration on the percentage of the population base that derived from each nation according to the census.

The Immigration Quota Act of 1924 was far more reaching and even more discriminatory. The 1924 Immigration Quota Act reduced the entry figure to two percent

⁴⁴ Fairchild, “The Literacy Test and Its Making.”

⁴⁵ James A. Tyner, “The Geopolitics of Eugenics and the Exclusion of Philippine Immigrants from the United States,” *Geographical Review* 89, no. 1 (1999).

⁴⁶ The Chinese were previously banned from becoming naturalized citizens of the United States and laborers were denied entry under the Chinese Exclusion Act passed by Congress in 1882. *Ibid.*

⁴⁷ Charles Hirschman, “Immigration and the American Century,” *Demography* 42, no. 4 (2005). “Old immigrants” were defined as those originating from Great Britain and northwestern Europe. “New immigrants” included Italians, Slavs, Greeks, Poles, East European Jews, and many other groups from southern and eastern Europe.

⁴⁸ Fairchild, “The Immigration Law of 1924.”

⁴⁹ Cohen, “A Study in Nativism: The American Red Scare of 1919-1920.”

of any nationality's citizenry as of the 1890 census.⁵⁰ The change from the 1921 Immigration Quota Act to the 1924 Immigration Quota Act was profound. The major difference laid not in the reduction from three percent to two percent but instead in the fact that the 1890 census figures were to be used in lieu of the 1910 census. This was overtly discriminatory against southern and eastern European countries. As Ralph and Robinson explain:

Until 1890, immigrants from northern and western Europe were the overwhelmingly predominant groups. The peak of this immigration occurred from 1881 to 1890 after 30 years in which this immigration exceeded 2,000,000 per decade. This amount was 100 times greater than the number of immigrants from eastern, central, and southern Europe. Between 1901 and 1910, the situation changed dramatically. During this decade, the number of immigrants from eastern, central, and southern Europe was twice as large as the number from northern and western Europe.⁵¹

Thus, by shifting the census used for Immigration from 1910 to 1890, the number of immigrants permitted from southern, central, and eastern Europe was drastically diminished⁵²

Although the Immigration Quota Act of 1924 is most noted for this open discrimination against specific European countries, the act went further in its discriminatory effect. While “on one level the new immigration law differentiated Europeans by nationality and ranked them in a hierarchy of desirability, at another level, the law constructed a White American race, in which persons of European descent shared

⁵⁰ Ibid.

⁵¹ Ralph., p. 945.

⁵² Ngai. As explained by Ngai, while southern and eastern Europeans were granted 45% of all immigrations based upon the 1921 Quota Act, the same countries were afforded a significantly lower quota of 15% based upon the changes in the 1924 Immigration Quota Act.

a common whiteness that made them distinct from those deemed to be ‘non-white’.”⁵³

The Quota Board had to construct definitions for the language used in the 1924 act. Meaning was assigned to terms such as “national origin,” “native stock,” and “nationality.” As Mae Ngai explained in her thorough examination of the implicitly racist structures created by the 1924 act, definitions “were constructed according to certain social values and political judgments.”⁵⁴ “Native stock,” for example, did not refer to someone born in the country or even whose parents were born in the United States; instead, native stock referred to those persons who descended from the *white* population of 1790. A stipulation of the 1924 Act also stated that, beginning in 1927, immigration would be based upon nationality, or country of birth, and that a maximum quota of 150,000 immigrants would be admitted annually; this 150,000 would be divided according to base percentage of each nationality living in the continental United States in 1920. This applied primarily to Europeans; others were either not subject to the same formula or were excluded entirely from the country. The act specifically excluded aliens “ineligible for citizenship,”⁵⁵ the descendents of slave immigrants, immigrants from the Western Hemisphere (or their children), and descendents of the American Aborigines.⁵⁶

The impact is evident. Had African Americans, for example, been subject to the same standard as European countries, immigrants from African nations would have comprised

⁵³ Ibid., pp. 69-70.

⁵⁴ Ibid., p. 72.

⁵⁵ This term was a legal construct that referred to the exclusion of Chinese, Japanese, Indian, and other nationalities, made ineligible for citizenship due to aforementioned government acts.

⁵⁶ Ngai.

approximately 9 percent of the entire immigration stream⁵⁷ given that 9 percent of the continental United States was black in 1920; instead, Africans were excluded with the exception of a few hundred slots.⁵⁸

The Immigration Quota Act had a lasting impact not only on the 1920s but on generations of future Americans thanks to its discriminatory provisions. Aside from its overt favoritism toward northern and western Europeans and its bias against southern and eastern Europeans, it enhanced racism and created an institutional structure for it. Moreover, it devalued nationalities, and it divided the world into white and non-white, the latter being seen as undeserving of citizenship. “To the extent that ‘inhabitants in continental United States in 1920’ constituted a legal representation of the American nation, the law excised all non-white, non-European peoples from that vision, erasing them from the American nationality.”⁵⁹

Thus, while the national origins quota system was intended principally to restrict immigration from the nations of southern and eastern Europe and used the notion of national origins to justify discrimination against immigration from those nations, it did more than to divide Europe. It also divided Europe from the non-European world. It defined the world formally by country and nationality but also by race, distinguishing between white persons from white countries and so-called colored races, whose members were imagined as having no country of origin.⁶⁰

The Immigration Quota Acts of 1921 and 1924, and the Literacy Test of 1917 provided rich insight into the cunning efforts of Nativists to control the United States. The quota acts and literacy test were stark examples of the ongoing efforts of Nativists to

⁵⁷ This would have equated to approximately 13,000 fewer slots for European immigrants.

⁵⁸ Ngai.

⁵⁹ *Ibid.*, p. 72.

⁶⁰ *Ibid.*, p. 73.

retain control over an America that was rapidly changing. During the Red Scare, non-conformists were persecuted by Nativists. The Immigration Quota Acts and Literacy Test of 1917, through their bias and open discrimination against many nationalities and non-white races, persecuted those who could not, due to their ancestry, conform to what Nativists felt America should be: white, Protestant, descendants from northern and western Europe. They also are evidence that reformers, in this case Nativists, socially constructed legal definitions in an attempt to control others and influence the fate and direction of our nation.

The Nativist campaign against new immigrants shaped the portrayal and treatment of juvenile delinquency. For example, 1920s Nativist reformers passionately advocated that low intelligence led to juvenile delinquency.⁶¹ These reformers also claimed that new immigrants were less intelligent than native-born Americans. Thus, a child born from new immigrant parents faced an increased chance of being branded as less intelligent and therefore deemed to have a propensity, or even an inevitable fate, to become a juvenile delinquent. This myth was especially dangerous to the children of poor new immigrants who additionally had to overcome the long standing, discriminatory belief that the poor were destined to be paupers, dependents, and/or criminals.⁶² That segregation and sterilization were frequently proposed and often implemented solutions for delinquents made being part of a discriminated class of people a real threat to one's very well-being. The Immigration Quota Acts did not overtly influence delinquency, but its significance was that the Nativist agenda did not end with keeping out new immigrants. The Nativist

⁶¹ This will be discussed in Chapter Three.

⁶² Robert M. Mennell, *Thorns and Thistles; Juvenile Delinquents in the United States, 1825-1940* (Hanover, NH: The University Press of New England, 1973).

agenda also honed in on new immigrants and their children who already lived in the United States, and this directly shaped the portrayal and treatment of delinquents in 1920s New Jersey.

A second way that the Immigration Quota Acts were significant to delinquency was more symbolic in nature. By discriminating against new immigrants, African Americans, and others, the acts defined who was important and who was unimportant. The Acts revealed who was in charge and who was unwelcome. While interesting data presented in this dissertation reveal that racial, ethnic, and gender biases may have impacted the manner in which delinquent boys and girls were portrayed and treated in 1920s New Jersey, the equally important and symbolic fact illustrated by the Immigration Quota Acts was that 1920s society was trying to lock out those children and adults who were perceived to be sapping society of its strength.

Racial Tension in the Cauldron of Fear



Image 2.1 - 1924 Ku Klux Klan March on the Capital⁶³

⁶³ From Tyreen R. Reuter, 2000. "African-Americans and the Klu Klux Klan in 1920s Metuchen," Metuchen-Edison Historical Society, www.rutgers.edu (accessed February 15, 2009).

New Jersey was ripe with fear in the early 1920s due to fear of anarchy and paranoia about “Reds” within the state; the cauldron of fear was further exacerbated in 1920s New Jersey by extreme racial tension. “Blacks” were also internal enemies for “white” supremacist groups such as the Ku Klux Klan. While the fears about Bolshevism were fueled by new worldwide events such as the new Soviet Union, racism was nothing new. In New Jersey, racial tensions reached a boiling point during the 1920s.

Local New Jersey newspapers revealed the racism and racial stereotypes of the 1920s. One example of racism and racial stereotyping was evident in a Middlesex County newspaper titled *The Metuchen*. Metuchen, NJ was an overwhelmingly white and Protestant small town, and the local newspaper frequently held advertisements for “Blackface” and minstrel shows that humiliated African Americans for the sake of a laugh.⁶⁴ Caucasians flocked to these spectacles held in local theaters during which white actors took the stage donning black-faced masks, mocking African Americans by acting out stereotypes. These shows were not hidden away in the newspaper but positioned prominently, placed next to advertisements for mainstream, important organizations such as the YMCA.⁶⁵ This suggested that it was politically acceptable in 1920s New Jersey to publicly degrade African Americans.

The 1920 Census for Middlesex County indicated that approximately 3400 residents lived in Metuchen during that year. The vast majority of Metuchen’s residents were white and of native birth. They were “most likely Protestant as well since news

⁶⁴ Ibid.

⁶⁵ Ibid.

items in the local paper, *The Metuchen Recorder*, indicated that the Protestant churches dominated the religious life of the town.”⁶⁶ Only “162 African-Americans were listed in the 1920 census for Metuchen, and roughly one-third of those were female or male servants living in employers’ homes.”⁶⁷

The Recorder also had slightly more subtle ways of insulting African Americans and other new immigrants. For example, a September 7, 1928 article explained that an African American man named Washington Johnson was a “Sad Colored Gentleman” when he saw his beer and “Dago” wine seized from bootleggers poured out onto the ground.⁶⁸ This article portrayed a black man (and by inference, all black men) as an ignorant drunk and included an ethnic slur about Italians. The Ku Klux Klan, which will be discussed momentarily, was vehemently opposed to alcohol; thus, any articles linking African Americans, Italians, or any other non-Anglo-Saxon group to alcohol reaffirmed the prejudices of both Nativists and the Ku Klux Klan, both of whom strongly supported prohibition.

⁶⁶ Ibid., p. 15.

⁶⁷ Ibid., p. 15.

⁶⁸ Ibid. Tyreen Reuter explained that new immigrants were settling in Metuchen with increasing frequency. The “blackface” shows were advertised frequently throughout the 1920s. Reuter explained that organizations such as Metuchen Golf & Country Club, The Borough Improvement League, and The Metuchen Club sponsored blackface shows. She explained: “One of the most frequent and applauded form of entertainment for many of these groups was to perform in blackface shows to benefit either a charity or their own organization. These minstrel shows were held as frequently as two times per week, and often advertised with mocking slang titles: “Plantation Evening... we’s g’wine to be thar”. As already mentioned, they were publicized and reported on as newsworthy and important civic events. [For example,] on page one of the same April, 1927 edition of the newspaper, both Paul Robeson’s appearance at a benefit for the Middlesex County Y.M.C.A. and a blackface show at the Metuchen Y.M.C.A. were advertised.”



Image 2.2 - 1920s Ku Klux Klan Recruiting Flyer

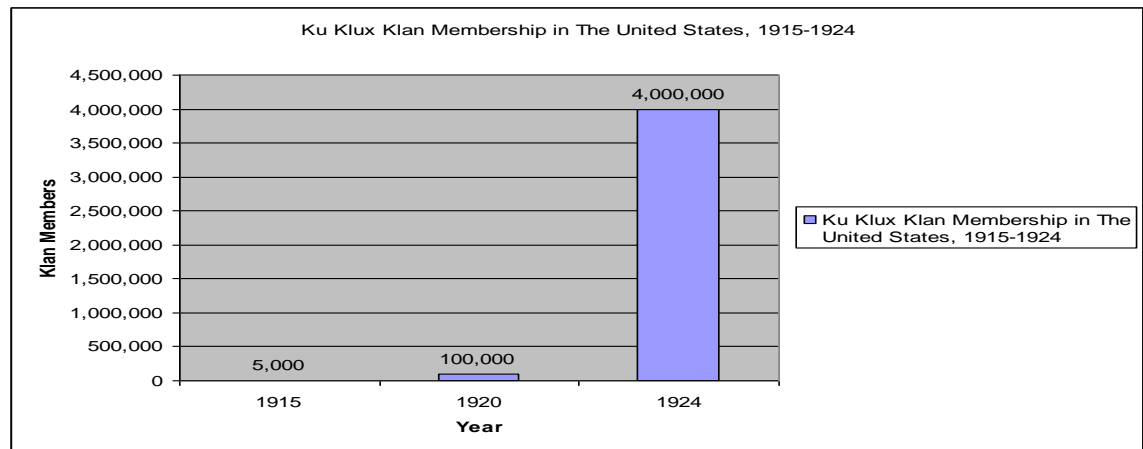
The Ku Klux Klan

The roiling racial tensions in New Jersey during the Twenties were fueled by exponential growth of the Ku Klux Klan during the late 1910s and early 1920s. The Klan built a massive “invisible empire” throughout New Jersey and many other parts of the United States, and the tumultuous nature and cultural conflicts of the era only intensified extant racism in the Garden State.⁶⁹ By 1921, 50 Ku Klux Klans existed in New Jersey alone.⁷⁰ Nationally, “the Klan’s membership grew from approximately 5,000 in 1915 to

⁶⁹ David Mark Chalmers, *Hooded Americanism : The History of the Ku Klux Klan*, 3rd ed. (Durham: Duke University Press, 1987).

⁷⁰ Reuter.

over 100,000 in 1920, and to somewhere around 4,000,000 in 1924, when between 30,000 and 40,000 Klan members marched in the capital.”⁷¹



New Jersey Klans had approximately 60,000 members during the 1920s, ranking it tenth in the United States.⁷² Initial Ku Klux Klan strongholds were in the New Jersey counties of Passaic, Bergen, Essex, Union, and Morris Counties; Monmouth and Middlesex County eventually had a large number of Klansman as well,⁷³ particularly in the town of Asbury Park.⁷⁴

The Ku Klux Klan of the 1920s was frequently referred to by historians as the “Second Era of the Klan.” Publicly, the Second Era Klan supported the flag, the bible, public schools, churches, motherhood, and the Constitution. In reality, the Klan supported those who were native-born, Protestant, and white and advanced the agendas of this demographic group through intimidation of its enemies. During the 1920s, sworn KKK

⁷¹ Ibid.

⁷² Judith Deveson, “The Ku Klux Klan in New Jersey in the 1920s” (1972).

⁷³ Ibid.

⁷⁴ Chalmers.

enemies included not only African-Americans but also Catholics, Jews, “liberals,” labor unions, and new immigrants.⁷⁵ Due to having similar opponents and common agendas, The Klans of New Jersey also enjoyed tremendous support from the ministry. Baptist, Presbyterian, Dutch Reformed, Evangelical, The Pillar of Fire Church, and Methodists all had close ties to the Second Era Klan.⁷⁶

While the Ku Klux Klan was a secret society, they intimidated their adversaries during the 1920s by making their presence known. Mercer County was the scene of the largest “Klonvocation,” or rally, in the Northeastern United States; in 1925, 10,000 New Jersey Klan members paraded through Yardville, Hamilton Square, and Mercerville.



Image 2.3 - 1920s Klan Rally in New Jersey⁷⁷

⁷⁵ Deveson.

⁷⁶ Chalmers. The Ku Klux Klan in 1920s New Jersey became allies with religious clergy, law enforcement, and some government officials due to shared agendas on some specific issues. Prohibition was the reform movement that seems to have unified the Klan with various other reform groups.

⁷⁷ In Reuter.

Enemies of the New Jersey Klan, including Roman Catholics, battled the Klan throughout New Jersey during the 1920s. Cross burning and other activities typically associated with the KKK began to occur with frequency across the Garden State,⁷⁸ and anti-Klansmen occasionally arrived at the scenes of the intimidating rituals to confront the Klansmen. For example, during July 1923, the hooded order of the Klan planned a secret meeting and cross burning on Lafayette Road in Metuchen: but they were interrupted by local anti-Klansman who had been tipped off about the demonstration.⁷⁹

While this was a non-violent confrontation that ended without injury, violence did occur in a major clash between the Klan and their enemies just a month later. On August 30, 1923, 5000 people gathered to break up a massive Ku Klux Klan meeting in Perth Amboy. Riots ensued and several people were injured. The Klanners, "whom the police could not restrain," mobbed one man named Thomas Davis; his car was badly damaged, and his head was severely cut.⁸⁰

Through cross burning, marches, and other demonstrations, the Klan intimidated its New Jersey enemies. During a 1924 incident in Metuchen, Klansmen aborted their normal practice of burning a cross on a visible hillside and placed a 12 foot-high blazing cross in the center of an African-American neighborhood in the town.⁸¹ During a 1926

⁷⁸ See, for example, Special to The New York Times, "Ku Klux Signals Flash on Paterson," *New York Times*, April 16, 1922. In April of 1922, the Klan took credit for three huge crosses that were set on fire on a mountaintop in the northern New Jersey city. The crosses could be seen burning in the night sky throughout the vast majority of the city according the article. John Tracey, the Chief of Police in Paterson, commented that the Klan would be prosecuted if they committed any act of violence in the city. Interestingly, the police chief also shared his belief "that prominent men [in the community] were members."

⁷⁹ "Ku Klux Is Heard from Here Again," *Metuchen Recorder*, July 20, 1923.

⁸⁰ "Local Man Victimized by Ku Klux Klan," *Metuchen Recorder*, August 31, 1923.

⁸¹ "Ku Kluxers Burn Cross," *Metuchen Recorder*, April 25, 1924.

incident, the Ku Klux Klan burnt a cross in a rural town in Northern New Jersey to intimidate a victim over financial matters; it appears that this was not overt racial intimidation but instead was done because the victim did not allow the Klan to extort money from him.⁸² In April of 1923, the Ku Klux Klan sent a threatening letter to a Lutheran Minister after the Reverend accused a member of the church of bootlegging. The Reverend promptly resigned, and the county prosecutor suggested that the minister carry a pistol or be guarded by a detective.⁸³ Incidents such as these were commonplace in New Jersey during the 1920s. As evidenced by the frequent reports in local and regional newspapers, the Klan deepened the cauldron of fear through covert and overt intimidation.⁸⁴

In a rare event that occurred in June of 1923, seventy masked and robed Klansman visited the First Methodist Protestant Church in Manasquan. They walked into the church in double-file, causing a stir among the congregation, and took seats that were apparently reserved for them by the reverend. This was supposedly the first time in the history of the Ku Klux Klan in New Jersey that a member of the Klan took off his hood and revealed himself to the public. The leader who removed his hood, “the Great Titan of Province No. 3 of New Jersey,” spoke to the congregation after the Protestant minister finished his sermon on “love and hate.” The “Great Titan” asked what right the Klan had to hate Catholics, Jews, and African Americans. He commented that Jews were not

⁸² "Burn Fiery Cross at Citizen's Home," *New York Times*, August 5, 1926.

⁸³ Special to The New York Times, "New Jersey Pastor Gets K.K.K. Threat," *New York Times*, April 19, 1923. The pastor refused both offers of protection.

⁸⁴ "Burn Fiery Cross at Citizen's Home."; "Ku Kluxers Burn Cross."; "Thirteen Crosses Burned in New Jersey," *New York Times*, November 26, 1923; Times, "Ku Klux Signals Flash on Paterson."

welcome in the Klan simply because they would have felt uncomfortable in the lodge given the Klan's allegiance to Jesus Christ. The Great Titan also offered the church congregation "proof" that the Klan was not against African Americans. He said, "To show that we are not anti-negro, I want to say that before we came here tonight one of our members suggested that we go to the local Negro church and present the pastor with \$50 for his good work, but the rain prevented us from carrying out this suggestion."⁸⁵

While it is possible these statements made to the Manasquan Protestants were done to make the Klan appear reasonable during a time when they were coming under scrutiny by some government leaders and in the newspaper, it is also possible that the local Klan leader was merely mocking the racial, ethnic, and religious groups they hated the most.

By the late 1920s, other discriminatory secret organizations were also gaining strength and membership in New Jersey as the membership in the Ku Klux Klan slowly began to decline. For example, membership numbers for the Sons and Daughters of Liberty were declining nationally by the late 1920s, but in New Jersey its numbers rose precipitously; by September 1928, approximately 28,000 New Jersey residents were members.⁸⁶ The Sons and Daughters of Liberty membership was exclusive to white, native-born citizens who were not involved with liquor in any way; moreover, age for membership was restricted to those between 16 and 25 years old. Like the Klan, they publicly proclaimed seemingly altruistic intentions; in reality, they were overtly anti-Catholic. Their mission was to "care for the sick, elderly, and helpless dependents; Bury the dead; Promote social interaction between members; Protect the Sabbath; Preserve the

⁸⁵ "Klansman Unmasks to Speak in Church," *New York Times*., p. 3.

⁸⁶ Reuter.

public school system; Oppose public funds being distributed to un-taxed organizations; Guard separation of church and state; and Work to restrict immigration to prevent the ignorant, diseased, pauper, non-English speaking, or generally undesirable.”⁸⁷

The significance of the massive numbers of both the Ku Klux Klan and other hate groups in 1920s New Jersey laid in the fact that the state’s various ethnic and racial groups felt threatened and sometimes fearful of other groups. Racist men in the Ku Klux Klan feared and looked down upon African Americans and feared the growing power and influence of Catholics, Jews, and other new immigrants. The Klan, Protestants, and many other subgroups who considered themselves supporters of traditional values also felt very threatened by the new freedoms and non-traditional expression that blossomed during the Twenties.

The existing tension along racial, ethnic, and religious lines deepened the cauldron of fear for New Jersey residents during the 1920s. The background on racial tension and the Ku Klux Klan provided in this chapter should allow readers to better understand the significance of racial and ethnic aspects of the story of juvenile delinquency that are presented in future chapters. As just one example, juvenile delinquency data on state commitments to the State Home for Boys and State Home for Girls (for the year ending June 30, 1930) revealed that racial injustices extended beyond local newspapers and the Ku Klux Klan. Although only 4 percent of the state’s population was African American, 24 percent of juvenile delinquency commitments to New Jersey institutions from 1929-1930 were African American boys and girls.⁸⁸ This

⁸⁷ "The Sons and Daughters of Liberty," *Metuchen Recorder*, April 4, 1928.

⁸⁸ Frenkel and Heyer.

startling and obvious racial disparity in commitment rates will be discussed in more detail in Chapter Six, and other aspects of the influence of race and ethnicity upon the definition, portrayal, and treatment of delinquency will be presented throughout this dissertation.

Prohibition

One of the most poignant cultural conflicts of our nation's history, Prohibition, was also fought during the 1920s. After many decades of reformers' efforts to ban the consumption of alcohol, national prohibition gained great momentum during the 1910s. By the second half of that decade, multiple states had enacted "dry" laws. National Prohibition came into effect in January 1920 under the 18th Amendment to the Constitution and remained in effect until December 1933 when the 21st amendment rescinded the ban on alcohol.⁸⁹

The 1920s proved that enforcing a ban on drinking was nearly impossible. While the sale and public consumption of alcohol may have been illegal, drinking was merely pushed indoors; speakeasies and bootlegging filled the void left by the closing of saloons and distilleries. Some groups who had originally advocated for prohibition ultimately argued for its repeal, such as particular women activist groups.⁹⁰ Some women in these activist groups posited that Prohibition, not drinking itself, had become an evil. They argued, among other things, that drinking had actually increased during Prohibition,⁹¹ that

⁸⁹ Jeffrey A. Miron and Jeffrey Zwiebel, "Alcohol Consumption During Prohibition," *The American Economic Review* 81, no. 2 (1991).

⁹⁰ David E. Kyvig, "Women against Prohibition," *American Quarterly* 28, no. 4 (1976).

⁹¹ Reports differ as to whether alcohol use actually increased or decreased during the Prohibition period. It appears, as shall be shown in this dissertation, that those who had a wet background often presented

crime had increased and prison enrollments swelled,⁹² that children were growing up learning (due to underground drinking in homes) that it was acceptable to ignore laws and the Constitution, and that children were witnessing addictive behavior (drinking) that they otherwise would not have seen if drinking were taking place at bars rather than in homes.⁹³

In many regards, Prohibition can be viewed as a failure in that it did not last and did not stop drinking. Yet for some, the very passage of Prohibition was the victory. As Joseph Gusfield presented in his book, *Symbolic Crusade; Status Politics and the American Temperance Movement*, the fact that Prohibition was ineffectively enforced and marginally successful, at best, was unimportant to native, middle-class, traditional Protestants who viewed the passage of the Eighteenth Amendment as the victory.⁹⁴ Nativists were losing power and status in the years leading up to the 1920s as Catholics, Jews, and waves of new immigrants were gaining power in sheer numbers as well as social status. Abstinence from drinking was a popular norm among Nativists in the mid-nineteenth century and stood as a status symbol for middle-class respectability. While moderate drinking became increasingly acceptable in decades since the mid 1800's

statistics that drinking had not decreased as a result of Prohibition while those with a dry orientation reported declining alcohol use due its abolition. The lack of reliable data is an important consideration in this discussion, and this shall also be discussed later in this study.

⁹² The sensationalized reports on crime that took place during the 1920s are difficult to examine quantitatively due a lack of consistent data in most locations during the 1920s. As this is a major thrust of this dissertation, some statistical data, including data that relate to Federal convictions for violation of Narcotics / Prohibition laws, will be presented later in this dissertation, as will information relating to the general lack of reliable data for crime. This chapter is merely presenting some factual background related to Prohibition and introducing the cultural conflicts related to Prohibition.

⁹³ Kyvig.

⁹⁴ Gusfield.

including, and subsequent to, the 1920s,⁹⁵ the issue of Temperance became a status symbol of control. Nativists assigned a stereotype of drunkenness to all new immigrants regardless of the distinct drinking cultures that may have existed among immigrants from various countries.⁹⁶ Some cultures, such as Irish, did not view drinking as an evil. It was, in fact, an acceptable part of their culture. Thus, because abstinence from drink was advocated fervently by Nativists of White, Anglo-Saxon, Protestant descent and rejected by many other immigrants, the battle became not so much an altruistic quest to make all Americans as healthy as possible but, to a larger extent, a symbolic crusade through which Nativists tried to exert moral control over new immigrants through legislative means. While Prohibition may have been ineffective in its enforcement, the victory was symbolic.

Prohibition in New Jersey

Prohibition significantly shaped the lives of many people in 1920s New Jersey, and the state's history related to the prohibition of alcohol is complete with stories of bootlegging, violence, corruption, lost fortunes, and death. During the Twenties, countless New Jersey citizens tried to circumvent laws prohibiting alcohol by smuggling it into the country or state from elsewhere, serving it underground in speakeasies, or making it themselves.

⁹⁵ Joseph R. Gusfield, "Social Structure and Moral Reform: A Study of the Woman's Christian Temperance Union," *The American Journal of Sociology* 61, no. 3 (1955).

⁹⁶ Gusfield, *Symbolic Crusade; Status Politics and the American Temperance Movement*.

Between 1920 and 1930, 246 articles appeared in the *New York Times* about bootlegging in New Jersey.⁹⁷ Some New Jersey residents attempted to make moonshine and other “homemade” alcohol throughout the decade. Due to the fact that this was uncontrolled and experimental in nature, moonshining was extraordinarily dangerous. In a number of cases, New Jersey residents died after drinking toxic moonshine.⁹⁸

Other New Jersey entrepreneurs preferred not to make their own alcohol but instead smuggled alcohol into the state by any means possible. Given New Jersey’s proximity to the Atlantic Ocean and its numerous bays, many bootleggers snuck alcohol into the Garden State using boats, airplanes,⁹⁹ and automobiles.

Because bootlegging was extraordinarily profitable, murders, robberies, corruption, and bribes were common. Newspaper reports from the era revealed the massive fortunes that were at stake for bootleggers: Whisky valued at \$25,000 was seized in February 1922 after officials discovered that alcohol was in containers disguised as Florida Grapefruit;¹⁰⁰ Seven ships with \$3,000,000 of whisky were held at bay by Dry Agents off the New Jersey Coast in June 1922;¹⁰¹ Six bootleggers holding over \$46,000 in cash were intercepted at sea in December 1923;¹⁰² Northern New Jersey and New York

⁹⁷ I made this statement after searching Proquest using the search term “Bootlegging New Jersey” on October 12, 2009. Proquest is a computer search engine available to me as a Doctoral student at Rutgers University.

⁹⁸ “Seven Die in Jersey from Bootleg Rum,” *New York Times*, January 11, 1922; “Three Drop Dead Drinking at Bar; New Rum Fleet In,” *New York Times*, January 15, 1923.

⁹⁹ “Seaplanes to Raid Bootleg Air Fleet,” *New York Times*, August 27, 1922.

¹⁰⁰ “Whisky Disguised as Florida Grapefruit Is Shipped Here; \$25,000 Worth Seized,” *New York Times*, February 23, 1922.

¹⁰¹ “7 Rum-Laden Craft Waiting Off Shore,” *New York Times*, June 19, 1922.

¹⁰² “Arrest Six at Sea with \$46,356 in Cash; Scent Liquor Plot,” *New York Times*, December 15, 1923.

officials seized over \$2.8 million in alcohol, automobiles, and other property during 1923;¹⁰³ and Four New Jersey State Troopers and a Private Detective seized \$300,000 worth of liquor and arrested 55 armed men during an October 1925 raid.¹⁰⁴ These were only a few of many raids during the 1920s in New Jersey.

The massive amounts of money at stake in bootlegging and the threat of raids led to bribery and corruption. Bootleggers often tried to avert arrest and seizure of their smuggled alcohol by bribing the Dry Agents. For example, during the October 1925 raid, the armed bootleggers set fire to the ship containing the alcohol and attempted to flee by jumping into the nearby Rancocas Creek in Southern New Jersey. After the escape was thwarted by gunshots fired by the State Troopers, the bootleggers tried to bribe the five agents by offering them \$15,000 each “to forget about it.”¹⁰⁵

In similar fashion, the New Jersey Coast Guard was bribed in June of 1923 by the captain of a French fleet of ships hoping to unload 35,000 cases of alcohol on a desolate strip of beach approximately 20 miles north of Cape May, New Jersey. Captain Christopher Benham was offered \$70,000 to look the other way and was told he could be a millionaire within a year if he “got in on the game.”¹⁰⁶ The Captain refused the bribe.

While some New Jersey law enforcement and military personnel acted honorably under the temptation of lucrative bribes, others were not nearly as virtuous. One of the

¹⁰³ "Wet Goods Seized Put at \$1,842,534," *New York Times*, July 5, 1924.

¹⁰⁴ "\$300,000 in Liquor and 55 Men Seized," *New York Times*, October 3, 1925.

¹⁰⁵ Ironically, in modern times, United States citizens living outside of the Garden State often mock New Jersey and New York residents who say, “forget about it” with a “Staten-Island” influenced tongue.

¹⁰⁶ "Coast Guard Spurns \$70,000 Liquor Bribe," *New York Times*, July 25, 1923.

biggest corruption scandals that was related to bootlegging took place in Hudson County in late 1924 and early 1925. Twelve officials, including the Captain of the Hudson County Boulevard police, two Weehawken police lieutenants, five other Weehawken police officers, a Weehawken Town Council member and Chairman of the Police Committee, and an insurance broker from Hoboken were all indicted by the Hudson County Grand Jury. A lengthy investigation revealed that police protection of bootleggers allegedly permitted \$50,000,000 of liquor to be smuggled onshore at a Weehawken port at the foot of Baldwin Avenue. Accused Councilman Harry Stearns refused to step down from his position, claiming that the bootleggers were disguised as police officers and that the city's fine officers would not do such a thing. Ironically, Reverend George Bennett, a Catholic Priest, turned state's evidence and had been an informant, stating that he, on several occasions, witnessed well known Weehawken police officers guarding bootleggers as they unloaded shipments of alcohol. Death threats were made to the priest in efforts to intimidate him.¹⁰⁷

In an era where stability and safety were concerns, having high-ranking police officers indicted for corruption and seeing religious clergy threatened with death must have added more heat to the cauldron of fear. While the Councilman's story that bootleggers were disguised as police officers sounded outlandish, an additional horrifying story involving the kidnapping of a Dry Agent revealed that there was at least some plausibility to the explanation. In April of 1921, two bootleggers were arrested in Bradley Beach, New Jersey with whisky valued at \$30,000. Two days later, a prohibition agent named Charles Preuster was reported missing, and it was suspected that he was

¹⁰⁷ "Death Threat Sent to Jersey Priest by Bootleg Ring," *New York Times*, December 11, 1924.

kidnapped by a person who wanted to set free the two criminals. The kidnapper showed up in Bradley Beach, posing as Agent Preuster, and took the two felons into his custody. The kidnapper left the police precinct with the two men who had been arrested, the truck, and the \$30,000 of liquor. Two hours later, a Deputy United States Marshal arrived in Bradley Beach to pick up the two prisoners, based upon a request placed the night before by the Bradley Beach Mayor. The deputy marshal, local, state, and federal authorities quickly deduced what had occurred right under their nose.¹⁰⁸

Newspaper reporting from the era revealed that murders were common thanks to fighting between rival bootleggers and battles between bootleggers and law enforcement officials. While the stories depicted in this chapter of murder, kidnapping, fraud, smuggling of contraband, and fortunes won and lost would make an excellent movie, they did nothing to calm the public. Jolted by the Red Scare, destabilized by ethnic battles, and with an injection of additional fear from racial strife and violence, the cauldron of fear was thickened by the instability caused by Prohibition.

While most New Jersey residents probably did not fear death since they were not bootleggers, the violence, corruption, and chaos likely reinforced the fact that New Jersey's citizens lived in a highly unstable environment. Beyond the fear for personal safety, a different sort of fear pervaded the population of New Jersey during the Twenties. Prohibition exemplified this second type of fear: the fear of losing control. As evidenced by the above stories and its repeal in 1933, Prohibition was not overt success.

¹⁰⁸ "Kidnap Dry Agent, Rum, and Prisoners," *New York Times*, April 1, 1921.

It was, though, a symbolic victory for Protestants and all those who battled Catholics and the new immigrants.¹⁰⁹

The significance of Prohibition to juvenile delinquency was two-fold. First, to a limited degree, Prohibition shaped the portrayal of crime and delinquency. Both sides tried to claim their stance helped children. Drys argued that children were growing up safer and better off without neighborhood saloons corrupting towns and cities; Wets countered that children now often witnessed their parents drink in the home when before they would have consumed alcohol outside the home in bars, pubs, and other establishments.¹¹⁰

Biased newspaper articles seemed to exaggerate the impact of the abolition of alcohol on crime statistics. Yet, despite the frequent enmeshment of delinquency with alcohol in newspaper articles, books, and journals, Prohibition did not have a direct significant impact on children.

The more significant aspect of Prohibition as it relates to delinquency was that it added to the instability of the 1920s. The cultural battle between new immigrants and nativists left both sides yearning for control. Nativists viewed drinking, the increasing power of Catholics, the influx of new immigrants, and the changing cultural norms as threatening the traditional way of life and placing society at great peril. Children who stepped out of line, who violated standards established by law, by the school, or by the community, did so in an environment that was hypersensitive, fearful, and longed for

¹⁰⁹ Gusfield, *Symbolic Crusade; Status Politics and the American Temperance Movement*.

¹¹⁰ See, for example, Irving Fisher, "What Prohibition Has Done: Two Viewpoints," *New York Times*, January 27, 1929.

order and control. Prohibition weakened stability, and the solutions offered to curb crime and delinquency were met with open arms in large part due to the cauldron of fear that pervaded the decade.

Woman's Suffrage

Similar to African Americans and new immigrants, women were an additional group who had historically been discriminated against and excluded. After many decades of hard work by numerous reform coalitions, women took a major step forward in their quest for equality when the Nineteenth Amendment was ratified in 1920, giving women across the nation the right to vote.¹¹¹ While woman's suffrage did not create the type of panic caused by the Red Scare, many men in 1920s New Jersey and throughout the United States were threatened by the increasing power of women and the transforming image of womanhood. As will be shown in future chapters, 1920s Juvenile delinquency data from New Jersey detailing the reasons for arrest and rates of institutionalization for boys and girls revealed that gender-based double standards did not end when women gained the right to vote.¹¹² For these reasons, having an appreciation for woman's suffrage and its significance is important for this dissertation.

Prior to 1920, woman's suffrage was a very difficult battle fought at the local and state level. Despite hundreds of campaigns to get state legislatures to submit suffrage amendments to voters on the state level, Kansas was the only state east of the Rocky Mountains that gave full suffrage rights to women prior to our country's entry into World

¹¹¹ Holly J. McCammon and others, "How Movements Win: Gendered Opportunity Structures and U.S. Women's Suffrage Movements, 1866 to 1919," *American Sociological Review* 66, no. 1 (2001).

¹¹² Frenkel and Heyer.

War I in 1917.¹¹³ Suffragists utilized a number of tactics in the years prior to the ratification of the Nineteenth Amendment. More overt methods of advocacy, such as Suffrage Parades, were used to raise public awareness and publicity for the cause.¹¹⁴ The “suffrage parades were not festive or frivolous, but rather the women marched typically in formations, wearing white dresses, or carrying banners and signs with their rationales for the vote printed on them.”¹¹⁵ One parade, held in New York City in 1915, involved approximately 20,000 women.

The parades were another sign of the changing definitions of gender. In the nineteenth century, women were primarily confined to the private sphere: only men could be actors in the public sphere. While women who marched in the parades wore white dresses, and therefore were still cognizant of making strides within the boundaries imposed by the expectations of a male society,¹¹⁶ their unification made a profound public statement that their voices should be heard.

As with any other cultural battle, there were advocates of suffrage and opponents, mostly men, who did not want to see women gain the right to vote. Women’s suffrage became intertwined with many other issues; historians have pointed to a number of different reasons that the support for woman’s suffrage increased to the point that the nineteenth amendment was ratified. Many advocates of prohibition supported woman’s

¹¹³ Eileen L. and Price McDonagh, H. Douglas, "Woman Suffrage in the Progressive Era: Patterns of Opposition and Support in Referenda Voting, 1910-1918," *The American Political Science Review* 79, no. 2 (1985, June).

¹¹⁴ Holly J. McCammon, "'Out of the Parlors and into the Streets': The Changing Tactical Repertoire of the U.S. Women's Suffrage Movements," *Social Forces* 81, no. 3 (2003).

¹¹⁵ *Ibid.*, p. 791.

¹¹⁶ *Ibid.*

suffrage because they felt women would cast a dry vote; thus, immigrant communities such as Irish-Americans and German-Americans, who were against Prohibition, were often against the passage of woman's suffrage. The fact that women took over many industrial jobs left vacant by men who were fighting overseas in the war was another reason women gained some support for suffrage.¹¹⁷

While this researcher shall not delve more deeply into the nuances of the suffrage movement, it suffices to say that sexism still continued despite the passage of the nineteenth amendment. Men who opposed suffrage were successful for nearly a century prior to 1920 in thwarting a woman's right to vote; therefore, the federal amendment granting women the right to vote did not amount to an end to double-standards for women or to overt sexism. While women made major strides through the nineteenth amendment and became increasingly accepted in the public sphere, these advances did not come without continued resistance.¹¹⁸ A "fact of life," that men were superior to women, was challenged by woman's suffrage. As shown in later chapters, the definition, portrayal, and means of addressing male and female juvenile delinquents in New Jersey during the 1920s contained startling disparities that discriminated against girls.

The Roaring Twenties; New Freedoms and Corresponding Resistance

The 1920s have been called America's gaudiest and most exuberant decade.¹¹⁹ The decade has been given many nicknames; two of the most common tags are "The

¹¹⁷ Ibid; McCammon and others, "How Movements Win: Gendered Opportunity Structures and U.S. Women's Suffrage Movements, 1866 to 1919."; McDonagh.

¹¹⁸ Anne Firor Scott, "After Suffrage: Southern Women in the Twenties," *The Journal of Southern History* 30, no. 3 (1964).

¹¹⁹ Rodnitzky.

Roaring Twenties” and “The Jazz Age.” During the decade, Americans enjoyed and flaunted many new freedoms. As millions of citizens across the country embraced these new freedoms, others damned those who rejected tradition and order.

Technology exploded during the decade. The nation’s use of or indulgence in radio, movie theaters, and automobiles experienced profound growth. Radio became a source of entertainment and news, and Americans increasingly turned to the radio for information. New forms of music, such as jazz, soared in popularity as the demand for the music transformed and pressured radio stations to play the music with increasing frequency.¹²⁰

The 1920s is viewed by many as the dawn of the popularity of motion pictures in America. As the decade progressed, movies with sound gradually replaced silent movies, and millions of Americans throughout the decade increasingly flocked to theaters to enjoy the new sensation of the motion picture. Warner Brothers, a pioneer in making “talking” movies available to the mass public, illustrated the raging popularity of motion pictures in the 1920s. In 1925, Warner Brothers had assets of \$5,000,000 and, just four years later in 1929, had assets of \$167,000,000.¹²¹

Due to advances in automated assembly lines in automobile plants, cars were made more quickly and efficiently than ever. The cost of an automobile was actually less during the 1920s than it was a decade or two earlier. What was once a luxury for the elite became an attainable icon for the mass public. By the end of the Roaring Twenties, one in

¹²⁰ Ibid.

¹²¹ Joel Swensen, "The Entrepreneur's Role in Introducing the Sound Motion Picture," *Political Science Quarterly* 63, no. 3 (1948).

every five Americans owned an automobile.¹²² Owning an automobile became a status symbol, and many Americans felt it was more important to own a car than a home. The “automobile” mentality has been compared to the 1920s as a whole; everyone was going somewhere, but no one knew exactly where.¹²³

The traditional image molded for women was challenged and altered during the Jazz Age. Short skirts and silk stockings were worn by a growing number of American women. Other women wore their hair in bobs and donned non-traditional clothing; this somewhat “masculine” look jolted the traditional image of appropriate womanly appearance. These “flappers,” as they were called, were emulated by many women and became a new cultural trend. The flapper image and the more sexually provocative revolution of female images became sensationalized in popular press, most notably in motion pictures.¹²⁴

These technological advances and new freedoms were met with resistance and condemnation. Jazz music, for example, became a sensation of the 1920s. Millions of Americans began to listen to the music form that was once viewed strictly as African American music. While some radio stations initially refused to play jazz, the popularity of the music forced radio stations to concede and play jazz in order to draw an audience for its other programs.¹²⁵ Non-traditional forms of dance emerged and became extremely

¹²² Blaine A. Brownell, "A Symbol of Modernity: Attitudes toward the Automobile in Southern Cities in the 1920s," *American Quarterly* 24, no. 1 (1972).

¹²³ Ibid.

¹²⁴ Angela J. Latham, *Posing a Threat : Flappers, Chorus Girls, and Other Brazen Performers of the American 1920s* (Hanover, NH: Published by University Press of New England for Wesleyan University Press, 2000).

¹²⁵ Rodnitzky.

popular. Jazz was not universally heralded as a wonderful new form of expression and culture. To the contrary, jazz was said by some to be “the agency of the devil,” “African jungle music,” music for the untrained mind, an expression of protest against law and order, and Bolshevik.¹²⁶ Many individuals, some as prominent as Henry Ford, urged that jazz and new types of dance be stamped out and replaced by traditional music such as polkas, waltzes, and quadrilles.¹²⁷

The motion picture, similarly, was vilified. As Americans began to fervently embrace motion pictures, social conservatives viewed the motion picture as an evil. The sexual tensions, violence, and crime that were depicted or suggested in some movies appalled traditional Americans. Beyond merely suggesting that movies were a negative influence on children, opponents claimed that the increase in crime was because of the popularity of motion pictures.¹²⁸ Since some motion pictures embraced the liberated, tempestuous flavor of the Roaring Twenties, conservatives began to work to censor movies. By the end of the decade, censorship groups such as the Legion of Decency coerced movie producers into increasingly creating movies that taught appropriate morals to an impressionable public.¹²⁹

Just as women enjoyed greater sexual freedom during the 1920s, as portrayed in the motion pictures, women’s suffrage marked a major victory. Yet, these new freedoms,

¹²⁶ Morroe Berger, “Jazz: Resistance to the Diffusion of a Culture-Pattern,” *The Journal of Negro History* 32, no. 4 (1947).

¹²⁷ Ibid.

¹²⁸ A. T. Poffenberger, “Motion Pictures and Crime,” *The Scientific Monthly* 12, no. 4 (1921).

¹²⁹ Gerald B. Donnelly, “The Motion Picture and the Legion of Decency,” *The Public Opinion Quarterly* 2, no. 1 (1938).

including those afforded to women in the 1920s, did not come without opposition. While women in the nineteenth century were traditionally confined to life in the private sphere, women in the 1920s, as symbolized by suffrage, the flapper craze, etc., were actors, more than ever, in the public sphere. Women enjoyed increased freedom in the 1920s but did not enjoy full equality; to the contrary, discrimination remained prevalent during the 1920s as women face discriminatory practices in education, hiring, salaries, promotions, and family responsibilities.¹³⁰ Women faced additional challenges. The rise of industrialization and the newfound ease of mobility led to many women with young children being deserted by their husbands. While the farm community of the nineteenth century kept families close and provided a support network for the single mother, the mobility of the 1920s often took women far from their families and homes and, thus, potential support systems. Men figuratively and literally disappeared more easily in the industrialized society, and women were sometimes left to face desertion and related challenges alone. To make matters worse, despite some increase in the divorce rates during the 1920s, divorce was still taboo during the decade and was difficult to obtain due to legal obstacles and the high expense of attaining a divorce; thus, the vast majority of single mothers did not get divorce but remained indefinitely separated. As late as 1930, only 1.3 percent of single mothers were divorced; the fact that they could not remarry only worsened their economic hardship.¹³¹

¹³⁰ Estelle Freedman, "The New Woman: Changing Views of Women in the 1920s," *The Journal of American History* 61, no. 2 (1974).

¹³¹ Linda Gordon, *Pitied but Not Entitled; Single Mothers and the History of Welfare* (New York: The Free Press, 1994).

Despite having new freedoms, women who were married were still expected to be in the home and to tend to the house and children. While many more women worked during and subsequent to the Great War, women, concurrently, had significant demands at home as mothers and wives. While women enjoyed a new sexual freedom, the era of the Flapper did not end expectations and traditional beliefs about the appropriate role of a woman. Behavioral double standards did not vanish with suffrage. Women often had to maintain traditional societal images and behave according to scripts prescribed by society to make strides, either individually or collectively. Often this meant upholding an exterior image of beauty but also acting in a gentle, lady-like way, acquiescing to men in matters where differences of opinion may have occurred.¹³² The fact that movies portrayed beautiful heroines may have been liberating sexually, but it also may have added pressure to women to try to live up to the ideals of the beautiful women that dazzled audiences on the big screen. Women in the 1920s often worked, but were still expected to be in the home. From smoking to hair styles to dance to increased potential for political influence in the public sphere, the woman of the 1920s was a new woman with more liberation; however, at the same time, women faced continuing discrimination, resistance, resentment, double-standards, and new challenges.

The significance of the many new freedoms from the 1920s cannot be understated. The rope from the tug-of-war battle between traditionalism and modernity found itself wrapped around New Jersey children who came to be labeled as delinquents. Frequently, traditionalism was the danger; children who grew up in the modern society ran into the wall of traditionalism, and those in-charge saw controlling and reforming

¹³² Scott.

children as the way to save society. Interestingly, as shall be shown in Chapter Nine, modernity became an equally grave danger for New Jersey “delinquents” as dangerous, “modern” science was inflicted upon delinquents who were seen as unstable. In some instances, the rope from 1920s tug-of-wars became a noose.

Final Thoughts on Chapter Two

This chapter presented a number of important background topics related to 1920s New Jersey that directly or indirectly impacted the definition, portrayal, and means of addressing juvenile delinquency. Several conflicting themes have emerged in this chapter: Modernity versus traditionalism and cultural pluralism versus cultural monism. The main theme of this chapter has been reformers’ exacerbation of extant fear to advance their agendas. The Red Scare laid a foundation of paranoia upon which additional edifices of fear were erected. It instilled in New Jersey residents a fear of internal enemies and created an atmosphere of distrust and trepidation. The racial tensions of the decade, heightened by the exponential growth of the Ku Klux Klan destabilized the state and highlighted the “us” versus “them” mentality. Prohibition enhanced the sense of chaos in New Jersey as newspapers bombarded citizens with stories of illegal smuggling, kidnapping, murder, and corruption. The Immigration Quota Acts made it clear that the Nativist reformers saw new immigrants as real threats to “their” country and symbolized that 1920s America was not a melting pot but instead an elite club to which many children and adults could not belong.

The reformers of the 1920s stirred up a cauldron of fear, exacerbating rather than allaying trepidation of New Jersey residents. By illustrating and dramatizing the dangers in society and by explaining that doom was imminent if action was not taken, scores of

reformers created problems that needed solving. In Chapter Three, *Science to the Rescue*, this researcher presents the solutions proposed and enacted by reformers. Throughout the remainder of this study, traditionalism versus modernity, cultural pluralism versus cultural monism, and the interplay between fanning the flames of fear and selling solutions will remain dominant themes with fascinating implications for New Jersey children who were branded as juvenile delinquents during the 1920s.

Chapter Three: Science to the Rescue

We pass through this world but once. Few tragedies can be more extensive than the stunting of life, few injustices deeper than the denial of an opportunity to strive or even to hope, by a limit imposed from without, but falsely identified as lying within.¹

The Cauldron of Fear in 1920s New Jersey was exacerbated by multiple reformers who used fear as a stepping stone to accomplish their agendas. As discussed in the previous chapter, two types of fear existed throughout the Garden State during the Twenties. The first type was the fear for safety. The tumult, violence, and fear of violence in 1920s New Jersey caused citizens to fear for their own safety. The second type, the fear of losing control, was also prevalent due to the multiple cultural battles during the decade. This chapter will introduce how reformers built the platform for their reform on both types of fear, selling scientific solutions to society's problems.

Reformers did not tell the public that they were safe and had no reason to worry. To the contrary, multiple sets of 1920s reformers informed the New Jersey public that they were unsafe, that a crime wave had seized the nation, that society was being sapped of its strength by ignorant new immigrants, that the modernity and changes in 1920s society were harmful, and that society was facing imminent doom if immediate action was not taken. Perhaps more than any other decade in the history of the United States, the 1920s were a decade in which measurement, efficiency, and science were heralded as the solution to society's ills. Science was the savior which would rescue society from its demise. Juvenile delinquents became entangled in a dangerous web of new science, an

¹ Stephen Jay Gould, *Mismeasurement of Man* (New York: W.W. Norton & Company, 1981), p. 28.

entanglement that occurred more easily because of the fear that gripped 1920s New Jersey.

Measurement

American society was obsessed with measurement during the 1920s. During the decade, reformers advocated measuring anything and everything possible. Frederick Taylor's famous time-motion studies of workers in 1911 helped spur the efficiency movement, a movement that gained momentum and was at its zenith during the 1920s. The efficiency movement and fascination with measurement transcended business itself and permeated countless other aspects of American life, including the public school, social work, and psychology.² Throughout the decade, "efficiency" extended to the social, civic, and even moral realms.³ Edward Thorndike, a professor of experimental psychology at Columbia University Teachers College who pioneered the statistical study of human behavior, observed in 1921, that: "Whatever exists, exists in some amount...If any virtue is worth seeking, we shall seek it more eagerly the more we know and measure it."⁴

The measurement obsession came to bear on juvenile delinquents in 1920s New Jersey as multiple methods of measuring children were instituted. The subjective notion of judging children to be "good" kids or "bad" kids was replaced with supposedly objective ways to study and measure the true worth of a child. One poignant example was

² David Tyack, *The One Best System* (Cambridge, MA: Harvard University Press, 1974).

³ Heather A. Warren, "Character, Public Schooling, and Religious Education, 1920-1934," *Religion and American Culture* 7, no. 1 (1997).

⁴ Geraldine Joncich, *The Sane Positivist; a Biography of Edward L. Thorndike* (Middletown, Conn.: Wesleyan University Press, 1968).

intelligence test, which will be discussed later in this chapter. Translated into English for the first time here in New Jersey, the Binet intelligence test was a purportedly objective measure that had the potential to significantly and permanently alter the direction and fate of a child's life in 1920s New Jersey. Prior to delving more deeply into the measurement obsession of the Twenties and its impact on juvenile delinquency, it is important to understand that the overzealous use of measurement occurred long before the 1920s.

Overview on Measurement as an Indication of Human Worth Prior to the 1920s; Pseudoscience Prior to Intelligence Testing

Historically, the worth of a person, the value of an ethnic group or race, and the likelihood that a person will become a criminal has been deduced in a number of peculiar ways. Prior to the boom of intelligence testing, physical stigmata were used as predictors. Physical stigmata, or any physical anomalies that strayed from the “norm,” were equated with an inherited predisposition to committing crime.⁵ Historically, both physical stigmata and measurable differences in the size of the brain and body have also been used as “evidence” of racial superiority or inferiority.

Throughout the history of the United States, pseudoscience masquerading as science has been used by society's most influential groups to oppress other groups. Some of the most influential and popular individuals in American society broadcast racist views that Caucasians were superior to African Americans, and physical characteristics were used to justify racist claims. For example, white skin color was deemed to be superior to dark skin, and the shape of skulls was said to further prove the superiority of the white

⁵ Mennell.

race.⁶ Thomas Jefferson made statements that the black race was inferior to whites in the endowment of both body and mind.⁷ Abraham Lincoln, respected for his efforts to free African Americans from slavery, did not view blacks as equal to whites, despite believing that they should be free from slavery; Lincoln made comments in the Douglas debates in 1858 that there was a physical difference between blacks and whites which will prevent the two races from living together in social and political equality, stated that there must therefore be a position of superior and inferior, and stated that he was in favor of having the superior position assigned to the white race.⁸ These are just two of many examples illustrating that the “pervasive assent given by scientists to conventional rankings rose from shared *social* belief, not from objective data gathered to answer an open question. Yet, in the curious case of reversed causality, these pronouncements were read as independent support for the political context.”⁹ This notion is an important one; it is important to critically analyze what is called “scientific” because biases, such as historical racial prejudices, permits pseudoscience to perpetuate injustices and influence popular opinion.

Numerous United States scientists and researchers examined the size, ratio, and/or particular characteristics of the human head and body. Most scientists concluded that their supposedly objective data proved the superiority of a particular group. Craniologists, for example, believed that the worth of human beings could be determined

⁶ Gould.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid., p. 35.

by studying the size, shape, and content of the skull. Nineteenth and early twentieth century scientists such as Samuel Morton, Paul Broca, Francis Galton, and Robert Bean compared races, ethnicities, and genders as they compiled voluminous sets of data on the size or characteristics of the human skull, the brain, and/or the body. Not surprisingly, scientists claimed that their supposedly objective data proved that Caucasians were superior to African Americans, whites from northwestern Europe were superior to other Europeans, and men were superior to women.¹⁰

During the 19th and early 20th century doctors and scientists assumed, and tried to use measurements to prove, that groups of individuals could be ranked in a linear scale of mental and overall worth. Opportunists, both well-meaning and otherwise, have repeatedly misused science to perpetuate and further strengthen existing cultural, racial, and gender biases and hierarchies. Even prior to the 1920s, measurement was misused and overzealously applied by reformers with both overt and covert agendas. Juvenile delinquents and many other children were measured extensively during the Twenties. Having this cursory understanding of pseudoscience prior to the 1920s will hopefully allow a reader to examine the story presented in this and subsequent chapters with a more discerning lens. Scientific racism pervaded the 1920s as intelligence testing became the newest scientific tool to reinforce social, ethnic, and racial hierarchies. Prior to presenting the fascinating saga of intelligence testing, a brief overview of the historically pervasive link between measurement and crime will now be provided.

Crime and the Measuring of Heads and Bodies

¹⁰ Ruth Schwartz Cowan, "Francis Galton's Statistical Ideas: The Influence of Eugenics," *Isis* 63, no. 4 (1972); Gould.

The measuring of heads and bodies went beyond reaffirming racist views about intelligence; Cesare Lombroso, an Italian physician, established the profession of criminal anthropology and claimed that studying heads and bodies could predict criminality. Lombroso believed crime was hereditary and stated that criminals were individuals who were evolutionary throwbacks in our midst.¹¹ He thought that some individuals inherited these ancient germs. These individuals were destined to become criminals due to their innate tendencies.

Lombroso believed that certain physical stigmata and social tendencies, such as large jaws, high cheek bones, prominent arches, solitary lines in the palms, extremely large eye orbits, excessive idleness, insensitivity to pain, long arms, absence of baldness, and a lack of blushing were some of the many characteristic of “atavistic” individuals. These evolutionary throwbacks, distinguishable by atavistic stigmata or characteristics, were genetically destined to become criminals. And those who were physically most like apes had the highest probability of becoming criminals.

Africans and other dark skinned individuals were targeted by Lombroso; he mentioned African tribes with extensive tattoos and peculiar rituals and chronicled the inability of certain darker-skinned races to blush. Lombroso spoke out against various minority groups (dark-skinned and otherwise), lower socioeconomic classes, women,¹² and gypsies. He compared all of these groups, who he deemed as inferior, to savages and

¹¹ Cesare Lombroso, Mary Gibson, and Nicole Hahn Rafter, *Criminal Man* (Durham, NC: Duke University Press, 2006). This translated version of Lombroso’s *Criminal Man* contains an introduction by Gibson and Rafter.

¹² Cesare Lombroso and William Ferrero, *The Female Offender* (New York: D. Appleton and Company, 1909).

animals; he thoroughly documented so-called atavistic traits that supposedly indicated their latent criminality.¹³

Lombroso was not seen as a pseudo-scientist. To the contrary, his work was seen as legitimate, stifled to some degree only by the fact that lawyers and judges were simply not ready to have quantitative science intrude into their ancient domain.¹⁴ Because Lombroso and his disciples argued that atavistic criminals transgress and commit crime due to their innate nature, some criminal anthropologists used Lombroso's science to advocate for the death penalty. Lombroso and many of his other followers, however, did not push for capital punishment. Instead, Lombroso believed in "early isolation in bucolic surroundings, [which] might mitigate the innate tendency and lead to a useful life under close and continual supervision."¹⁵ In other cases, criminals were to be transported and exiled to a penal colony. Ferri, a disciple of Lombroso, recommended that Italy deport their criminals to the African colony of Eritrea.¹⁶

Significance of Early Pseudoscience to this Dissertation

The exhaustive body of work of Lombroso and other pseudo-scientists from the late nineteenth and early twentieth had a number of interesting connections to important

¹³ Lombroso, like many hereditarians who would follow, tried to defeat the potential argument that education or environment could have improved children of these inferior classes; Lombroso damned children of the lower "stocks" as inherently inferior, inherently criminal, and doomed to criminality and vice. He commented, for example, that those who lived among the "upper classes [have] no idea of the passion babies have for alcoholic liquor, but among the lower classes it is only too common a thing to see even suckling babies drink wine and liquor with wonderful delight."

¹⁴ Gould.

¹⁵ *Ibid.*, p. 140.

¹⁶ *Ibid.*

themes of this dissertation. The pseudoscience prior to the 1920s demonstrated the manner in which measurement, scientific progress, and supposed objectivity can be used to camouflage the sinister intentions of reformers. Secondly, Lombroso's work showed the power of linking criminality to something measurable. While his theory about atavistic tendencies and stigmata was completely unfounded, he was able to muster widespread support for his ideas because (a) they gave the appearance that he was an expert employing scientific measures and (b) his conclusions reaffirmed social hierarchies. Lombroso's recommendations to exile atavistic individuals and criminals to penal colonies or remote islands were an eerie precursor to New Jersey's permanent segregation of feeble-minded individuals to training schools and colonies during the 1920s. Science, measurement, and efficiency may have appeared to be tools, but during the 1920s they became weapons in the hands of reformers with a lust to fulfill their sinister missions.

Intelligence Testing

The Pseudoscience of Intelligence Testing

The void left by the ultimate rejection of craniometry, measuring of bodies, and study of atavism was quickly filled by a powerful new form of measurement called intelligence testing. Intelligence testing made an immediate and lasting impact in New Jersey and the entire United States, and its significance to juvenile delinquency in 1920s New Jersey was appreciable. New Jersey was an epicenter for developments with intelligence testing, and events that took place in the Garden State during the first three decades of the 20th century radiated outward throughout the nation.

The Binet-Simon intelligence tests were developed in 1905.¹⁷ Originally created by Alfred Binet in his native language, French, the Binet intelligence tests were first translated into English at the Vineland Training School in Vineland, New Jersey.¹⁸ Alfred Binet was influenced as a scientist by the pseudoscience described earlier in this chapter. When Binet first decided to study intelligence, he followed the path of popular science of his era by employing craniometry. In fact, Binet made statements that the intelligence of individuals could absolutely be measured by the volume of their head; Binet published nine papers on craniometry in the journal he founded in 1895.¹⁹ To Binet's credit, he abandoned craniometry when his additional studies revealed data that did not support his earlier beliefs about a link between the size of the cranium and intelligence. Binet conducted five studies on the heads of school children that debunked his belief in craniometry; following procedures advocated by Broca, Binet measured the heads of pupils that teachers classified as their most and least intelligent. Binet found no significant difference in the skulls of the most and least intelligent pupils; moreover, Binet did not observe anticipated differences in the anterior region of the skull, where higher intelligence was supposed to be seated according to all of Broca's previous work. Additionally, poorer students actually fared better in some measures than their smarter counterparts, in direct conflict with the outcome expected.²⁰

¹⁷ Margaret Curti, "The Intelligence of Delinquents in the Light of Recent Research," *The Scientific Monthly* 22, no. 2 (1926, February); R.S. Siegler, "The Other Alfred Binet," *Developmental Psychology* 28, no. (1992).

¹⁸ E. Doll, *Twenty-Five Years; a Memorial Volume in Commemoration of the Twenty-Fifth Anniversary of the Vineland Laboratory 1906-1931*. (Vineland, NJ: The Training School at Vineland New Jersey Department of Research, 1932).

¹⁹ Gould.

²⁰ Ibid.

Beyond reassessing and abandoning science that he found to be false, Alfred Binet was introspective in examining the impact of his own biases on his data. Binet wrote, “in making measurements on heads with the intention of finding a difference in volume between an intelligent and a less intelligent head, I would be led to increase, unconsciously and in good faith, the cephalic volume of intelligent heads and to decrease that of unintelligent heads.”²¹ Binet was troubled by the fact that he and his colleagues could attain different data from the same measurements; his self-assessments led him to conclude that suggestibility skews data. Binet explained that suggestibility, an expectation to find certain results, did not take place on the conscious level, but instead the half-conscious level; therein, according to Binet, existed the danger.²²

While Binet was not the first or only scientist to reject and abandon craniometry, he did take the world in a new direction. He moved away from physical stigmata and focused on psychological methods; Binet examined research on mental testing, such as Galton’s previous work on physiology and reaction time. Binet, however, sought to develop an instrument that would better measure an individual’s ability to reason. He constructed tests that brought “together a large series of short tasks, related to everyday problems of life (counting coins, or assessing which face is “prettier,” for example), but supposedly involving such basic processes of reasoning as direction (ordering), comprehension, invention, and censure (correction)... The tests were administered individually by trained examiners who led subjects through the series of tasks, graded in

²¹ Gould, p. 147, quoting Alfred Binet, *La Suggestibilité* (Paris: Schleicher frères, 1900)., p. 323. My attempt to find this primary work translated into English was unsuccessful, and I am not proficient in French.

²² Gould.

their order of difficulty.”²³ Binet mixed together a number of different types of activities that he believed to approximate a child’s various intellectual skills in one test.

Before dying in 1911, Alfred Binet created three versions of his scale.²⁴ The one created in 1908 established the criterion that has been used in measuring the IQ ever since.²⁵ Children who took the Binet test began with the simplest tasks which corresponded to children of the youngest age. A test taker would then progress through increasingly difficult tasks until the tasks became too difficult for the child to complete. The level at which this occurred was called the *mental age*, and the general intellectual level was calculated by subtracting the mental age from an individual’s chronological age.²⁶ When a child’s mental age was significantly behind his chronological age, he/she was to be referred for special education programs, according to both Binet and the ministry of public education that sponsored Binet’s work. In 1912, a German psychologist, W. Stern, stated that mental age should be divided by chronological age, not subtracted from it; this quotient has since been known as the Intelligence Quotient (IQ).²⁷

Binet had a number of concerns about the use of his tests. He warned others who were applying his test that it was extremely dangerous that terms such as “idiot” and

²³ Ibid., p. 149.

²⁴ Alfred Binet, Théophile Simon, and Elizabeth Sarah Kite, *The Intelligence of the Feeble-Minded*, Publications of the Training School at Vineland, New Jersey, Department of Research (Baltimore: Williams & Wilkins Company, 1916).

²⁵ Gould.

²⁶ Ibid.

²⁷ Ibid.

“imbecile” were used interchangeably and often indiscriminately by those administering his tests.²⁸ Binet never intended for his tests to be used as extensively, unitarily, and haphazardly as they came to be utilized.²⁹ Binet insisted on three cardinal principles for employing his tests, principles that were often not upheld by others in their overzealous application of his tests. Stephen Jay Gould nicely summarized Binet’s three principals as follows:

1. The scores are a practical device; they do not buttress any theory of intellect. They do not define anything innate or permanent. We may not designate what they measure as “intelligence” or any other reified entity.
2. The scale is a rough, empirical guide for identifying mildly retarded and learning-disabled children who need special help. It is not a device for ranking normal children.
3. Whatever the cause of difficulty in children identified for help, emphasis shall be placed upon improvement through special training. Low scores shall not be used to mark children as innately incapable.³⁰

Binet feared that teachers and schoolmasters, filled with exaggerated zeal, might misuse the test, misapplying it as a convenient excuse to rid the school of all children who seemed troublesome.³¹ Binet worried that those administering and/or assessing the tests, by not applying or analyzing the tests with a true critical spirit and proper philosophy, would attempt to exile all students who were unruly or disinterested in school.³²

²⁸ Alfred Binet, Theophile Simon, and Elizabeth S. Kite, *The Development of Intelligence in Children (the Binet-Simon Scale)*, Publications of the Training School at Vineland, New Jersey, Department of Research (Baltimore: Williams & Wilkins Company, 1916).

²⁹ Curti; Siegler.

³⁰ Gould., p. 155.

³¹ Ibid.

³² Ibid.

Binet feared that educators and the rest of society would incorrectly *reify* the IQ score as an entity that “could be perverted and used as an indelible label, rather than as a guide for identifying children who needed help.”³³ Reification is “an assumption that test scores represent a single, scalable thing in the head called general intelligence.”³⁴ Binet insisted that an IQ score could not be used to brand a person as having a fixed intelligence; instead, tests were to be used to identify patterns of weakness that would allow for remediation of the deficiencies.

Reification was one danger of mental testing; an intertwined and equally dangerous misuse of testing was the hereditarian fallacy. While very few people, even anti-hereditarians like Alfred Binet, would argue with the fact that some degree of intelligence is inherited through our genes and is innate, hereditarians viewed intelligence as not only inherited but *fixed*.³⁵ Subscribers to hereditarianism equated “heritable” with “inevitable.”³⁶ Hereditarians misused IQ testing by marking people and groups for inevitable stations in life. They incorrectly assumed that average differences between groups were largely the products of heredity, despite the fact that environment and quality of life were the more likely culprits for differences in the scores.

To the peril of thousands of people, Binet’s mental tests were indeed haphazardly used and heinously applied. Not only were Binet’s tests translated into English in Vineland, New Jersey in 1905, but several of his other works were translated from French

³³ Ibid., p. 151

³⁴ Ibid., p. 155.

³⁵ Ibid.

³⁶ Ibid., p. 156.

to English by Vineland reformers in 1916 after Binet's death.³⁷ Elizabeth Kite translated two of Binet's works into English, and Henry Goddard served as the editor. Goddard and Kite are two names which will be infamous to those who read this dissertation in its entirety. Five years after Binet's death, the Vineland reformers hijacked Binet's previous works and added their own biased interpretations and commentary to promote their eugenic agendas. Binet's tool became a weapon, and his worst fears became reality as intelligence testing grew into an omnipotent and monstrous enterprise by the early 1920s.

Three men who took mental testing in a dangerous new direction were Henry Goddard, Lewis Terman, and Robert Yerkes. Goddard reified Binet's IQ test scores as innate intelligence. In lectures delivered at Princeton University on April 7, 8, 10, and 11, 1919, Goddard explained his belief that intelligence was fixed at birth, and that certain strains of the population were perpetuating inefficiency because of their limited mental capacity.³⁸ The fact that Goddard portrayed IQ as something that was fixed was significant; his view, which influenced countless reformers in New Jersey, New York, Ohio, and elsewhere, was that schooling and adjusting environment did little or nothing to ameliorate the chasm of non-intelligence created by bad genes. Goddard's influence in the 1910s and early 1920s should not be underestimated, as evidenced by the fact that he was commissioned by a steering committee of the New York City Board of Education to

³⁷ Alfred Binet and others, *The Development of Intelligence in Children (the Binet-Simon Scale)*, Publications of the Training School at Vineland, New Jersey, Department of Research ... (Baltimore,: Williams & Wilkins company, 1916); Elizabeth S. Kite and others, eds., *The Intelligence of the Feeble-Minded*, Publications of the Training School at Vineland, New Jersey, Department of Research ... (Baltimore,: Williams & Wilkins company, 1916).

³⁸ H.H. Goddard, *Human Efficiency and Levels of Intelligence* (Princeton: Princeton University Press, 1920).

study “defective” children in the city’s schools and to make recommendations.³⁹ Goddard ultimately advocated segregating all children and adults who scored poorly on the IQ test from the rest of society, and this frightening suggestion was reality in 1920s New Jersey. As Director of Research at the Vineland Training School from 1906 to 1918, Goddard’s influential leadership helped the school achieve international respect and widespread influence in New Jersey.⁴⁰ Thousands of New Jersey children who came to be labeled as feeble-minded were funneled into Vineland, permanently segregated from society.

Lewis Terman’s impact on New Jersey was less direct than Henry Goddard, and he never achieved the same level of fame as Alfred Binet; however, Terman was a mastermind behind the development and mass marketing of intelligence testing. Terman developed the Stanford-Binet scale,⁴¹ expanding upon the types and numbers of questions asked on Binet’s last version of his test,⁴² and he envisioned a rational society that would allocate professions by I.Q. scores Terman advocated that the test be used for the masses to properly sort all individuals, not just those who were of lower intelligence. Terman desired to sort and place individuals to put them on a proper track suitable to their mental ability. While Binet’s tests had to be administered by a trained tester working with one child at a time and could not be used as instruments for general ranking, Terman wanted to test everybody.⁴³

³⁹ Henry Herbert Goddard, *School Training of Defective Children*, ed. Paul Hanus, School Efficiency Series (New York: World Book Company, 1914).

⁴⁰ Doll.

⁴¹ The name was derived from the fact that Terman worked as a Professor at Stanford University.

⁴² L.M. Terman, *The Measurement of Intelligence* (Boston: Houghton Mifflin, 1916).

⁴³ Gould.

Terman's desire to test everyone promulgated a flood of testing of school children. Terman specifically targeted schools, recognizing the potential to track students of all ability levels, and his vision of universal intelligence testing spread like wildfire. All problems encountered by school teachers and administrators could be solved or improved through intelligence tests. "The questions of promotions, proper grading, types of courses of study, the skipping of grades, over-age children, juvenile delinquency, vocational guidance, special classes, and the proper education of gifted and sub-normal children ...all acquired an entirely new meaning in the light of the results which the measurement of intelligence ...produced."⁴⁴ While being able to sort and move around children according to their abilities appeared to be altruistic and altogether positive, the reality was that intelligence testing became a weapon schools needed to rid themselves of their most challenging students. Under the guise of assistance, children who were undesirable could be shoved out as soon as these students earned a subnormal score on a brief test. While in modern times we operate under a system which requires public schools to place children in the "least restrictive environment," reformers in 1920s New Jersey segregated children who were three or more years behind other children. Whenever opportunities presented themselves, subnormal or feeble-minded children were placed in special schools or institutions.⁴⁵

⁴⁴ Ellwood Cubberley in Lewis Madison Terman, *The Intelligence of School Children : How Children Differ in Ability, the Use of Mental Tests in School Grading and the Proper Education of Exceptional Children*, Riverside Textbooks in Education (Boston: Houghton, Mifflin & Company, 1919)., p. viii. Cubberley wrote the introduction to Terman's work on the intelligence of school children. Ellwood Cubberley influenced school administration more than any other individual during the era.

⁴⁵ F. Maxfield, *The Present Status of the Subnormal Class; Adapted from an Address before the Council of Education of the State of New Jersey at Montclair, October 25, 1918* (Montclair, NJ: Montclair High School Print Shop, 1918).

Robert Yerkes later transformed the intelligence test into a mass sorting device. Yerkes persuaded the United States army to test 1.75 million men during World War I.⁴⁶ Devised to help pinpoint those members of the army that might make the finest officers and leaders, the test quickly became infamous due to the fact that over fifty percent of the soldiers tested were deemed to be feeble-minded by the instruments used. The Army Test was devised in Vineland, New Jersey by Yerkes and his committee; two members of Yerkes' committee included Henry Goddard and Louis Terman. The fact that the committee met in Vineland points again to the influence of Vineland and New Jersey on the intelligence testing movement. Goddard and Lewis' inclusion on Yerkes' committee may not be surprising given that they were leaders in intelligence testing at the time, but the intertwined personal and professional agendas of the three men helped feed the intelligence testing propaganda machine and decreased the amount of resistance to the testing craze.

The Army Tests ultimately became infamous for two reasons. First, because of the shocking percentage of army recruits that were deemed feeble-minded, the tests were exposed as instruments that were not the fine-tuned, objective measures of intelligence reformers portrayed them to be. Second, reformers used the results as irrefutable evidence of the supposed inferiority of African Americans and new immigrants. These two facts were not immediately discerned by the public of New Jersey and other states in America; to the contrary, the Army Test results were used as propaganda to spread racially prejudiced views and to enhance panic and fear that American society was doomed

⁴⁶ Clarence Stone Yoakum and Robert Mearns Yerkes, *Army Mental Tests* (New York,: H. Holt and company, 1920).

because of an increasing lack of intelligence in its people.⁴⁷ The Army Test results were broadcast in prominent newspapers, announcing alarming illiteracy rates of 25% in the overall American population and portraying African Americans, with a whopping 75% illiteracy rate, as inferior to Caucasians.⁴⁸ The Army Tests also stood as “proof” that new immigrants were less intelligent than native-born Anglo-Saxtons. While historians have attacked the validity and biased nature of the Army Tests, the technical flaws in the test were not immediately discerned by the mass public at the time. To the contrary, the tests became another weapon in the arsenal for reformers who wished to show the superiority of particular races and ethnicities. Moreover, the tests served as additional fuel for reformers who eventually effectuated the practices and policies of sterilization, segregation, and immigration restriction.

Eugenics

Intelligence testing may have been viewed as its own science, but the gravest misapplication of testing occurred when it became intertwined with the pseudoscience of eugenics. Eugenics was one of the most shocking reform movements of not only the 1920s but the entire history of the United States. While the histories of Adolph Hitler and Nazi Germany are relatively common knowledge, few people are aware that the United States experienced a widespread movement aimed at building a supreme race during the 1920s. The movement, eugenics, was more than philosophy; put into practice in our country throughout the early part of the twentieth century, it affected thousands of lives.

⁴⁷ See, for example, John Corbin, "American Civilization on the Brink," *New York Times*, June 12, 1921.

⁴⁸ "Army Tests Triple Illiteracy Figures," *New York Times*, March 9, 1919.

Wrapped in (pseudo)science and delivered by prominent professionals such as social workers, psychologists, and Supreme Court Justices, it was particularly dangerous. While eugenics enjoyed popularity in various parts of the world during the Interwar period including Europe, North America, and South America,⁴⁹ this researcher shall limit his discussion of eugenics to the United States and, particularly, New Jersey due to relevance to this study.

The eugenics movement sought to improve the human race through selective breeding, segregation, and sterilization.⁵⁰ There is no clear cut definition of eugenics, and those who first tried to agree on a proper definition, including Francis Galton and Karl Pearson, arrived at consensus only after extensive debate with a committee.⁵¹ Two of the earliest definitions assigned to eugenics include the following: “the study of agencies under social control that may improve or impair the racial qualities of future generations, either physically or mentally;”⁵² and “the *science* which deals with all influences that improve the inborn qualities of a race; also with those that develop them to the utmost advantage.”⁵³ As a form of Social Darwinism, many eugenicists believed in biological determinism. Rather than leaving it up to chance that the “fittest” would survive, eugenicists attempted to manipulate conditions in order to advance the human race.

⁴⁹ Deborah Barrett and Charles Kurzman, "Globalizing Social Movement Theory: The Case of Eugenics," *Theory and Society* 33, no. 5 (2004).

⁵⁰ Ibid.

⁵¹ Michael Freeden, "Eugenics and Progressive Thought: A Study in Ideological Affinity," *The Historical Journal* 22, no. 3 (1979).

⁵² Francis Galton, *Memories of My Life* (London: 1908)., p. 321.

⁵³ Francis Galton, "Eugenics: Its Definition, Scope, and Aims," *Sociological Papers* (1905). Emphasis added.

Some eugenics supporters manipulated conditions by carefully pairing those whose gene pools were deemed to be the most promising. In some locations, including New Jersey, detailed records were kept in specialized eugenics offices, allowing elite families to mate and procure marriages that were ‘genetically sound’ in order to produce the finest offspring.⁵⁴ One such office was located in Vineland, New Jersey and, as of 1921, it had 4000 records of family traits.⁵⁵

As eugenics grew in popularity in the years leading up to the 1920s, eugenicists advocated for more aggressive means of shaping the future of the United States. A second approach to “manipulating conditions” was to isolate those who were deemed as inferior. The term “feeble-minded” was applied to individuals who were deemed as mentally inferior.⁵⁶ The feeble-minded who committed crimes were typically incarcerated, but many others, guilty of nothing other than a substandard performance on an intelligence test, were segregated from the general public in reformatories, special residential “training schools,” hospitals, institutions, and state-run facilities. Eugenicists argued that isolating the feeble-minded was highly beneficial for the general public and also humane for those that were unfit to succeed in society. For example, Augusta Spilling, advocating for feeble-minded females in Ohio to be permanently isolated from society, wrote:

⁵⁴ Charles Davenport, "Research in Eugenics," *Science* 54, no. 1400 (1921, October).

⁵⁵ Ibid. The Vineland Training School in Vineland, New Jersey housed the 4,000 records. The Vineland Training School, specifically, and New Jersey, in general, actively employed eugenics during the 1920s, as shall be presented in some detail in this chapter.

⁵⁶ Terms such as “feeble-minded,” “moron,” and “idiot” were based upon performance on IQ tests. These terms will be defined and discussed in detail later in this chapter.

Just recently, several girls from the Girls' Industrial School, at Delaware, Ohio, were admitted to the Institution for the Feeble-Minded, and we find that those girls are the most difficult of all our children to discipline. They have to be disciplined, because they lack the power of inhibition and consequently must have some guiding hand to direct them. These girls can never become good, moral citizens, so what is gained by punishing them for a few months or years, and then turning them out to demoralize society and bring children into the world only to fill the states' wards with epileptics, insane and imbecile patients? Would it not be an economy to segregate them all their natural lives and so obviate the expense of having them repeatedly admitted to our industrial schools, reformatories, and penitentiaries?⁵⁷

Similarly, in New Jersey, "boys" who were deemed to be feeble-minded were segregated from society. Elizabeth Heath reported in an October 9, 1921 *New York Times* article that 1,000 acres of land in the state was being used for the training school for the feeble-minded in Vineland, New Jersey.⁵⁸ At this site, lauded as the only place of its kind in existence because of the "attitudes of its administration" and the fact that it was called a "laboratory to study and train individuals,"⁵⁹ 470 "boys" were supervised by 120 adults. "Boys" ranged in age from 5 to 72. These boys lived under conditions prescribed by the adult supervisors, conditions which the supervisors felt were within the means and abilities of the "boys." Vineland reformers claimed that it would have been cruel to place feeble-minded boys in the general population where they would learn failure and rejection and to see how different they were.⁶⁰ Instead, at the Training School for the Feeble-Minded, the boys went to school and worked, but did so in a fashion where they encountered success with their [alleged] limited abilities. While the younger boys

⁵⁷ Augusta M. Spillman, "Segregation of the Defective Delinquent," *The American Journal of Nursing* 16, no. 7 (1916), p. 587.

⁵⁸ Elizabeth Heath, "Children, yet Adults," *New York Times*, October 9, 1921.

⁵⁹ *Ibid.*, p. 93.

⁶⁰ Edelman's work on political language comes to mind here since this exile from society was portrayed as humane and considered, during the 1920s at least, to be scientific.

gardened, made brooms, and raised ducks and chickens in addition to their studies, one hundred of the “big boys,” as the male adults were called, “form[ed] a colony on the larger part of the land where they turned the scrubby acres into a prosperous farm.”⁶¹ The Training School reportedly used rewards as the means of control rather than force; however, Dr. Johnstone, the Director, “[could] not say this rule [was] never broken ...because teachers and attendants [were] human. ...But the breaches [were] unusual.”⁶²

Although this was purportedly the only such “school” viewed as a *laboratory* in existence, colonies and training schools for the feeble-minded existed elsewhere in New Jersey and surrounding states.⁶³ For example, dozens of “big boy colonies” were developed by Dr. Charles Bernstein at Rome, New York. Dr. Bernstein was reported to have run forty big boy and big girl colonies that netted an average of one thousand dollars profit each. Dr. Bernstein felt that “the feeble-minded [could] develop manual proficiency, and [he stated that] when they have once learned to do a thing they are delighted to do it over and over again for a pat on the back or a smile from some normal person.”⁶⁴ In the aforementioned New York Times article, Heath described the feeble-minded as “innocents” who are “helpless before the suggestions of their appetites and their environment [and have] uncontrolled urges [that] lead them through the gamut of sins of the body.”⁶⁵

⁶¹ Heath., p. 93.

⁶² *Ibid.*, p. 93.

⁶³ James Leiby, *Charity and Correction in New Jersey* (Rahway, NJ: Quinn and Boden Company, Inc., 1967).

⁶⁴ Heath., p. 93.

⁶⁵ *Ibid.*, p. 93. This was an example of sexual paranoia on the part of social elites.

By portraying segregation as a scientific process that would save helpless feeble-minded children from their own demons and weaknesses, reformers were able to hide behind a façade of altruism. Segregation was not only sold to the public as the best way to save the feeble-minded from themselves, but it was also broadcast to be the way to save society from its demise. The weak, dependent, and less intelligent, once portrayed as helpless lambs who needed saving, were increasingly portrayed as grave dangers to society during the late 1910s and the 1920s.⁶⁶ Reformers warned the public about the “menace of the feeble-minded” and sold segregation as one of the most effective ways to eradicate the menace from the greater public.

Training schools and big boys’ and big girls’ colonies generated revenue from farm work and other manual labor performed by its inmates. This frequently glossed over fact was very suspect.⁶⁷ The creation of segregated facilities for also created a need for specialists to oversee the feeble-minded, and this fact was left unsaid. For skeptics, The Vineland Training School and similar facilities could have been construed as slave labor camps hiding under the guise of humanitarianism, scientific progress, and service to society.⁶⁸

⁶⁶Trent.; Mennell.

⁶⁷ Other historians have examined prison labor. While prison labor was often portrayed as therapeutic, punitive, or training for future employment, the fact that prison labor creates income for either states or individuals creates a potential conflict of interest. See, for example, Benjamin Justice, ““A College of Morals”: Educational Reform at San Quentin Prison, 1880-1920,” *History of Education Quarterly* 40, no. 3 (2000, Fall).

⁶⁸ The Vineland Training School will be given additional attention in Chapter Seven. Vineland called its “colony” Menantico.

The first two approaches to manipulating conditions were insufficient for some eugenicists. Elite families may have sought the holders of the best genes in the gene pool by accessing records housed in eugenics offices, and tens of thousands of feebleminded individuals may have been segregated from the rest of society; however, for many eugenicists this was still not reshaping society quickly enough. Segregating the feeble-minded was seen as a way to care for, educate, and train these individuals in a manner that could allow them to learn; moreover, segregating was seen as a way to prevent these individuals from reproducing. In 1916, this truth was espoused in a nursing journal:

The general public has already been educated to the belief that it is good to segregate the idiot and distinct imbecile, but they have not been fully convinced as to the treatment of this brighter and more dangerous class, the defective delinquent. Some suggest sterilization, but we cannot go ahead of public sentiment, so until then we must segregate to prevent multiplication.⁶⁹

Public sentiment quickly caught up. Like a small-town in fear of Gremlins who rapidly spawned more monsters, a craze swept through New Jersey and the nation during the 1920s as supposedly feeble-minded individuals were portrayed as misfits who could not govern themselves or their libidos, consequently producing an above-average amount of children.⁷⁰ Many eugenicists argued not only that the “fittest” should be sure to mate but, shockingly, that the “unfit” should not be allowed to continue to reproduce. Charles Davenport and many other eugenicists made statements about bad breeding causing an inevitable “end to the species” if eugenics were not employed in more aggressive form.⁷¹

⁶⁹ Spillman., p. 588.

⁷⁰ H.H. Goddard, *Feeble-Mindedness; Its Causes and Consequences* (New York: The Macmillan Company, 1914).

⁷¹ Davenport., p. 394.

Discussion about preventing the unfit from reproducing became popular discourse during the 1920s. Sterilization was recommended by many social scientists, psychologists, and other eugenicists. Even professors at esteemed universities, some of whom taught eugenics courses, advocated the sterilization of “backward stock.”⁷² Eugenicists believed that the natural order, “survival of the fittest,” was no longer sculpting society; eugenicists felt that “modern philanthropy, working hand in hand with modern medical science, [was] preserving many strains [of people] which in all preceding ages would have been inexorably eliminated.”⁷³ These types of statements were not scoffed at as inhumane or outlandish; to the contrary, they were so influential and popular that the highest court in the United States legalized the sterilization of feeble-minded inmates in 1927.⁷⁴ In *Buck v. Bell* (1927), the U.S. Supreme Court ruled that it was permissible to sterilize mentally unfit inmates. Judge Oliver Wendall Holmes, who delivered the opinion, stated:

We have seen more than once that the public welfare may call upon the best citizens for their lives. It would be strange if it could not call upon those who already sap the strength of the State for these lesser sacrifices, often not felt to be such by those concerned, in order to prevent our being swamped with incompetence. It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes. ... Three generations of imbeciles are enough.⁷⁵

⁷² "Room for 250,000,000 Here: Dr. Binder Denies Birth Control Theory of Overpopulation in America," *New York Times*, February 29, 1920.

⁷³ "Eugenics as Romance," *New York Times*, September 25, 1921., p. 26.

⁷⁴ "Buck v. Bell," (US 200, 1927).

⁷⁵ "Buck v. Bell," (US200, 1927).

This historic Supreme Court case remains infamous. The aforementioned opinion delivered by Justice Holmes has been called “one of the most ‘Totalitarian’ statements in the history of the Court.”⁷⁶ Through the Court’s blessing of the sterilization of supposedly mentally unfit inmates, the Federal government publicly endorsed eugenics; moreover, the Court stripped away from tens of thousands of human beings their right to procreate.⁷⁷ The case was monumental in a third way: it was evidence that our government embraced faulty science.

Bell, the superintendent of the state institution where Carrie Buck resided, presented “evidence” against Carrie Buck, and the hearing of the special board at the institution produced additional testimony. The Virginia Court of Appeals, who initially tried the case, never questioned the validity or substance of the evidence presented, nor did the US Supreme Court. Instead, taking whatever was presented at face value, the Court stated, “Carrie Buck is the probable parent of socially inadequate offspring likewise affected as she is.”⁷⁸ Sadly, no one testified on behalf of Carrie Buck. Carrie’s feeble-minded mother was under supervision as a ward of the state. Her attorney was state appointed, and she had no friends. Carrie Buck’s illegitimate child was deemed to

⁷⁶ Walter Berns, “Buck V. Bell: Due Process of Law?,” *The Western Political Quarterly* 6, no. 4 (1953), p. 762.

⁷⁷ As Berns reported in the 1953 article, sterilization continued for decades after the 1920s. As late as 1952, 20 states still allowed sterilization; in that year, sterilizations were occurring at an approximate rate of 1,400 per year. In California alone, 19,848 persons had been sterilized through 1951. Shockingly, sterilization continued in some states into the 1970’s.

⁷⁸ *Buck v. Bell*, 143 Va. 310, 130 S.E. 516, 517. This Supreme Court Decision can be viewed online at <http://academic.evergreen.edu/curricular/lifeandcon/HPB%20Buck%20v%20Bell%20Transcript.pdf>.

be subnormal because it was not as “responsive” as the child of the woman at the institution who made the comparison.⁷⁹

While no civil liberties union nor any individual came to the defense of Carrie Buck, many rallied around the so-called-experts who Bell counted on to provide testimony. One of Bell’s “experts” was Dr. Laughlin, a man who was out to rid the world of many different types of “defective” individuals. Under his “model law for sterilization,” Laughlin proposed sterilization, regardless of etiology, for the following classes of individuals: feeble-minded; insane (including psychopathic); criminalistic (including the delinquent and wayward); epileptic; inebriate (including drug addicts); diseased (including segregable diseases); blind (including those with seriously impaired vision); deaf (including those with seriously impaired hearing); deformed (including the crippled); and dependant (including orphans, ne’er-do-wells, the homeless, tramps, and paupers).⁸⁰ Laughlin’s plans called for the annual sterilization of approximately 200,000 Americans per year by 1950, and Laughlin estimated that there would be almost 12 million inferior Americans capable of producing inadequate offspring in the same year.⁸¹

There were no dissenting opinions voiced in *Buck v. Bell*. The hyperventilated claims posited by eugenicists were apparently quite powerful. “The eugenicists had painted so lurid and so convincing a picture of an unsterilized America, with the Carrie Bucks and their offspring cluttering the scene like germs under the microscope in the Listerine advertisement, that even their opponents, however few in number at the time,

⁷⁹ Berns.

⁸⁰ Harry Laughlin, *Eugenical Sterilization* (New York: The American Eugenics Society, 1926)., p. 64.

⁸¹ Berns.

were disquieted.”⁸² Embracing the pseudo-science of eugenics forever altered the life of Carrie Buck and the lives of tens of thousands of others through both segregation and sterilization. The faulty science of eugenics also influenced the definition, portrayal, and treatment of juvenile delinquents in New Jersey and elsewhere. The most direct manner in which eugenics influenced delinquency was through their influential belief that low intelligence led to delinquency and crime. The perilous intertwining of eugenics and intelligence testing, made possible because of the forging of low intelligence and criminality, will now be presented.

Eugenics and Intelligence: A Dangerous Enmeshment for New Jersey

The eugenics movement gained momentum and support by employing arguments that fed on the growing obsession with measurement and efficiency. Throughout the 1920s, eugenicists used the relatively new practice of intelligence testing and the growing public fascination with intelligence and crime to their advantage. The cauldron of fear was the fuel needed to propel to the forefront eugenic solutions to the dangers supposedly plaguing society.

Reformers managed to fuse together science and morality. Efficiency became equated with virtue and inefficiency with vice;⁸³ similarly, intelligence was heralded as a virtue and a lack of intelligence as a sign of moral inferiority. Eugenicists held as a core belief that intelligence was innate, biologically determined, and forever fixed.⁸⁴ Far more influential and damaging than merely judging those less intelligent as inferior, eugenicists

⁸² Ibid., p. 764.

⁸³ Warren.

⁸⁴ Cohen, "The Mental Hygiene Movement, the Development of Personality and the School: The Medicalization of American Education."

asserted that a lack of intelligence led to juvenile delinquency and crime. Throughout the 1920s, New Jersey residents and the American public were bombarded with countless newspaper articles, journal articles, and books reporting a supposed link between a lack of intelligence and juvenile delinquency and/or crime.⁸⁵ The popular cultural assumption that juvenile delinquents and adult criminals were less intelligent than non-criminals received seemingly boundless attention. Margaret Curti, reporting on current thought during the 1920s, stated that scientists no longer believed that physical stigmata existed in a larger number of criminals than non-criminals. Curti said that this idea, however, “...ha[d] been supplanted...by an equally simple and not dissimilar theory – the theory that a large percentage of delinquency [was] due to inborn mental weakness, measurable by psychological tests.”⁸⁶ While Curti warned of the related dangers, she further explained the views of many at the time:

[the mentally defective] should ...not be punished, but segregated permanently in institutions where they will be given humane professional care. Thus they will be prevented from harming society either through committing further crime or through leaving offspring who because of inherited mental defect would be potential delinquents. ...[It was believed that] danger to society [existed] from ‘high grade feeble-minded (morons). ...[Curti shared that] it is men of science who have furnished these generalizations, on the basis of which sociologists and zoologist, physicians and judges, journalists and men on the street defend their conviction that mental deficiency is a very important, if not chief cause of delinquency. ...Somewhere in the neighborhood of 50 percent of all criminals are feeble

⁸⁵ Curti., E. Doll, *The Problem of the Feeble-minded in New Jersey: A Study of Mental Deficiencies in Typical Degenerate Families; a Practical State Program for the Prevention or Control of Certain Types of Mental Deficiency* (Trenton, NJ: Department of Institutions and Agencies, 1928)., Heath., Bleecker Marquette, "Combatting Social Failure by Mental Hygiene," *Journal of Social Forces* 1, no. (1923, May)., Maxfield., "Osborne Makes Plea for City's Children," *New York Times*, December 12, 1928., Max Schlaff, "Civilization Burdened by Cost of Its Unfit," *New York Times*, May 16, 1926., Harry Shulman, "Crime Prevention and the Public Schools," *The Journal of Educational Sociology* 4, no. 2 (1930, October)., Frederic Thrasher, "Social Backgrounds and School Problems," *The Journal of Educational Sociology* 1, no. 3 (1927, November)., Davenport.

⁸⁶ Curti., p. 132.

minded. ...Truly, if half the delinquency in society is the result of inborn mental defect, it is time that we looked at the quality of our human stock.⁸⁷

Eugenic reformers felt that the lowest versions of “human stock” were new immigrants and their children, not to mention African Americans and all other non-Anglo-Saxon races and ethnicities. Despite the obvious dangers of scientific racism, intelligence testing itself was a grave danger for any reformer who employed it overzealously or as a unitary indication of human potential. Intelligence testing may have been packaged and sold as a way to best meet the diverse needs of school children with varying abilities, but the aptitude measures were potential traps that easily enveloped and swallowed children facing a multitude of challenges during a dynamic decade. The purported link between low intelligence and a propensity to commit crime provided significant leverage for reformers or schoolteachers wishing to push any child out of the public school. Reformers such as Henry Goddard published influential books trying to convince teachers and policy makers of the “scientific fact” that the less intelligent should be schooled in segregated settings due to their propensity to commit crime.⁸⁸ New Jersey’s most influential leaders of its biggest segregated facilities, such as Edward Johnstone and Alexander Johnson of the Vineland Training School for the Feeble-Minded, launched massive propaganda campaigns to educate the public of the value of their work and the importance of segregating the feeble-minded.⁸⁹ Eugenic reformers

⁸⁷ *Ibid.*, p. 132.

⁸⁸ Henry Herbert Goddard, *School Training of Defective Children*, School Efficiency Series (Yonkers-on-Hudson, N.Y.: World Book Co., 1914); Henry Herbert Goddard, *Juvenile Delinquency* (New York: Dodd, Mead & company, 1921).

⁸⁹ Trent. I visited the Rutgers University Archives at Alexander Library on several occasions to review the papers of Edward Johnstone, Superintendent of Vineland, and Alexander Johnson, Director of “Extension Work” at Vineland. Chapter Seven’s examination of New Jersey institutions will include significant detail

worked their way onto New Jersey committees that steered the direction of New Jersey's educational policies during the late 1910s and early 1920s. For example, a New Jersey Department of Education publication entitled *The Teaching of Children Mentally Three Years or More Below the Normal* set forth guidelines calling for children who were deemed three years or more below the norm to be educated in separate classrooms or, whenever possible, separate institutions.⁹⁰ This 62 page pamphlet was distributed to every public school teacher in New Jersey. The committee, sanctioned by the New Jersey Commissioner of Education, included Henry Goddard, Edward Johnstone, and Edgar Doll, three men who had direct ties to the Vineland Training School for the Feeble-Minded.⁹¹ This was unethical due to an obvious conflict of interest; reformers who sat on the committee benefited financially and professionally from an increase in the number of public school students who were referred to the private, segregated institution at Vineland.

The leaders at the Vineland Training School recognized the importance of selling their scientific solution to the public. They set out to educate the lay public, policy makers, educational practitioners, and university leaders of the necessity of segregating the feeble-minded in institutions. They realized that their personal and professional success, and that of the institution, needed public and private support, both monetarily and otherwise. For this reason, the Vineland Training School created a Director of

related to Johnstone's letters. Trent's work discussed Vineland, but it seems he did not examine the papers of Edward Johnstone at the Rutgers archives.

⁹⁰ State of New Jersey Department of Public Instruction, *Education Bulletin* 5, no. 2 (October 1918).

⁹¹ Ibid. At the time, Dr. Johnstone was Superintendent, Dr. Goddard was Director of Research, and Mr. Doll was Assistant Psychologist at the Vineland Training School.

Extension Work. Superintendent Johnstone appointed his brother-in-law, Alexander Johnson, to this position, due to Johnson's long-established talent with garnering support for his causes. The primary mission of the Director of Extension Work was to educate (convince) the public of the value of the Vineland Training School and the importance of segregating the feeble-minded. In the late 1910s and early 1920s, Johnson, Johnstone, and others literally gave thousands of lectures throughout New Jersey, many other areas of the United States, and some other parts of the world.

Support for the eugenic claims that intelligence was a unitary, innate, hereditary measure that could definitively predict criminality slowly waned, but the portrayal of the feeble-minded as a dangerous class of individuals who needed to be segregated remained a prominent fallacy that shaped the fate of juvenile delinquents in New Jersey throughout the 1920s. The Twenties were the apex of scientific management, and children were measured at every turn. As shall be discussed in Chapters Six and Seven, New Jersey children who were "juvenile delinquents" during the 1920s typically were subjected to an exhaustive array of tests including intelligence and psychological tests, a review of their family background, psychological tests, dental and medical examinations, and more. New Jersey developed a "clinic" as an arm of its juvenile court, and the state clinic examined thousands of children throughout the 1920s.⁹² This clinic tested all delinquent children's intelligence: those children who were deemed to be feeble-minded based upon the test results were recommended for transfer from the State Home for Boys in Jamesburg or

⁹² William Ellis, "Experience in Classifying Defective Delinquents and Some Results Effected by Transfer from Correctional Institutions to Hospitals and Institutions for the Feeble-Minded," in *Proceedings and Addresses of the Annual Session of the American Association for the Study of the Feeble-Minded* (Washington, D.C.: 1924).

State Home for Girls in Trenton to one of New Jersey's institutions for the feeble-minded, most often the Vineland Training School.⁹³ Paradoxically, children who were transferred for extra "help" at the Vineland Training School typically faced a life commitment in that institution due to the belief that the feeble-minded needed permanent care. Delinquent children who once faced a one to two year sentence in Jamesburg or Trenton suddenly faced the likelihood of a life-long sentence upon transfer to the Vineland Training School for the Feeble-Minded. Not surprisingly, delinquents frequently attempted to run away from Vineland after the transfer.⁹⁴ The scientific assessment provided by this clinic apparently did not seem like "help" to children whose lives were stripped away as a result of a poor score on an intelligence test. Throughout the 1920s, this science posed great dangers to delinquent children in New Jersey Yet, New Jersey was also a pioneer state for another dangerous new science during the 1920s: the theory of focal infection.

New Jersey's Quest to Eradicate Focal Infection in Delinquent Children

Perhaps no form of new science was more revolutionary during the 1920s than Dr. Henry Cotton's theory of focal infection. While intelligence testing led to the permanent segregation for New Jersey children deemed to be feeble-minded, Cotton's science of eradicating focal infections maimed countless children and proved deadly for

⁹³ Ibid. The State Home for Boys, State Home for Girls, and the Vineland Training School will be presented in Chapter Seven.

⁹⁴ Ibid.

others.⁹⁵ This topic will receive an entire chapter of attention in Chapter Eight during a horrifying cultivating chapter to this dissertation, but an overview will be presented now.

Dr. Henry Cotton served as Director of the clinic that provided extensive evaluation of each delinquent child sent to a state institution by the juvenile court. Dr. Cotton also served as Director of the Trenton State (psychiatric) Hospital throughout the 1910s and 1920s. Cotton believed that focal infections, which were infections in various parts of the body, led to mental instability and mental illness. He professed that insanity and instability were caused by diseased teeth, gums, tonsils, uteruses, cervixes, genitalia, and various parts of the intestines.⁹⁶ His solution for these infections involved a variety of medical approaches, frequently including the administration of “serums,” medical concoctions of the 1920s that were cutting-edge medicine during the era.

However, Cotton’s solutions always included a far more aggressive approach. Dr. Henry Cotton felt that an absolutely necessary means to eradicate focal infection was to remove, or enucleate, the infected body parts.⁹⁷ During the 1920s, Dr. Cotton and his disciples needlessly extracted thousands of teeth from New Jersey children who had been labeled as juvenile delinquents.⁹⁸ Children who were deemed to be “unstable” by a classification committee of the state clinic were often transferred to the Trenton State

⁹⁵ Henry Andrews Cotton, *Annual Report of the Trenton State Hospital for 1929* (Trenton, NJ: The State of New Jersey, 1929).

⁹⁶ Cotton, *The Defective, Delinquent, and Insane; the Relation of Focal Infections to Their Causation, Treatment, and Prevention*.

⁹⁷ Ibid.

⁹⁸ Henry Andrews Cotton, *Annual Report of the New Jersey State Hospital at Trenton* (Trenton, NJ: New Jersey State Hospital at Trenton, 1922).

Hospital and subjected to surgery. Cotton's surgeries often began with a few of the teeth, and often included the tonsils. If a patient still seemed to be struggling from mental instability, Cotton progressed to additional, more aggressive surgeries. He frequently removed part or all of the uterus or cervix for females or various parts of the intestinal track for males and females. Despite inaccurate, optimistic estimates offered by Cotton, the early intestinal surgeries at the Trenton State Hospital carried an astonishingly high death rate between 30 and 40 percent when part or all of the intestines were removed.⁹⁹ Sadly, I confirmed that some supposedly delinquent children who were transferred to the Trenton State Hospital died as a result of the absolutely needless surgeries enacted under the direction of Henry Cotton.¹⁰⁰ Cotton's unwavering belief in his pseudoscience maimed and killed the children he claimed to be saving from a life of mental illness and criminality.

Ironically, Henry Cotton did not adhere to the philosophies and scientific theories of many of his New Jersey associates. Cotton did not believe that a lack of intelligence led to criminality. He rejected this popular "scientific" theory that led to the segregation of thousands of New Jersey children during the 1920s. Those who passionately advocated for the lifelong segregation of feeble-minded individuals quickly realized the problem with their solution just as it was being increasingly embraced: a lack of space. Given that the majority of the United States Army was classified as feeble-minded based upon the Army (intelligence) tests, it perhaps was not shocking that New Jersey ran out of room to

⁹⁹ Phyllis Greenacre, *Investigation of the Treatment of Focal Infection at Trenton State Hospital* (Trenton, NJ: Trenton State Hospital, 1926). As shall be discussed in detail in Chapter Eight, this exhaustive and comprehensive report was suppressed and never published.

¹⁰⁰ Cotton, *Annual Report of the Trenton State Hospital for 1929*.

segregate the endless sea of children deemed to be feeble-minded during the late 1910s and 1920s. While tests were reexamined and scales readjusted, the reality remained that schools, courts, and society wanted to move difficult children out of the mainstream and simply did not have enough facilities to exile the children. The “out of sight, out of mind” approach would have worked well if it were not for the fact that there was minimal room in few New Jersey facilities and colonies for the feeble-minded. Reformers who believed in segregation, and individuals who had financial and professional incentives when segregation was enacted, frequently advocated for more money to be allocated to expand upon existing training schools or to build new facilities for the feeble-minded. While these efforts were moderately successful, segregation never reached the depths envisioned by its advocates due to the constraints of limited facilities.

Supposedly, Cotton created a new science to solve the problem. In his eyes, the “menace of the feeble-minded” was a problem that New Jersey could not solve without his theory of focal infection. Cotton believed that mental problems were the result of infections in the mouth and body, curable only through extractions, surgery, or specific medical regimens he and his disciples prescribed. His science was yet another solution embraced in 1920s New Jersey by a public engulfed in a cauldron of fear during an era infatuated with science and measurement. Sadly, it was one of the grossest examples of pseudoscience imaginable, one which permanently altered the lives of many New Jersey juvenile delinquents.

Concluding Thoughts for Chapter Three

During the 1920s, American society was not being sapped of its strength by new immigrants, was not facing imminent doom due to an increasingly unintelligent

population, and was not besieged by a crime wave. Nevertheless, reformers' portrayals of a reality to the contrary swayed New Jersey residents and the American public enough to allow injustices and horrors to be enacted under the guise of scientific progress.

Intelligence testing and the theory of focal infection were two such examples of scientific progress that thrived in the cauldron of fear.

Intelligence testing itself was not the evil. The testing movement, largely influenced by New Jersey reformers, could have been a useful if testing was used following the recommendations of Alfred Binet. Instead, the intelligence test became the most powerful tool in the arsenal of eugenic reformers and other individuals who wished to reify the test as a unitary measure of human worth.

Similarly, Henry Cotton's search to find infectious connections between the mind and body had some potential. Cotton, for example, stated in the 1920s that diseased gums can lead to heart problems, a claim that we know today as fact. Despite being rightfully portrayed as an ego-driven monster by one historian,¹⁰¹ Cotton did not overtly set out to kill or maim children. He believed in his theory – he removed all of his children's teeth and all of his own teeth.¹⁰² One horror of the story of Henry Cotton, of course, was the fact that his surgeries enacted on delinquent children were wholly unnecessary and led to disfiguring and, in some cases, death. The tale of Cotton also was symbolic in that he, like the American public of the 1920s, overzealously sought solutions to societal ills through new science; moreover, just as Nativists desired cultural monism in a new,

¹⁰¹ Andrew T. Scull, *Madhouse : A Tragic Tale of Megalomania and Modern Medicine* (New Haven: Yale University Press, 2005).

¹⁰² Cotton, *Annual Report of the Trenton State Hospital for 1929*.

culturally pluralistic society, Cotton, like many lay people and scientists of the 1920s, sought one cure-all solution for complex, multi-faceted problems.

Similar to Lombroso's quest to eradicate criminality by exiling individuals with atavistic tendencies and craniologists' mission to improve society by studying the size of the human head, 1920s reformers promised New Jersey and the country that they could eradicate crime by segregating the feeble-minded, reducing immigration from undesirable countries, sterilizing those deemed inferior by experts or intelligence tests, and eliminating hidden focal infections in the body. Disguised under the veil of efficiency, meaningful measurement, and scientific progress, the pseudoscience of the 1920s directly affected juvenile delinquents in New Jersey and illustrated the inherent danger in hastily applied science.

This chapter has also illuminated the fact that numerous reformers with varied agendas shaped the portrayal and treatment of juvenile delinquency. While eugenic reformers clearly sought to advance the interests of Nativists at the expense of all other people, other reformers were not overtly concerned with advancing a particular demographic group. This did not mean, however, that their intentions were altogether altruistic. Most reformers who shaped the story of delinquency in 1920s New Jersey had ulterior motives, whether a desire to enhance professional notoriety, a personal lust for fame, or wishes to increase personal wealth and income.

This chapter has also presented the manner in which science was used to propose solutions to societal problems and provided important contextual background on the climate that allowed change to occur more easily. Beyond the fact that reformers used the cauldron of fear to build support for change, future chapters will reveal that reformers

also used a plethora of other strategies to garner support for their initiatives. The upcoming chapter will show how reformers in the helping professions used language and labels to enhance their professions, frequently to the detriment of New Jersey children. As shall be shown, cunning reformers who defined, portrayed, and addressed juvenile delinquency in 1920s New Jersey concocted vocabulary that transformed relatively normal children into dangerous youngsters who could only be reformed by professional, trained “experts.”

CHAPTER FOUR: Calling a Spade a Serpent; The Promiscuous Use of Labels in the Garden State during the 1920s

The tendency has always been strong to believe that whatever received a name must be an entity or being, having an independent existence of its own. And if no real entity to the name could be found, men did not for that reason suppose that none existed, but imagined that it was something peculiarly abstruse and mysterious.¹

With fear deeply entrenched in 1920s New Jersey, reformers who held seemingly scientific solutions to the problems of delinquency and crime had an eager audience. "Scientific" reformers further manipulated the public and enhanced their success by promiscuously applying an endless sea of labels to New Jersey children. The use of labels allowed reformers to instantly transform relatively normal children into dangerous youngsters. By calling a spade a serpent, reformers deepened anxiety in the Garden State and further vilified children who were already viewed suspiciously because of the new youth culture and dynamism of the 1920s. Most importantly, affixing obscure and intimidating labels to children created the impression that a new, urgent need had arisen for specialists and professionals with the proper expertise to reform the youngsters. This chapter details how the rise of the "helping professions" was accompanied by an increase in professional jargon and labeling; ironically, the 1920s labels used by the "helping professions" proved to be one of the greatest dangers facing New Jersey children during the era.

Before discussing the helping professions, it seems appropriate to tackle an important question: What is juvenile delinquency? I asked numerous colleagues and

¹ Gould., p. 320, quoting John Stuart Mill.

acquaintances this question, and no two answers were exactly the same. This lends credence to my belief that the term *juvenile delinquency* is a familiar yet highly ambiguous phrase that is socially constructed. It is not until a person tries to define *juvenile delinquency* that one realizes that its definition is slippery and elusive.

“Juvenile Delinquency” Defined

Every society identifies behavior that is unacceptable. In simple societies, these transgressions are viewed as sins or aberrations from the values accepted by the family or local village. As societies grow more complex, laws are established. The law-making bodies define socially disapproved behaviors as “crimes,” subject to sanctions.² This fact is an important one too often lost on lay people.³ Crime is not nor was it ever a fixed, universally defined set of horrid behaviors; crime was always a socio-legal label, sometimes influenced by popular opinion and frequently constructed by the individuals in society who had the most influence, authority, or power.

Similarly, societies wish to mold children to behave in a manner that society deemed as appropriate. Every society has faced this major task of sculpting the behavior of children to fit into its particular system of approved and disapproved behaviors. As American society grew increasingly diverse during the Nineteenth and early Twentieth centuries, tensions grew as parenting styles and value systems differed or were perceived to be different along racial, ethnic, and religious lines. Native-born Americans viewed

² Harold Finestone, *Victims of Change; Juvenile Delinquents in American Society* (Westport, CT: Greenwood Press, 1976).

³ Edward Ross’s quote used in Chapter One once again comes to mind: “We dream that we live under a government of laws; we are actually under a government of men and of newspapers.”³ See Ross., p. 23.

poor, new immigrant families as incapable of caring for their own children.⁴ While inappropriate behavior has always been a normal part of childhood, most often corrected and redirected by parents, reformers wishing to oust or have more control over “other people’s children” eventually classified a wide variety of youthful misbehavior with the label *juvenile delinquency*.⁵

As a legal concept, delinquency was much broader and vaguer than the legal concept of adult crime.⁶ The legal definitions of delinquency across the United States included a plethora of behaviors which would not have been considered illegal if committed by adults. Moreover, statutes that defined juvenile delinquency were far more ambiguous than criminal statutes for adults. Juvenile delinquency statutes were umbrella policies with vague language that could be applied to many children in numerous situations; conversely, adult criminal statutes typically included precise specifications detailing activities that could be labeled as illegal. Paradoxically, in a country that prided itself on protecting its children, the ambiguous American definitions of juvenile delinquency would have been considered unconstitutional if they were used as legal standards for adults.⁷

⁴ Robert H. Wiebe, *The Search for Order 1877-1920* (New York: Hill and Wang, 1967).

⁵ See Mennell. I will provide more historical background on 19th century child saving and the advent of the juvenile court in Chapter Six.

⁶ This remains the case in modern times.

⁷ Edward Eldefonso, *Law Enforcement and the Youthful Offender*, 2nd ed. (New York: John Wiley and Sons, Inc., 1973).

The United States' first juvenile courts were created in Illinois in 1899, providing a powerful legal vehicle to govern and control the behavior of children.⁸ With the rapid spread of similar juvenile courts throughout the country, the State established itself as the ultimate authority over every child. In Illinois, the original laws governing delinquency only covered juveniles who violated state statutes or municipal ordinances. "It was soon broadened, however, to include children jeopardized by their associates, the incorrigible, the ungovernable, the dissolute, and the school truants – in short all children who did not conform to a model of wholesome, youthful activity."⁹ As illustrated by the ambiguity inherent in terms such as incorrigible, ungovernable, dissolute, etc., state and local ordinances governing juvenile delinquency did not make it easier to define the term. To the contrary, precise statutes muddled the "definition" of delinquency because statutes included imprecise terminology that could be applied to almost any youngster whose behavior was not viewed favorably.

Definition of Delinquency in 1920s New Jersey

In the 1920s, the age at which a boy or girl was considered an adult varied by state.¹⁰ New Jersey legally defined a child as anyone younger than 16 years of age and defined adults as those individuals who were 16 or older.¹¹ Thus, when discussing

⁸ Herbert H. Lou, *Juvenile Courts in the United States* (New York: Arno Press and the New York Times, 1927). The development of the juvenile court in New Jersey will be presented in Chapter Six

⁹ Paul Lerman, *Delinquency and Social Policy* (New York: Praeger Publishers, 1970), p. 20.

¹⁰ Paul Wiers, "Criminal Comparisons," *The American Statistician* 2, no. 3 (1948, June).

¹¹ Bentley. The development of the juvenile court in New Jersey will be discussed in detail in Chapter Six. This chapter will merely touch upon New Jersey's "definition" of delinquency during the 1920s and related implications for New Jersey children.

juvenile delinquency in the 1920s in New Jersey, we are speaking primarily about children aged 15 and younger.

New Jersey's definition of delinquency was very broad and highly ambiguous during the 1920s. County juvenile and domestic relations courts had jurisdiction over juveniles in the following settings:

- a. Concerning any child with the county; who has violated any law of the state or any ordinance or regulation of a subdivision of the state; who by reason of being wayward or habitually disobedient is uncontrolled by his parent, guardian, or custodian; who habitually so deports himself as to injure or endanger the morals or health of himself or others; who is found in a disreputable place or who associates with vagrant, vicious or immoral persons; concerning any person within the county charged with having violated any law of the state or ordinance of a subdivision thereof prior to having become sixteen years of age; to determine the paternity of any child alleged to have born out of wedlock and to provide for the support and disposition of such child in case such child or its mother is residing within the county; to determine the custody or guardianship of any child residing within the county
- b. Who is abandoned by his parent, guardian, or custodian; who lacks proper parental care by reason of the fault of or habits of the parent, guardian or custodian, or who is abused or cruelly treated within the meaning of any of the laws of this state; whose parent, guardian or custodian neglects or refuses to provide proper or necessary subsistence, education, medical or surgical care or other care necessary for the health, morals or well-being of such child; whose parent, guardian or custodian neglects or refuses to provide the special care made necessary by the mental condition of the child; who engages in an occupation or is in a situation dangerous to life or limb or injurious to the health or morals of himself or others; who is homeless or destitute or without proper support, or who lacks proper care by reason of the mental or physical condition of the parent, guardian or custodian. ...When jurisdiction shall have been obtained by the court in the case of any child, such child shall continue for the purposes of this act under its jurisdiction until he becomes twenty-one years of age¹², unless discharged prior thereto by the court.¹³

¹² It is alarming that juveniles were defined as children under sixteen years of age, yet New Jersey retained jurisdiction over an individual until age 21 (At the time, 21 was the age of "majority." The age of adulthood fell to 18 during the Vietnam War, which gave 18-year olds the right to vote). In reality, some individuals who were deemed to be feeble-minded and came under jurisdiction of the juvenile court were held under

This exhaustive list was an all-encompassing umbrella that gave the New Jersey juvenile courts complete authority over a wide variety of New Jersey children. This finding is consistent with research indicating that many legal definitions of delinquency were ambiguous and included many behaviors that would not be considered illegal if committed by adults.¹⁴

New Jersey's statutes governing juvenile delinquency were very loosely drawn and enabled reformers and those in power to cast a large net over a seemingly endless amount of children. The labels of *wayward*, *habitually disobedient*, *uncontrolled*, *immoral*, *endangering the morals of others*, *visiting a disreputable place*, and *associating with the vagrant, vicious, or immoral persons* could have been branded upon nearly any child given their ambiguity and subjectivity. Any child found "guilty" under these offenses was deemed to be a delinquent. These subjective notions of right and wrong pitted defenseless children against nearly omnipotent adults. Children were defenseless against increasingly powerful rhetoric. By contrast, if adults were arrested by police for being subjectively judged as immoral, disobedient, etc., it would have seemed silly. But for New Jersey children in the 1920s, juvenile court judges, school officials, police officers, probation officers, institutional workers, social workers, and others could glance at a child and judge him immoral, habitually disobedient, uncontrolled, or a visitor of a

institutional "care" beyond age 21. See Heath. Feeble-minded "boys" institutionalized at the Vineland Training School were, in some cases, senior citizens as old as 72. This very important caveat reflects the fact that the "feeble-minded" were essentially stripped of the rights of citizenship.

¹³ Bentley.

¹⁴ Eldefonso., p. 25.

disreputable place. In an era when authority was rarely questioned and experts' word was becoming gospel, having a statute with vacuous terminology opened up children to a gross violation of their rights.¹⁵

Despite the fact that New Jersey's Juvenile Probation and Study Commission¹⁶ recommended that the words *delinquent*, *dependent*, and *neglected* be omitted from updates to statutes governing delinquency due to their ambiguity, the non-specific jargon that plagued the revisions did little to ameliorate the problems of ambiguous language. The efforts of the Commission led to the New Jersey Juvenile Court Act of 1929, establishing a court which served "as a welfare agency in the interests of the children referred to it,"¹⁷ but the legal mechanism to brand and segregate children remained. Ironically, data for the fiscal year ending June 30, 1930, indicated that 264 of the 587 children committed by New Jersey juvenile judges to the State Home for Boys and State Home for Girls were committed on blanket charges of *incorrigibility*, *juvenile delinquency*, and violation of probation; during the same year, the remaining 323 were committed for more "definite charges."¹⁸

¹⁵ As Murray Edelman stated in "The Political Language of the Helping Professions," "Vacuous language serves several functions. Because it is a special vocabulary, it marks off the insiders from the outsiders and defines the former as authoritative and professional. It helps insiders to legitimize social and political biases. They are not prejudices against the poor, but against cognitive deficiencies; not against women, but against impulsive hysterics; not against political radicals, but against paranoids; not against homosexuals, but against deviants. They are not in favor of punishing, stigmatizing, humiliating, or imprisoning people, but rather of meeting dependence needs, security needs, and of rehabilitation."¹⁵ Edelman., p. 308.

¹⁶ This commission will be discussed in Chapter Six.

¹⁷ Turner, Hopkins, and Ellis., p. 139.

¹⁸ Frenkel and Heyer., p. 7. I placed quotation marks around *definite charges* because he has found no precise definition of some of these offenses. "Sex offender," for example, was not defined. More detail regarding treatment of sex offenders will be provided later in this chapter. At the time, it was likely that "sex offenders" would have included gay men, lesbians, and bisexuals.

During the 1920s, New Jersey children were also labeled delinquent because of “guilt by association,” as clearly indicated in the statute. Moreover, they could become wards of the state due to parental neglect or perceptions that parents were incapable of providing adequate provisions or moral training. While the statutes were clearly a precursor to modern day institutions such as New Jersey’s Division of Youth and Family Services (DYFS), they armed the State, and consequently those in charge, with the power to decide what was right and wrong for other people’s children. This was reminiscent of “child saving” reform movements of the 19th century; the judgment of the Paternalistic State trumped and frequently usurped the rights of parents.¹⁹ Regardless of parental opinions about their children, the New Jersey delinquency statutes of the 1920s gave New Jersey officials and its reformers the dangerous power to label any child as a juvenile delinquent if they disapproved of the child, his associates, his surroundings, or his parents. The legal label, and the expansive subset of labels that were embodied in the statute, proved to be a “scarlet letter” that allowed relatively typical children to be marked as inferior and ostracized. The legal definition of delinquency, with its gross flaws and horrid ambiguity, served as a vacuum that sucked children into the vortex of reformers’ solutions.

Alexander Johnson, Director of the Extension Department of the Training School for the Feeble-Minded at Vineland, was perhaps the most cunning reformer who saw a Paternalistic State, ambiguous definitions of delinquency, and public fear as perfect conditions to promote his segregated school. On April 23, 1914, Johnson spoke to a huge audience in a crowded auditorium in Trenton, NJ in an address he entitled, “The Mother

¹⁹ Lerman; Mennell.

State and Her Weaker Children.”²⁰ In concert with the popular approach of reformers during the era, Johnson warned the audience that *defectives* were twice as prevalent in schools as most assumed. The event, sanctioned through the (mother state’s) Sanitation and Health Department of the Chamber of Commerce, provided a platform for Johnson’s public relations plea for the segregation of “subnormal” children into the Vineland Training School. Johnson claimed that civilization’s progress depended on better schools. Educators of “normal” children “above all others ought to appreciate the relief afforded by removing *backward* children from their classes.”²¹ By framing the segregation of “defective” children as both vital for society and benefitting the regular classroom, Johnson was able to portray the delinquent as a child to be feared and simultaneously paint his segregated facility as a humanistic alternative that would benefit both the defective child and the public school. This address was one of thousands of speeches delivered by Alexander Johnson in a campaign to gain respect, notoriety, and financial backing for the Vineland Training School. The powerful practice of labeling children as defectives, delinquents, feeble-minded, backward, and so forth, proved to be one of Alexander Johnson’s most successful techniques in manipulating the public into believing that the children he described were truly social serpents whose toxic venom could only be cleansed by experts.

The initial definition of delinquency was its legal definition under New Jersey statute. As symbolized by the lack of specificity even in legal realms, the term *juvenile*

²⁰ "Educator Tells of State's Defectives," *Trenton Evening Times*, April 24, 1914. I found this article using *America's Historical Newspapers*, a database available to me while a guest at Firestone Library in Princeton University.

²¹ Ibid. Emphasis added.

delinquency had a wide range of applications; as exemplified by Alexander Johnson's label swapping, reformers used multiple labels interchangeably. During the 1920s, a juvenile delinquent was called *dependent, defective, backward, feeble-minded, incorrigible, a moron, an imbecile, an idiot, and a menace*, and he/she was described by dozens of other labels. While some terms initially had precise meanings, most distinctions quickly faded as reformers promiscuously and indiscriminately applied all of these labels as descriptors for children they wished to brand as different.²²

Henry Goddard defined the delinquent as "one who has been left behind." Goddard stated, "The delinquent is one who does not come up to the mark in the performance of those duties which the group has placed upon every member. Delinquency is an offense because it impairs the efficiency of the group."²³ Delinquency, in this context, was a broad term that could describe any individual who failed to meet an elite group's expectations for the individual.

Goddard's framing of the delinquent child as a cog in the wheel of an efficient society reflected the popularity of the efficiency movement during the 1920s.²⁴ While in modern times an inefficient child would receive study skills training, coaching to improve organization, or an Individualized Education Plan, during the 1920s a child labeled as "inefficient" was portrayed as a danger to his school or to society.²⁵ As

²² See, for example, Henry H. Goddard, "Who Is a Moron?," *The Scientific Monthly* 24, no. 1 (1927).

²³ Goddard, *Human Efficiency and Levels of Intelligence*.

²⁴ See Raymond E. Callahan, *Education and the Cult of Efficiency* (Chicago: The University of Chicago Press, 1962).

²⁵ For example, in the aforementioned address in Trenton, Alexander Johnson claimed that American society could achieve a higher form of civilization only through efficiency. Johnson stated: "Laws without

evidenced by *Buck v. Bell*, those who were perceived as “sapping the strength” from society were targeted by reformers for segregation or sterilization.

The multiple meanings of delinquent had negative implications for New Jersey children. In an attempt to synthesize and simplify the multiple definitions, I will utilize a two-pronged definition of juvenile delinquency. First, juvenile delinquency was youthful behavior that violated laws or legal statutes. Secondly, due to the fact that the *delinquent* label was promiscuously affixed to many children whose individual conduct or circumstances did not meet the approval of some politically elite group, juvenile delinquency was more broadly defined as undesirable youthful behavior.

Despite a century that has passed, the “definition” of delinquency is not much clearer in modern times. This suggests that the term *juvenile delinquent* remains a rather useless label that serves little value other than to vilify those children who have been unfortunate enough to be branded as such. However, for 1920s reformers the label of *delinquent*, and the plethora of interchangeable labels that became synonymous with it, were extraordinarily powerful. The labels were pivotal in establishing the helping professions and helped to garner support for the experts and institutions that directly benefited from the public perception that the children they labeled were not only different but inefficient, detrimental, and dangerous to society.

The Political Language of the Helping Professions

Perhaps no group of reformers applied labels to the detriment of New Jersey children more than those in the “helping professions.” Individuals in the helping

a more efficient citizenship will do no good.” Efficiency in the public schools was dependent upon placing subnormal children in segregated schools, according to Johnson. See p. 20.

professions include psychologists, social workers, educators, and others. While those who work in the helping professions often have altruistic and genuine intentions, they also have other motives. Similar to nearly all occupations, helping professionals need steady employment and sufficient income; this requires a sufficient number of children or adults who need “help,” and it also requires that those providing the services are publicly esteemed as “professionals” who can deliver the “expert” services that are needed.

During an era in which scientific management created an exaggerated illusion that science and efficiency could solve the majority of society’s problems, the budding helping professions of the 1920s grew exponentially. Paradoxically, the helping professions gained notoriety, clout, and influence by identifying an increasing number of individuals who needed saving. The helping professionals accomplished this paradoxical feat largely through employing “political language;” in the process, the helping professions discriminated against and oppressed the individuals they were purportedly healing, saving, or reforming.

The helping professions, even when not overtly discriminating against particular classes of people, used language that tended to justify the professions, define and maintain status and power hierarchies, and enlarge authority of the professions.²⁶ In “The Political Language of the Helping Professions,” Murray Edelman (1973) explained how the language used by those in the helping professions creates these status and power hierarchies.²⁷ Edelman noted that we are socialized to see the special language of the helping professions as *professional and nonpolitical*. For example, common activities

²⁶ Edelman.

²⁷ Ibid.

such as talking, exercising, and reading are often called group therapy, recreation therapy, dance therapy, and bibliotherapy. “To label a common activity as though it were a medical one is to establish superior and subordinate roles, to make it clear who gives orders and who takes them, and to justify in advance the inhibitions placed on the subordinate class.”²⁸ The language of the helping professions can also serve to enlarge authority and broaden the power base of the professionals. One of many possible avenues through which this is done is to label the absence of deviant behavior as a precursor to it. Edelman explained that in psychology, for example, we hear of the “prepsychotic;” similarly, in social work and education literature, references are often made to the “predelinquent.” Language such as “predelinquent” steals attention away from the link between poverty and delinquency and places focus on prevention and control.²⁹ This instills confidence in the professional’s ability to prescribe and predict who will demonstrate antisocial behavior in the future and who will not.³⁰

New Jersey reformers used political language extensively, thus enabling the Garden State’s helping professions to gain social and political esteem throughout the 1910s and 1920s. By assigning multiple labels to New Jersey children, reformers created the need for “specialists” with professional training to save and reform the children.³¹

²⁸ Ibid., p. 297.

²⁹ The term pre-delinquent is a social construct just as the term *delinquent* is a social construct. Throughout this chapter and subsequent chapters, Edelman’s framing of the language of helping professions will be kept in mind. One article that is illustrative of Edelman’s viewpoint about the pre-delinquent is the following: L. Yoshino, “The Classroom Teacher and the Pre-Delinquent,” *Journal of Educational Sociology* 33, no. 3 (1959, November).

³⁰ Edelman.

³¹ Ibid.

Labels made clear the importance of “saving” the *defective* child and also dramatized aberrations from socially constructed norms as “dangers to society,” dangers from which society’s demise would follow if the wayward youth was not assimilated, reformed, and “fixed.” For example, by creating the label “*jangling temperamental discordant non-cooperative personality misfit*,” the New Jersey State Home for Boys justified the need for the institution and the professionals employed within its walls;³² clearly no “average Joe” or “Jane” could handle such a child.

Reformers in New Jersey public schools further illustrate the manner in which political language was used. Compulsory education laws and burgeoning enrollment in high schools placed an unprecedented number of children in public schools during the 1920s. Reformers advocated that schools were the natural place to address juvenile delinquency because they had access to all children at a pivotal age.³³ Schoolteachers were not called to merely teach reading, writing, and arithmetic, they were to save American society by identifying “predelinquents” and transforming them into productive, healthy citizens.³⁴

New Jersey’s public schools also used new labels for children as justification for pay increases for public school teachers. The exponential growth of labeling created an illusion that public school teachers faced new, overwhelming demands and suddenly

³² Claude Merchant, *Educational Program* (Jamesburg, NJ: N.J. State Home Print Shop, 1930).

³³ Shulman.

³⁴ Yoshino. See also Goddard, *Juvenile Delinquency*. New Jersey’s public schools, and their importance to this dissertation, will be discussed in Chapter Five.

needed more expertise.³⁵ The New Jersey Education Association, at that time a professional association which included both teachers and school administrators, launched an aggressive campaign in the late 1910s to convince the citizenry of the Garden State of their worth as professionals. Among other arguments for the raises, including soaring inflation during the World War I era, New Jersey's public school teachers advocated that they were now "professionals" facing an unprecedented number of demands and multiple types of students; they advocated that they deserved to be paid commensurately with other professionals.³⁶

The use of labels benefited New Jersey's public school helping professions, but nowhere were labels more vigorously used than in New Jersey's reform schools and its segregated schools for the feeble-minded. New labels transformed children who would normally attend public school into mysterious entities whose complexities would be best solved in separate institutions. New Jersey reformers who had leadership positions in New Jersey's schools for the feeble-minded were often the ones who invented or promoted these labels.

Henry Goddard, while serving as Director of Research for the Vineland Training School for the Feeble-Minded from 1906 to 1918, constructed and promoted a number of labels, including moron, imbecile, and idiot, which remain in use to the present day..³⁷

³⁵ See Cohen, "The Mental Hygiene Movement, the Development of Personality and the School: The Medicalization of American Education."

³⁶ *Annual Report of the State Board of Education and of the Commissioner of Education of New Jersey with Accompanying Documents for the Year Ending June 30, 1920, 1921; Education Bulletin*, October 1921. Vol. 8. pt. 2., p. 21.

³⁷ Gould. Because the words are so entrenched in popular vernacular, very few people even realize that the terms had specific meaning in psychology a century ago

Goddard denigrated Binet's intelligence test by applying it overzealously. Furthermore, Goddard sharpened the weapon he made the test into by devising many labels to describe the varying levels of intelligence; labels included, in descending order of intelligence, the following: *exceptionally intelligent, moderately bright, average, backward, and feeble-minded*.³⁸

These labels then included further sub-divisions. Exceptionally intelligent children were subdivided by Goddard into two categories, *truly gifted* children and *nervously brilliant* children; Goddard stated that the nervously brilliant child's intelligence was due to a very high-strung nervous system and added that these children should be taught with care due to the supposed fine line between genius and insanity.³⁹

Toward the end of the 1920s, the highly intelligent child was viewed with increasing suspicion.⁴⁰ This suspicion was premised on several concerns, including the "individualism" of the 1920s. Multiple high-profile kidnapping cases during the 1920s complicated matters more for the intelligent child; the highly publicized case of *Leopold and Loeb*, during which two wealthy, highly educated young men kidnapped and murdered a 14 year old child, redefined traditional American notions about kidnapping.⁴¹ Prior to *Leopold and Loeb*, kidnapping was viewed as a financially motivated act

³⁸ Goddard, *Human Efficiency and Levels of Intelligence*., pp. 104-106.

³⁹ Ibid.

⁴⁰ The helping professions are often suspicious of people who display talents beyond the "norm," "as they must be in view of their veiled equation of the norm with health:" Edelman., p. 304.

⁴¹ Paula S. Fass, *Kidnapped : Child Abduction in America* (New York: Oxford University Press, 1997). Leopold and Loeb murdered fourteen year old Bobby Franks in 1924. Nathan Leopold was an intellectual prodigy who spoke multiple languages and was attending law school at the University of Chicago. Richard Loeb was the youngest graduate in the history of the University of Michigan and had plans to attend the University of Chicago Law School.

committed by poor criminals seeking a ransom from wealthy parents. Leopold and Loeb, and other kidnapping cases of the 1920s, drastically altered this notion as wealthy, educated individuals committed the most heinous acts imaginable for motives that were unknown, mysterious, and abstruse.⁴²

The 1920s portrayal of highly intelligent children as ego-driven youth who cared nothing about the collective good of society during an age of individualism was only bolstered by the widely publicized kidnappings committed by two wealthy, brilliant young men. Nothing pulled at the heart-strings of parents more than the kidnapping and murder of a child, and the fact that the motivation of the perpetrators was unknown added fuel to the 1920s cauldron of fear. Due to Leopold and Loeb and similar kidnapping cases in the 1920s, not only the poor child but the wealthy child became a threat to society. The helping professions of psychology, psychiatry, social work, and education flourished thanks to fears about the unknown mindset of all children during a decade that celebrated individualism. Psychologists, psychiatrists, social workers, and other “experts” were needed to understand the complex and potentially dangerous new child. Educators were needed to monitor all children under their care, mold the child to socially approved norms and moral standards, and reform the “pre-delinquent” before it was too late. Political language such as Goddard’s label “nervously brilliant” painted the intelligent child as a potentially dangerous individual who needed the expert help of the helping professions to modify an exaggerated ego and to keep in check a potential criminal.

⁴² Ibid. Leopold and Loeb were portrayed as “Neitzschean supermen” who committed increasingly egregious and violent acts due to their selfish motivation to commit “the perfect crime.”

The highly intelligent child of the 1920s is not extensively examined in this dissertation due to the fact that the 1920s focus on juvenile delinquency remained largely fixed on the child of “subnormal” intelligence. Many highly intelligent children often had wealthy parents; this fact alone would have created great opposition if reformers went on a witch-hunt pursuing the deviant genius. Moreover, given that progressive reform was typically scientifically based and because science was equated with intelligence, attacking intelligent children would have been hypocritical to some extent. Because of their less privileged class positions, subnormal children were the most profitable children on which reformers focused their attention; private and government institutions such as the New Jersey State Home for Boys, New Jersey State Home for Girls, and the Vineland Training School for the Feeble-Minded all benefited from the fact that the “mentally defective” child was portrayed as needing segregation. Helping professionals in the public schools benefited from the portrayal of “nervously brilliant” children as potentially dangerous youngsters and the portrayal of children of “subnormal” intelligence as pre-delinquents. Educators, psychologists, and social workers all had urgently important jobs to identify, address, and reform children.

New Jersey reformers’ use of political language for less intelligent children was particularly clever. Alexander Johnson, for example, urged that society could not afford to wait for “a mentally deficient boy to murder his teacher before we shall know him.”⁴³ “The labels “mentally deficient” and “mentally defective” established a hierarchy between the inferior child and the superior educator or helping professional; moreover,

⁴³ "Three R's Fads, Says Educator. Training of Children Still Primitive, Declares Dr. Alexander Johnson," *The Philadelphia Inquirer*, May 24, 1914., p. 12.

by dramatically portraying these children as dangers, or as potential future murderers, reformers such as Alexander Johnson used political language to garner additional public support for segregation of the less intelligent children.

Labels proliferated as reformers noted the ease with which labels could help them accomplish their objectives. Henry Goddard's multiple labels enhanced his own professional esteem and identified specific types of children that needed particular types of assistance from the helping professions. The *backward* group, one of the labels for children of subnormal intelligence, was defined by Goddard to be those children who were not quite up to age. Goddard said that these children had to be watched carefully, adding that some will trudge along with the average students but others, upon later reexamination, will be found to be feeble-minded.⁴⁴

The *feeble-minded* group, for whom Goddard advocated isolation from the rest of society in special institutions⁴⁵ wherever possible, was defined by Goddard to be children whose mentality was at or less than twelve years old based upon IQ tests. Feeble-minded was further subdivided into *morons*, who were of mental age eight to twelve, *imbeciles*, who had mentality of ages five to seven, and *lower grade imbeciles (idiots)*, those with a mentality of less than five years.⁴⁶

⁴⁴ Goddard, *Human Efficiency and Levels of Intelligence*.

⁴⁵ As stated in Goddard, children were actually segregated not only in (1) asylums, if some sort of mental health issue was suspected, but also in (2) Industrial (Vocational) schools and (3) institutions for the feeble-minded such as the Vineland Training School for Feeble-Minded Girls and Boys in Vineland, New Jersey.

⁴⁶ Goddard, *Human Efficiency and Levels of Intelligence*., pp. 106-107.

By creating labels for human beings and through reifying the intelligence test as an innate and unalterable measure of human intelligence, Goddard established superior and subordinate positions. The intelligence tests and his multiple labels enhanced the perception that helping professionals and special institutions were needed to care for the “defective” children. The Vineland Training School directly benefited from Goddard’s constructed labels as hundreds, if not thousands, of New Jersey children who were branded with one of Goddard’s labels were railroaded into the facility during the era.⁴⁷

Numerous other reformers who shaped the treatment, definition, and portrayal of delinquency in 1920s New Jersey followed suit. On October 15, 1918, Francis Maxfield spoke about *The Present Status of the Subnormal Class* as he addressed The Council of Education of the State of New Jersey in Montclair.⁴⁸ Maxfield spoke about a New Jersey law that required the creation of classes for children who were three or more years “below normal.” While praising the efforts of New Jersey educators to teach a wide variety of children in the public school, Maxfield prodded educators to take an active role in urging their commitment to reform schools, training schools, and institutions.

During his address, Maxfield used labels such as *congenitally illiterate, backward, overage, retarded, incorrigible, mentally defective, defective, feeble-minded, dangerous, and socially undesirable* to describe New Jersey children who purportedly strayed from the norms created by the helping professionals. Aside from urging those in the helping professions to persuade the public of the need for more specialized institutions

⁴⁷ The Vineland Training School will be presented in detail in Chapter Seven.

⁴⁸ Maxfield.

for the feeble-minded, Maxfield advocated for more extensive use of reform schools for *incurable* and *defective* students. Citing the supposed success of reform schools in Newark, as evidence of the potential of reform schools, Maxfield urged that *potential social menaces* had to be removed from the public school. This political language clearly advocated for the segregation of children who did not conform to behavioral expectations. This was vital to the safety and security of New Jersey.

In concert with the modus operandi of helping professionals, Maxfield also portrayed segregation as helpful for the *delinquents* being isolated. Maxfield contended that the segregated school for mental defectives created “less feeling of exclusion on the part of the pupils.”⁴⁹ He tried to defeat the counterargument made by some reformers that “subnormal” children gained something from association with normal children. Maxfield countered, “It should be remembered that on the ordinary school playground *mental defectives* are by the very nature of their *handicaps* segregated from the others or, at best, associate in their play, games, etc. with those younger than themselves.”⁵⁰ This loose, unsubstantiated claim served as his “proof” that mentally defective children should be segregated into special schools; as exemplified by Murray’s polar opposite reinterpretation of segregation as help, helping professionals of the 1920s chose to ignore counterevidence that conflicted with their labels and prescriptions for reform.

During the 1920s, it was not only juvenile court judges but also New Jersey educators who had some say over which *potential social menaces* “urgently” needed

⁴⁹ Ibid., p. 4.

⁵⁰ Ibid., p. 5. Emphasis added.

institutional care.⁵¹ In his 1918 address, Frances Maxfield stated that educators could urge the placement of defective children in segregated schools using then “present machinery.” Maxfield also advocated for additional provisions to protect both society and the feeble-minded child, the most worrisome was the registration and monitoring of all mentally defective children after they leave school. This suggestion was never fully implemented, but it was echoed by subsequent reformers. Nonetheless, the suggestion reinforced the practice of permanently segregating feeble-minded children; moreover, it made language such as *defective* overtly political by suggesting that those assigned with the defective label deserved to be monitored for life by professionals who could urge recommitment to an institution.

In 1928, the New Jersey Commission to Survey Public Education recommended similar monitoring suggested by Maxfield a decade earlier, and the Commission made numerous other recommendations to the New Jersey Governor and Commissioner of Education regarding the appropriate type of education for multiple categories of children it politically labeled.⁵² The *feeble-minded, idiot grade*, was defined by the Commission as those children who were “insensible to danger,” had “practically no use of language,” and were “incapable of attending to their ordinary physical needs.” These children purportedly had an upper limit of their mental development of less than three years, and they required personal care even as adults;⁵³ *Feeble-minded, imbecile grade*, included

⁵¹ The ease with which public schools ousted unwanted children will be presented in Chapter Five.

⁵² Bentley; Arthur Pierson, Charles Heiss, and Charles Elliott, *Report of the Commission to Survey Public Education* 1928. This report will be discussed in Chapter Five.

⁵³ Pierson, Heiss, and Elliott., p, 57. New Jersey public schools in the 1920s appeared to pretend as if these children did not even exist. The report stated, “*These children seldom attend school although the law does*

children who could attend to their physical needs, who could perform very simple occupational tasks under training, and who did not progress in academic work beyond the second grade.⁵⁴ The commission defined *feeble-minded, moron grade*, as children:

- (1) Who may learn to read and write to some extent under special instruction but who profit little from ordinary academic instruction beyond the fourth or fifth grade;
- (2) Who may learn to perform relatively simply unskilled occupational or industrial tasks with occasional oversight, and may be capable of earning a living under favorable conditions and under supervision, but who are incapable of progressing industrially beyond the common labor or apprentice levels in simple trade or industrial pursuits;
- (3) Who may acquire some advantageous social habits but who are incapable of successful adjustment to changing social or industrial conditions independently of outside help because they lack judgment, common sense and planning capacity, and who fail to display sufficient resourcefulness, reasoning, initiative, energy⁵⁵ and insight to acquire respectable standing as good citizens.⁵⁶

At maturity the *morons* had mental ages between eight and twelve years old. Their adult mental ages were supposedly below eleven years. The committee explained that they could not easily be detected by an intelligence test at young ages because their arrest of

not provide for their exclusion. They are not educable under public school conditions.”⁵³ This will be addressed in Chapter Five.

⁵⁴ Ibid., p. 57. The commission commented, “At maturity they require more or less constant supervision because they are incapable of independent social and economic adjustment except under the most favorable conditions.” The law also did not provide for their exclusion from school, although those “whose mental ages [were] below five years [were] not [considered to be] educable under public school conditions.”⁵⁴ The commission stated that these children often escaped detection at the time they were admitted to school but usually demonstrated “their incapacity for normal instruction” by the time they were ten years old. There was supposedly “little difficulty in recognizing them by means of the Binet test examination. Their measure of intelligence [was] below 50 and their mental ages below eight years.” The commission believed that these children were “more successfully trained”⁵⁴ in public institutions than in public schools.

⁵⁵ Lacking “energy” sounds reminiscent of the nineteenth century view that the lower socioeconomic classes were paupers, individuals who were idle and lacked initiative.

⁵⁶ Pierson, Heiss, and Elliott., p. 57.

mental development may have occurred suddenly or gradually and because they were “easily confused with other types of mental *subnormality*.”⁵⁷

The commission initially stated the feeble-minded moron was educable under public school conditions under sixteen years of age when instruction was adapted to his particular limitations and needs. They quickly threw in a profound caveat, however, and explained, “Many morons are capable of successful adjustment in the community after instruction in a special class *if* their conduct is not anti-social *and if* their occupational capacity enables them to earn a living *and if* the supervision necessary for their continued success can be provided.”⁵⁸ These labels and caveats were highly political language; if the *moron* was to be successful, the Commission implicitly stated that helping professionals would have to judge the degree to which children strayed from the social norm (as defined by those in power), assess the occupational worth of the moron (as defined and limited by those in power),⁵⁹ and then monitor him for life. The Commission added, “Otherwise the welfare of the State, the community and the individual is better served by institutional commitments after a period of special class instruction in the public schools. Many of these children, however, because of home conditions and other circumstances, can be more successfully cared for and trained in the public institutions of the State rather than in the public schools even before puberty.”⁶⁰

⁵⁷ Ibid., p. 58.

⁵⁸ Ibid., p. 58. Emphasis added.

⁵⁹ In Chapter Five, I will present ways in which New Jersey’s educational and social system perpetuated a caste system, channeling children into vocational tracks that helped maintain inequality along lines of race, gender, and ethnicity.

⁶⁰ Pierson, Heiss, and Elliott., p. 58.

The commission believed that the detection of the moron was difficult on the basis of an intelligence test alone because his degree of intelligence as measured by the Binet test overlapped the lower limits of normalcy. They added: "Consequently, the accurate differentiation of the moron from the inferior normal [was] a problem *requiring technical skill* to avoid confusion with other forms of subnormality and disability which so often resemble the moron grade of feeble-mindedness."⁶¹ The commission further politicized Goddard's original moron label by portraying the moron as a significant problem with a complex definition whose detection could only be trusted to highly skilled experts.

The commission used additional labels such as *inferior normals*,⁶² *children with special educational disabilities*,⁶³ *unadjusted or maladjusted children*,⁶⁴ *backward*,⁶⁵ and

⁶¹ Ibid., p. 58. Emphasis added.

⁶² *Inferior normals* included those children "of relatively low mental age who [were] not feeble-minded but whose instruction in their regular classes of the public school [was] seriously handicapped by their inferior verbal intelligence." These children had a verbal intelligence comparable to feeble-minded children but were "not morons because they were not-feeble-minded." The "true moron" was supposedly "incapable at maturity of successful social and economic adjustment independently of supervision." The moron allegedly lacked "energy, common sense, resourcefulness, and social conformability. But the inferior normal of the same intelligence level as the moron possess[ed] these essential social powers" which the feeble-minded moron lacked. The inferior normal person was said to be capable of successful social and occupational adjustment without supervision. The commission stated, "Although his adjustment may be made at a low social level from the standpoint of culture and wealth, in contrast with the moron, he [was] self-sustaining and self-directing and [was] a good citizen, however humble his situation in life." Ibid., p. 58. The inferior normal had a "greater prospect of social success, their relatively superior manual and industrial superiority as compared with the feeble-minded, and their higher performance on non-linguistic tests." His mental age, like the feeble-minded moron, was between eight and twelve years of age according to the Binet IQ test, yet "[the inferior normal individual's] perceptions of industrial and social relations rise above his cultural level, and his occupational success and social adjustment remove[d] him from all suspicion of true feeble-mindedness." These children were not seen as institutional cases, and the commission recommended that they be taught "at a higher level of training than habit formation." The inferior normal children were purportedly a greater percentage of the overall population compared to morons and imbeciles.

⁶³ *Children with special educational disabilities* were those students who were "specifically handicapped in one or more school subjects such as reading, writing, arithmetic, spelling, and the like." The commission believed that these deficiencies were often the result of some "special mental disability rather than the result of illness, irregular attendance, poor instruction, poor study habits, inadequate motivation, and similar influences." Ibid., p. 59.

slow or dull normal children. The commission used these labels as justification for the distinct types of education they prescribed. They stated that the distinctions made it clear that “indiscriminate grouping” of all children in special classes for *subnormals* was unwise because all children received the same type of instruction based upon the assumption that all were uniformly feeble-minded. They claimed that their 1920s survey of conditions in New Jersey public schools made it clear that fine distinctions were not being made by public school educators and stated that the various types of handicapped children needed to be described in more “discriminatory terms.”⁶⁶ The Commission criticized the state law requiring special classes for those children three years or more below the normal because the law did not address “the conditions surrounding each subnormality.”⁶⁷

While following the barrage of labels the commission affixed to children can be dizzying, their report gave the impression that they desired to distinguish between the different types of “subnormal” children. While drawing distinctions between children of varying intelligence was certainly not new,⁶⁸ this 1928 report was unique in several ways. First, it exposed New Jersey public schools’ general lack of differentiation in educating a variety of challenging students. Second, some new labels were used that hinted at

⁶⁴ *Unadjusted or maladjusted children* were those “whose learning [was] handicapped by behavior disturbance associated with emotional instability, personality defects, psychopathic conditions or mental aberrations, habitual truancy, incorrigibility, laziness, indifference and in short those conditions and attitudes which engage the attention of the modern child guidance clinic.” I examined New Jersey’s Child Guidance Clinic in Chapter Seven. Ibid., p. 59.

⁶⁵ *Backward children* included “the *slow or dull normal* children whose mental retardation, whether temporary or permanent, was not sufficiently serious to require special class instruction.” Ibid., p. 59.

⁶⁶Ibid., p. 60.

⁶⁷Ibid., p. 60.

⁶⁸ Goddard coined many of the labels recycled by the commission and made similar distinctions.

progress. While old labels including “inferior,” “moron,” “feeble-minded,” and “imbecile” were still in use, phrases such as “handicapped” and “special education disability” were not prevalent in educational documents ten years prior. Though subtle, this was reflective of a very slow but gradual shift that was taking place in New Jersey schools during the 1920s away from hereditarian views that a unitary, inherited factor, intelligence, led to delinquency and failure and toward a belief that delinquency and poor school performance were caused by a myriad of factors, many of which were environmental.

Despite whatever shifts had taken place by 1928, the report revealed that the Commission, similar to New Jersey educators throughout the 1920s, believed that children who had behavioral problems did not belong in the regular classroom. The report revealed that teachers often moved *incorrigible* children into special classes with children of lower intelligence and indiscriminately mixed them together. Many *delinquent* children were sent from the traditional public school to reform schools or were referred by the schools to juvenile courts and then sent to state institutions. Despite their expose on the extant problems in the state and public school handling of school truants, the Commission did not voice opposition to the fact that New Jersey schools attempted to rid itself of children who had behavioral problems whenever and through whatever means possible. To the contrary, they recommended institutionalization if a child was anti-social, or if the child did not show industrial potential, or if proper supervision could not

be provided in the public school; moreover, they recommended institutionalization before puberty if children came from poor home conditions.⁶⁹

In every instance, the use of labels became political in nature. “Though the linguistic evocation of the political system is subtle, that very fact frees the participants to act out their political roles blatantly for they see themselves as helping, not as repressing.”⁷⁰ Common educational labels, and the ever increasing subset of labels applied by educators and other helping professionals, promoted increasing structures and institutions to address the needs.

This passage implied that graduates of special education who were properly supervised could become successful as adults but those who were poorly supervised would fail. The Commission’s plea for New Jersey to build additional institutions to house dependent or delinquent children was a common one, but their cry for special education graduates to be monitored and often institutionalized during adulthood was troubling. Historically, poor families have been viewed as incapable of caring for their children and inept at providing them moral guidance.⁷¹ The commission’s recommendations, had they been enacted, would have spawned further horrors for the poor children of new immigrants, youngsters whose intelligence, behavior, or resistance to assimilation resulted in schools deeming them eligible for a “special” type of schooling.

⁶⁹ Arthur Pierson, Charles Heiss, and Charles Elliott, *Report of the Commission to Survey Public Education* 1930.

⁷⁰ Edelman.

⁷¹ See Chapters Three and Four of this dissertation.

Ironically, the Public Education Survey Commission stated that “the most important action to be taken to promote special education from the standpoint of interests of the State [was] to remove all regulatory provisions and to confine the law to statements of intention and principle.” In concert with the efficiency movement, they proposed:

The State Department of Education should then be provided with the authority and the personnel for some form of central leadership, standardization and supervision for all aspects of special education, with discretionary power given the State Commissioner of Education to establish regulations concerning methods of selection and classification of pupils, size of classes, courses of study, teacher qualifications, standards of admission and exclusion, approved methods and purposes of instruction, and such other details as might from time to time seem necessary in relation to the professional advances being made in this important field of public education. Such a central division should also be the correlating agency for promoting coordination between the functions of the State Department of Education and the State Department of Institutions and Agencies on problems of mutual concerns.⁷²

While the labels, prescriptions, and calls for increased power, supervision, and coordination flew under the radar during an era of educational efficiency, the political language used by the Commission had several unique byproducts. “New Jersey was reputed to be the first State to make the establishment of special classes for subnormal students compulsory.”⁷³ Labeling led to a perception that this new and odd type of child needed a special kind of education; consequently, the 1911 law passed by the General Assembly called for segregated, special classes for subnormal children in the public school. Between 1911 and 1927, the number of special classes for subnormal, backward, and incorrigible children in New Jersey sharply increased. On June 30, 1912, 80 classes for subnormal children existed in the state; five years later, in 1916-1917, there were

⁷² Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 64.

⁷³ *Ibid.*, p. 60.

2,220 “subnormal” children enrolled in 162 such classes;⁷⁴ The “Annual Report of the Commission of Education for the year ending June 30, 1927 revealed that there were 3,489 children in special classes for subnormals, and an additional 1,161 in classes for backward and incorrigible children.”⁷⁵

Year	Number of Special Classes in the Public School	Number of Children in These Classes
1911-1912	80	Unspecified
1916-1917	162	2,220
1926-1927	Unspecified ⁷⁶ (Estimate is 339)	4,650

Table 4.1 - Special Classes in New Jersey Public Schools, 1911-1927

According to these data, it appears that the number of “defective” children needing special class instruction roughly doubled between 1912 and 1917 and then doubled again between 1917 and 1927. While data was often accepted at face value

⁷⁴ Ibid.

⁷⁵ *Annual Report of the State Board of Education and of the Commissioner of Education of New Jersey with Accompanying Documents for the Year Ending June 30, 1927, 1928.*

⁷⁶ While the total number of children in the special classes was specified by 1926-1927, the total number of classes was not. I made the estimate of 339 by computing an average class size for 1916-1917 (by dividing the number of students by the number of classes, which resulted in an average class size of 13.7). This estimation method provides only a very rough estimate; 339 may not closely estimate the total number of classes in 1926-1927 due to the fact that class sizes may have increased or decreased.

during the 1920s and reformers often used numbers to fool the public into believing that society was increasingly unintelligent and in the midst of a crime wave, it is highly unlikely that the number of defective children actually increased between 1911 and 1927. There are other sensible explanations. Part of this increase was probably due to an overall increase in public school enrollment in the Garden State between 1911 and 1927. The increase is no doubt also due to labeling itself. With the advent and proliferation of simple labels such as *subnormal*, *backward*, or *incurable*, it was not surprising to see a spike in the number of segregated classes for *defective* children. The political language continued to build the vision of “education as a profession” and facilitated the transfer of more challenging youngsters out of the mainstream public school classroom. Labels served both public school helping professionals, who could argue that they had to cater to a wider variety of challenging students, and private institution helping professions, who were repeatedly portrayed as the ideal individuals to educate children who were feeble-minded, defective, incurable, or otherwise subnormal.

The labeling of children as juvenile delinquents also greatly benefitted those helping professionals who were employed in New Jersey’s juvenile delinquent reformatories, such as the New Jersey State Home for Boys and New Jersey State Home for Girls. Another troubling example I encountered while examining the juvenile delinquency issue through an Edelman lens was found in the *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932*.⁷⁷ Maxwell Rockhill, President of the Board of Managers of the New Jersey State

⁷⁷ *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932*, 1933.

Home for Boys at the time, explained that he and his staff were “baffled” by the “constantly falling population.” In contrast to what was expected by nearly all employees, the juvenile inmate population declined by almost two hundred boys during the Great Depression. The decreased enrollment at the State Home for Boys caused Rockhill to “slash the budget” and “reduce personnel.” This had a significant impact on the Jamesburg employees. Rockhill wrote, “The effect, psychologically, of those unaccustomed and somewhat strange forces ...led to a little *mental depression* on the part of the staff.” Rockhill helped his employees overcome their mental depression by making a “great game” of having to do more with less. He said that they prevailed, against adversity, and continued to provide excellent service to enhance the “well being” and the training of the boy.

From a human standpoint it was easy to understand why the Jamesburg employees became mentally depressed when the enrollment numbers dipped precipitously; namely, the staff’s jobs and livelihoods were in jeopardy during a national economic crisis. Yet there was something peculiar about hearing of despair, confusion, and depression when falling enrollment figures might have suggested that there were hundreds fewer juvenile delinquents in New Jersey. A decline in institutionalization of juvenile delinquents would normally be something celebrated. The reality, however, was that for those on the inside, for those in the profession of “helping” the delinquent children sentenced to the New Jersey State Home for Boys, fewer institutionalized children equated to fears of job instability and threatened their profession. The same logic would probably hold true for any helping profession during a time when the need or esteem for the helping professionals in a particular field diminished.

New Jersey's "experts" who studied children who studied the children who were remanded to the state's institutions for juvenile delinquents found the same power in political language.⁷⁸ As shall be explained in Chapter Six, children who were remanded to a state facility by a judge were thoroughly studied by a child guidance clinic. Throughout the 1920s, the classification work undertaken by this clinic led to a number of additional labels to affix to New Jersey's juvenile delinquents, adult offenders, and the mentally unfit. The term "defective delinquent" became quite popular. Identical to the term *delinquent*, the phrase *defective delinquent* was an ambiguous term that was assigned a variety of definitions. William Ellis (1924), who became Commissioner of the Department of Institutions and Agencies in 1926, stated the following about the defective delinquent:

The work of classification quickly brought to light the importance of developing a clear cut policy for the handling of the defective delinquent group. The correctional Institutions were recognizing within two months of admission, upon the basis of such comprehensive studies, the defective delinquent types. It was clear that the defective delinquent, so called, was really descriptive of two major classes of offenders, namely, the occasional offender and the habitual offender. These in turn were subdivided into the feeble minded, the epileptic and the insane. From the standpoint of their emotional makeup, it was recognized that these were further subdivided into the stable and unstable.⁷⁹

At the 1924 annual meeting of the American Association for the Study of the Feeble-minded, held in Washington D.C., William Ellis shared with the committee the classification and placement scheme that was actively being employed in New Jersey's institutions. The placement and training of "six recognized types of *defective delinquent*

⁷⁸ H.R. Bonner, "Mental Aspects of Delinquency," *Quarterly Publications of the American Statistical Society* 17, no. (1921, March).

⁷⁹ Ellis., p. 311.

offenders who constituted a special problem in the correction institutions”⁸⁰ were outlined. The six types of defective delinquents included the *feeble-minded, stable, occasional offender*; *feeble-minded, unstable, occasional offender*; *feeble-minded, stable habitual offender*; *feeble-minded, unstable habitual offender*; *non-feeble-minded, unstable, occasional offender*; and the *non-feeble-minded, unstable, habitual offender*.⁸¹

In the “Outline of Classification and Disposition,” symptoms were described and dispositions were prescribed for each of these six types of defective delinquent. The disposition for the feeble-minded, stable, occasional offender, for example, was listed as follows: “Training schools for those of trainable age and type; colonies for industrial adults, custodial institutions for helpless, low-grade and aged.”⁸² The “feeble-minded unstable occasional offender” (point 2 on the scale) was to go the state hospital until “cured of instability,” then to appropriate feeble-minded institutions. The feeble-minded stable habitual offender was sent to correctional institutions “under special segregation until reformed,” then to the feeble-minded institution. The feeble-minded unstable habitual offender was sent to state hospitals to be cured of instability, then back to correctional institutions for reclassification, and then to appropriate feeble-minded institutions. The non-feeble-minded unstable habitual and occasional offenders were also sent to state hospitals to be cured of instability and were then sent back to the correctional institution for reclassification or parole. The etiological sub-classifications of types of

⁸⁰ Ibid., p. 311.

⁸¹ Ibid., p. 313.

⁸² Ibid., p. 313.

instability included “Toxemic, Congenitally Syphilitic, Epileptoid, Endocrinopathic, and Environmental.”⁸³

The list of symptoms and clinical characteristics was utilized, per policy, by the New Jersey institutions that were responsible for “treating and training” these defective delinquents. New Jersey did not have a special institution for defective delinquents.⁸⁴ Ellis explained that it was recognized from the start that New Jersey would “have to cope with some of the more unruly characteristics of the unstable offenders, when transferred according to [their] classification plan, from the correctional institutions to treatment hospitals and training schools.” Ellis added, “However, it was hoped that instability, which was not constitutional but was susceptible to medical and surgical treatment and regimen,⁸⁵ would be cleared up by this hospital treatment to such an extent that these individuals would be returned to the correctional institution for further training, or for reclassification and later transferred to a feeble-minded institution, if that was indicated.”⁸⁶

Some of the greatest horrors enacted on children, such as unnecessary and maiming-life-threatening surgery were the direct result of this labeling.⁸⁷ New Jersey’s classification scheme may have created the illusion that experts had honed in more

⁸³ Ibid., p. 312.

⁸⁴ Ellis mentioned that New York did have such an institution, the New York State Institution at Napanoch, led by Superintendent Dr. Thayer.

⁸⁵ As previously mentioned, Dr. Cotton, who was in charge of the clinic that oversaw this entire process, performed countless surgeries on juvenile and adult delinquents, proclaiming to all that these surgeries led to stabilization of the mind.

⁸⁶ Ellis. p. 312.

⁸⁷ This will be presented in great detail in Chapter Eight.

precisely on the inner workings of a child's mind, but they were smoke and mirrors. The reality is that children who were assigned the label *defective delinquent* were merely more resistant to the orders, demands, and instructions barked at them by helping professionals who controlled them at New Jersey's institutions.

These children faced not only transfer to a training school for the feeble-minded but also possible surgery at the Trenton State Hospital. Transfer to an institution to the feeble-minded was essentially a life-sentence. Transfer for "therapeutic" help at the Trenton State Hospital meant surgery that resulted in maiming and even death due to Dr. Cotton's theory that "focal infection" caused mental instability. Children transferred to the training school, often aware that such a transfer was a life sentence, frequently attempted to run away.⁸⁸ Children transferred to the State Hospital for surgery were subject to aggressive and unnecessary procedures that permanently altered their lives. In both cases, the helping professionals viewed their "corrective" actions as "treatment;" in reality, the so-called defective delinquent was stripped of individual rights, abused, violated, and, in a few instances, killed by the "therapy" exacted through the process of labeling and classification.⁸⁹

Final Thoughts on Chapter Four

Because the necessary condition of willing submission to authority
is a belief that submission benefits the subordinate, it is crucial to

⁸⁸ I will provide more detail in future chapters about attempts at running away at New Jersey's institutions.

⁸⁹ Murray Edelman stated the following of such juxtapositions:

"The professional and the public official whose function it is to "help" the inadequate, the powerless, or the deviant is willing and eager to play his role, equipped with a built-in reason to discount or reinterpret qualms, role conflicts, and disturbing facts. To comfort, to subsidize, to limit, to repress, to imprison, even to kill are all sometimes necessary to protect the client and society, and the conscientious professional or political authority plays his role to be true to himself."

the powerful that descriptions of their treatment of others highlight the benefit and not the physical, psychological, or economic costs of submission, as an unadorned factual description does.⁹⁰

This chapter called attention to New Jersey's multi-faceted and vacuous definition of juvenile delinquency; Henry Goddard's invented and influential names for children of varying intelligence; public school reformers' pleas for more specialized labels to be affixed to an ever-increasing number of children; institutional reformers' offers to assist the public school and protect society from feeble-minded, defective, and delinquent children; and New Jersey's classification system, through which reformers prescribed highly specialized "treatment" plans for the six supposedly different types of defective delinquents they branded with concocted and highly specific labels. The barrages of labels identified in this chapter were, no doubt, dizzying and difficult for any reader to follow; the stupefying effect of exploring this sea of labels reflects the fact that New Jersey reformers promiscuously applied an often interchangeable sea of labels. In all of these cases, New Jersey children suffered in one form or another as helping professionals prospered.

This chapter has explicitly focused on the power of language. The adage that some see the glass as half full while others see it as half empty serves as an eye opener about the power of perspective, but the power of the political language of the helping professions (as was certainly the case in 1920s New Jersey) typically goes unexamined and unchecked. Consequently, assaults on personal health, personal dignity, and personal

⁹⁰ Edelman., p. 301.

liberties are often exacted by professions and professionals that are assumed to be entirely altruistic.⁹¹

Multiple sets of New Jersey reformers used political language to accomplish both unique and interdependent agendas. Political labels transformed relatively normal children into serpents in the Garden State. By calling a spade by many other names, reformers were not truly calling attention to the behaviors, levels of intelligence, or abilities of children. To the contrary, labels stripped children of their identity and even their humanity; they became “patients,” “delinquents,” “feeble-minded,” or otherwise “sick” monsters. While the labels were interchangeable and wholly ambiguous, the consequences rendered upon New Jersey children were unambiguous.

⁹¹ “When there is an allegation of mental illness, delinquency, or intellectual incapacity, neither the diagnosis nor the scope of authority is readily checked or limited, but its legitimacy is linguistically created and reinforced.” *Ibid.*, p. 298.

CHAPTER FIVE: New Jersey's Public Schools; Vehicles for Social Reform

With fear entrenched throughout the state, a threatening new youth culture emerging, labels that could either help or cripple a child proliferating, and helping professions with unchecked power blossoming, staff in New Jersey public schools were uniquely positioned during the 1920s. New Jersey's educators faced important decisions as to whether they should include or exclude an unprecedented number of challenging children who were forced to be in school due to compulsory education laws and the surging popularity of secondary education. In other words, the schools had to decide if they wanted to leave children behind, thereby making them "delinquents," or find ways to adjust the education system to meet the unique needs, abilities, cultures, and interests of its diverse student population. Some reformers viewed the school system as the optimal agency to address the delinquency problem since public schools taught almost all children during their young, formative, highly-impressionable years.¹ By partially adopting this view and portraying that they were saving the "pre-delinquent" from an inevitable life of poverty, vice, and crime, New Jersey public schools claimed they were preserving and keeping safe American society. Through the Americanization and Character Education movements, New Jersey's educators sought to control and mold a diverse student population while simultaneously tipping their hats to the dominant-sector of the public which cherished nationalism, morality, good citizenship, and patriotism. Not lost on New Jersey's educational leaders was the fact that taxpayers would endorse or decry education as a true profession and vote to approve or deny the hefty raises desired by teachers and school administrators. By aggressively campaigning and broadcasting

¹ Turner, Hopkins, and Ellis.

broad aims of education, such as intellectual growth, scientific management, instilling citizenship, inculcating “correct” values, and spreading 100% Americanism throughout the schools, New Jersey educators appealed to the greatest fears and most esteemed values of society during the 1920s.

For New Jersey's educational leaders, there were two types of children who threatened the vision of cultural monism: those who were innately different because of race, ethnicity, religion, gender, or socioeconomic status, and those who were artificially transformed into different beings through the myriad of labels constructed by helping professionals. In both cases, New Jersey educational leaders rejected diversity. During the 1920s, New Jersey public schools did not operate on the premise of educating children in the “least restrictive environment,” nor were there celebrations of multiculturalism. Children who were innately different, perceived as different, or portrayed as different faced one of three fates: some were “Americanized” and molded into efficient, obedient children; others were pushed out of the public schools through a variety of covert and overt tactics; and a third group received a second-class education. The symbol of the juvenile delinquent as an “unwanted child” is a central theme and important finding of this dissertation, and this chapter will reveal how New Jersey’s public school reformers relinquished their responsibility to properly educate thousands of “unwanted” children during the 1920s, thereby creating delinquents.

Compulsory Education

The rise of compulsory education laws created more “juvenile delinquents.” Compulsory education laws compelled all children to attend school, and reformers affixed the newest label, school *truant*, to any child who did not comply with the

mandates. Children who were once legally permitted to work on family farms or in industry were labeled as juvenile delinquents once truancy was included in the far-reaching statutes that “defined” delinquency.²

Contrary to popular belief, compulsory education laws were not enacted uniformly from state-to-state throughout the United States.³ While all states had enacted laws compelling children to attend school by 1918,⁴ some states were decades ahead of others. In 1875, shortly after establishing a system of public schooling, New Jersey became one of the first states to compel education.⁵ Despite this fact, New Jersey's compulsory education laws were originally quite weak. Education was compulsory only for children between ages 7 and 12 and required these children to attend school for a mere twenty weeks per year. While penalties initially included hefty fines and one to

² New Jersey children who failed to attend school were labeled as truants during the 1920s and faced the risk of appearing in juvenile court for their truancy. See Bentley.

³ John G. Richardson, "Variation in Date of Enactment of Compulsory School Attendance Laws: An Empirical Inquiry," *Sociology of Education* 53, no. 3 (1980).

⁴ Some of the last states to enact the laws included Alabama, Florida, and Texas, in 1915, and Mississippi, in 1918. *Ibid.*, p. 157.

⁵ In the mid to late 1800's, New Jersey's public school system was purported to be "among the most favored of the nation," The New Jersey State constitution, adopted in 1844 and amended in 1873, stated that the legislature was to suitably provide for the maintenance and support of a "thorough and efficient system of free public schools" for the instruction of children between the ages of 5 and 18 years. The establishment of a State Normal School in Trenton, which provided formal training and preparation for public school teaching candidates, spurred significant growth in the state's educational system. In 1867, the functions of the New Jersey State Board of Education, the State Board of Education, the State Superintendent, the county superintendents, district and township trustees, and city boards of education were defined and delineated. A liberal and often loosely defined funding system between the state and local municipalities was incrementally strengthened; in 1894, for example, an act provided for the consolidation of township schools into one school district, permitted a special tax to provide for transportation for children who lived far from existing schools, and required that school districts enact a local tax to provide free text books and school supplies to its pupils. David Murray, *History of Education in New Jersey*, Contributions to American Educational History. (Washington,: Govt. print. off., 1899). Murray's history of education in New Jersey did contain criticism and expose some shortcomings of New Jersey's public school systems, but it also appeared at times to me to be overly optimistic about the progress of New Jersey's schools. For example, Chapter Two was entitled "The Perfected System of Education."

three months of imprisonment for parents whose children did not attend, these sanctions were rarely imposed due to insufficient means to enforce the compulsory education law. As late as 1899, the law compelling children to attend children ages 7 to 12 years of age to attend school was being described as "largely a dead letter."⁶

While the enforcement of compulsory education laws continued to be unpredictable, inconsistent, and inefficient in the decades leading up to and including the 1920s, the creation of the juvenile courts and the appointment of truancy officers put some teeth into compulsory education. During the 1920s, children who failed to attend school in New Jersey faced the risk of being referred to the juvenile court. While some progressive educators during the era may have viewed truancy as a relatively normal attempt for a child to avoid the responsibilities and rigors of overly rigid schools,⁷ New Jersey developed very aggressive statutes with harsh sanctions for school truants. The following language governed the issue of school truancy in New Jersey throughout the 1920s:

...every attendance officer shall have power to arrest without warrant any vagrant child, or habitual truant, or any child who is habitually incorrigible, or who is vicious, or immoral in conduct, or illegally absent from school. The sheriff and his officers and all police officers and constables shall assist all such attendance officers in the performance of their duties and any keeper of a prison, or jail, or school, or house of detention for juvenile offenders shall receive all juvenile delinquents or juvenile disorderly persons who shall be arrested by the attendance officers, and shall produce them at the next session of court to abide by the action of the court.⁸

⁶ Ibid., p. 43.

⁷ See, for example, John Dewey, *Interest and Effort in Education*, Riverside Educational Monographs (Boston,: Houghton Mifflin Co., 1913). Accessed on December 5, 2009 through Google Books at www.google.com.

⁸ "Acts of the One Hundred and Thirty-Eighth Legislature of the State of New Jersey, Chapter 223

This was yet another example of a legal “definition” of delinquency that served as a blanket policy, a blanket that could easily smother any child whom the school or truant officer chose to target. Truant officers were not merely given the power to arrest any child who was habitually absent from school but also to arrest without warrant any child who was subjectively judged to be *vagrant, vicious, incorrigible, or immoral in conduct*. This blanket statute allowed New Jersey’s public schools to rid themselves of all children who did not adhere to the rules, expectations, or moral standards of those in charge.

New Jersey’s public schools abused this extensive power given to them, and children deemed to be school *truants* were frequently arrested, referred to the juvenile courts, and, tragically, often sentenced to institutions. In fact, for the fiscal year ending June 30, 1930, 15.4 percent of all children committed to New Jersey’s State Home for Boys and State Home for Girls for specific reasons were *truants*.⁹ Throughout the 1920s and 1930s, New Jersey public school children who did not meet the approval of those in charge were subject to arrest and possible institutionalization for charges that would never have been permissible for adults.¹⁰

By 1939, some reformers in the Garden State, such as the New Jersey Juvenile Delinquency Commission, began to recognize the multiple absurdities of the truancy statute. In the Delinquency Commission’s report, *Justice and the Child in New Jersey*

", (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1914).

⁹ Frenkel and Heyer. This document provided institutional commitment data for 1929-1930. As explained in Chapter Four, many commitments were not made for specific reasons. Ironically, even specific commitments, such as those made for “truancy,” were not necessarily commitments which allowed the exact infraction committed by children to be pinpointed.

¹⁰ Turner, Hopkins, and Ellis.

(1939),¹¹ authors Turner, Hopkins, and Ellis voiced many insightful criticisms of New Jersey's poor handling of school truants for the previous two decades: they criticized the fact that children as young as seven years old were able to be "arrested without warrant" and placed in any prison, jail, or house of detention;¹² attacked the reality that truant officers had extraordinary power yet were not required to have any professional qualifications whatsoever; and were puzzled how untrained truancy officers were supposed to intelligently approach complex truancy problems that highly trained teachers could not rectify. The Juvenile Delinquency Commission poignantly stated that prisons, reformatories, and correctional institutions were "crowded with inmates whose first crime against society was remaining away from school" and called truancy officers "talent scouts for the reform schools."¹³

When the commission portrayed truancy officers as talent scouts for reform schools, they indirectly unveiled a larger reality. Truant officers were one group of (quasi) professionals intimately enmeshed in a political and symbiotic relationship with other helping professionals. Their work of removing children from the public schools for a variety of offenses "helped" to "protect" the integrity and efficiency of the public school while concurrently supplying reform schools and training schools with "patients" and "inmates."

¹¹ Historian James Leiby called this report the most extensive report on juvenile delinquency in the country at the time it was published. See Leiby.

¹² As pointed out in Turner, Hopkins, and Ellis., p. 111., the ability to place children intermingled with adult criminals for truancy statutes contradicted the Juvenile Court Act of 1929. Turner and colleagues added, "In 1937, the Commission on Revision and Consolidation of Public Statutes of the State of New Jersey appointed to codify all laws of the State sensed in this discrepancy and eliminated the obligation on the part of prison keepers to receive and hold juveniles until the next session of the court." Despite this fact, the power to "arrest without warrant" remained in the law.

¹³ Ibid., p. 112.

New Jersey officials repeatedly and overzealously reframed school attendance issues as reasons to brand children as delinquents during the 1920s and for decades thereafter. A 1947 New Jersey legislative commission went as far as to portray lateness to school as a precursor of delinquency. This commission viewed tardiness to school “as an incipient form of misconduct likely to result in delinquency” and deemed truancy to be “the most usual system of overt delinquency.”¹⁴ The explicit statement that tardiness was likely to result in delinquency was political language that implied that school officials and truancy officers were experts who could identify “pre-delinquent” behavior and take action to protect society by preventing delinquency and future crime.

Because it appeared to be altogether altruistic in nature, compelling children to receive a formal education was taken at face value.¹⁵ The helping professions rose in esteem and garnered public support in part as a direct result of compulsory education. Other researchers have also explored some of the hidden motives that may have been behind the passage and propagation of compulsory education laws. A cursory overview of some of these motives will now be presented.

Some researchers have viewed compulsory education laws as logical outcomes of shifts in society during the late nineteenth and earliest twentieth century. The growth in the popularity of education near the end of the nineteenth century reflected shifts in labor markets as an industrial-based economy came to replace the former agriculturally dominated one. Many children, most especially farmers’ children, were reluctant to receive the education deemed necessary by society; “Compulsory school attendance

¹⁴ *Report of the Legislative Commission to Investigate the Causes of Juvenile Delinquency*, 1947.

¹⁵ The same is no doubt true in modern times.

entailed the mobilization of school-aged children who had not voluntarily entered the school system.”¹⁶

As opposed to viewing the laws as *logical* outcomes of shifts in society, other historians have frequently framed compulsory education laws as constructs devised by reformers for social control. The decades in the late nineteenth and early twentieth century “witnessed the rise of organized labor and intensified labor strife, increased ethnic diversity, and the eclipse of agrarian America by the rise of large-scale organization.”¹⁷ Reformers desired conformity as a reaction to this social and economic turmoil.¹⁸ From this viewpoint, compulsory education was designed to assimilate and Americanize new immigrants and to build conformity in an increasingly diverse nation.

Compulsory education laws provided teachers, administrators, psychologists, and those working in other scientific niches with boundless opportunities to expand the flourishing helping professions. As reformers found a seemingly endless number of ways to classify children’s differences, they expanded their impregnable power base and propagated the impression that more institutions, more tests, more research, and more helping professionals were needed to address the situation.

Regardless of their intent and any ulterior motives, reformers portrayed public schools and private institutions as essential for the growth of both children and society. The popularity of education dramatically increased at the end of the nineteenth and early twentieth century. The surging popularity of the theoretical and social value of education

¹⁶ Richardson., p. 154.

¹⁷ Ibid., p. 155.

¹⁸ Wiebe.

in the decades leading up the 1920s was evident in a number of ways; even some penal institutions that had once housed hardened delinquents or criminals placed increased emphasis on the value of education.¹⁹ As shall now be shown, education exploded in the Garden State during this era.

Surging Popularity of Public School Education in New Jersey

An examination of primary sources from New Jersey revealed that the state's educational system, like the national one, underwent massive growth during the 1910s and 1920s. In 1920, \$1,200,000,000 was spent on public education in the United States. This reflected a 100% increase over 1910. In New Jersey in 1920, education comprised 36% of the total State and local expenditures compared with 26.5% in 1915. New Jersey erected new buildings and purchased new land at a feverish pace. The disbursement for the purchase of land and erection of buildings during the years 1919, 1920, 1921, 1922, and 1923 was \$2,772,218, \$5,467,458, \$12,464,293, \$14,279,157, and \$19,106,953, respectively.²⁰ (see Table 5.1 below) The New Jersey legislature was bombarded with applications to raise the bond limit to allow for new and expensive buildings to be built.

Year	1919	1920	1921	1922	1923
Amount Spent on Land and Buildings for Schools	\$2,772,218	\$5,467,458	\$12,464,293	\$14,279,157	\$19,106,953

Table 5.1 - Expenditures for the Purchase of Land and Building of Schools in New Jersey, 1919-1923

¹⁹ Justice. The increasing emphasis on education in New Jersey's reformatories for juvenile delinquents will be presented in Chapter Seven.

²⁰ George Silzer, *Governor's Message Concerning Education to the Legislature of New Jersey February 25, 1924*. See Table 5.1.

Coinciding with the explosion in building, the population of students attending school, in general, and high schools, in particular, also swelled precipitously during the 1920s. The number of children attending New Jersey's schools in the years 1919, 1920, 1921, 1922, and 1923 were 596,994, 623,284, 640,765, 678,734, and 693,342, respectively.²¹ The number of children in high school during the same years was 22,034, 24,297, 26,869, 31,484, and 33,065, respectively. (See Table 5.2 below) The number of high school students increased by 11,031 students, or approximately 50%, in just five years. New Jersey Governor George Silzer (1925) commented, "Evidently, the young men who went to the front were brought up to a realization of the value of education, and have made up their minds to have it and to see that the younger members of their families have it."²²

Year	NJ Public High School Total Enrollment	NJ Public School Total Enrollment
1919	22,034	596,994
1920	24,297	623,284
1921	26,869	640,765
1922	31,484	678,734
1923	33,065	693,342

Table. 5.2 - New Jersey Public and High School Growth, 1919-1923

The growth of high school enrollment reflected not only the impact of compulsory education laws but also the new passionate embrace of both high school and education in

²¹ George Silzer, *Governor's Message Concerning Education to the Legislature of New Jersey February 25, 1924* 1924., p. 7.

²² Ibid., p. 8. It was interesting to note that the Governor said "young men" and did not reference young women.

general. Arthur Pierson, Charles Heiss, Charles Elliot, and colleagues (1930) provided their interpretation of the swelling population in New Jersey high schools. They wrote:

The public high school is an outgrowth of the old Academy which was instituted on a private foundation largely for the purpose of college preparation. At first the high school was regarded as a select institution like its prototype. It adopted the aims, methods and procedures of its forerunner. The public high school movement was an attempt to extend the privileges of education and grant equality of educational opportunity to all. The acceptance by the people of the principle of tax supported high schools was slow. Many battles raged between the adherents of the academy and the high school. The founding of the high schools has been called a great American experiment since it proposed what no other civilization offered its youth – a free secondary education. Today, after a strong and remarkable development, high school education is regarded by the American youth as a right and not a privilege.²³

Pierson and colleagues wrote this summary of the transformation of the high school in their report to the Senate and General Assembly of the State of New Jersey. The Educational Survey Commission they headed was appointed by authority of Joint Resolution No. 5 of the 1928 Session of the Legislature of the State of New Jersey. The committee's charge was to "survey the activities and work of the public schools and educational institutions within [the] State supported in whole or in part by public funds, to recommend a comprehensive program of public education and sources of revenue for its support," and to submit the results of their investigations and recommendations.²⁴

The commission's report revealed that high school enrollment continued to surge in New Jersey through the mid to late 1920s. During the year 1927-1928 there were 147,696 students enrolled in New Jersey private, parochial, and public high schools. Less

²³ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 88.

²⁴ Ibid., p. 1. This report will be repeatedly referenced throughout this chapter as it served as one of the best sources of information about the strengths and weaknesses of the state's educational system during the 1920s. The report was originally due in 1929, but the commission was granted a one year extension by the New Jersey legislature.

than ten percent were enrolled in private and parochial schools. There were 156 four-year high schools, 14 high schools with curricula from one-to-three years, and four accredited evening high schools located in 150 school districts. The location of the public high schools supposedly made them accessible to “the majority” of secondary pupils; the distances for travel to school were purportedly short and the transportation efficient.²⁵

The enrollment in high schools in New Jersey increased one hundred eighteen percent (118%) in the ten year period from 1918 and 1928.²⁶ There was not only a change in numbers but in the nature of enrollment. “Compulsory education laws [compelled] large numbers to enter high school. The high school [had] become an educational institution for all the children and [was] no longer selective.”²⁷ Despite this great advance, this factor “added a problem to the organization and administration of a secondary school program broad enough to meet the needs of the abilities of all.”²⁸

The increased popularity of the high school did not mean New Jersey’s high school and overall educational system lacked shortcomings, however. The Educational Survey Commission acknowledged: “In spite of the favorable conditions, New Jersey [ranked] low among the states in the proportion of youth of secondary school age who attend[ed] high school.”²⁹ Moreover, a significant number of students who began high school in New Jersey during the 1920s did not finish. Principals' reports referenced by the

²⁵ Ibid., p. 89

²⁶ Ibid.

²⁷ Ibid., p. 89.

²⁸ Ibid., p. 89.

²⁹ Ibid., p. 89.

commission revealed "heavy elimination" of students during their first and second years of high school, and approximately half of those entering Ninth Grade did not remain in school longer than two years. The commission admitted that there was a "greater tendency to drop out in New Jersey than in the United States as a whole," and the percentage of failure was particularly high in foreign languages and mathematics.³⁰

The Educational Survey Commission attempted to justify the fact that New Jersey ranked low among the states in the proportion of students of secondary school age who attended high school. They wrote: "Lack of interest, eagerness to enter business, *the presence of a large pupil population of foreign parentage and the accompanying retardation* account, in part, for the low rating of New Jersey in the percentage of boys and girls attending high schools."³¹ This excerpt from the commission's report revealed that ethnic biases were so pervasive in 1920s New Jersey that even official state reports could not avoid referencing reformers' beliefs that new immigrants were unintelligent. In turn, because low intelligence was linked to a propensity to commit crime, a foreign born child was supposedly more likely to become a juvenile delinquent. An educational system that perpetuated the myth probably made this myth a reality.³²

³⁰ Ibid., p. 90. The commission added: "The percentage of failure is a clear indication of a need for some special adaptation of subject matter to the abilities of the less capable of the pupils." Ibid, p. 90. Their recommendations as to which type facilities were best suited to instruct "subnormal" children will be discussed later in this chapter.

³¹ Ibid., p. 89. Italics added.

³² Using data found in Table 12, p. 80, of Turner, Hopkins, and Ellis., I calculated, for the year 1937, the number of white children born from foreign or mixed parents who were referred to New Jersey juvenile courts per 10,000 children aged 7-15 was 19.5% higher than the number of children referred to the courts from native-born white parents. The percentage of "Negro" children referred to the court per 10,000 was astoundingly high, 426.8% higher than native-born whites. Statistical disparities in New Jersey's treatment of children along lines of race and gender during the 1920s and 1930s will be discussed in more depth in Chapter Six.

The Educational Survey Commission portrayed the surging population in New Jersey's high schools as an altruistic outgrowth of previous educational systems, changes purportedly designed to make free secondary education readily available to all children for the first time. Despite the significant growth in school construction and student enrollments, New Jersey's higher-than-average "dropout" rates during the 1920s raises questions as to whether altruism was truly the motivating force behind the growth in public education. These "dropouts" were more likely to be "push-outs," and the broad truancy statutes and powerful truancy officers discussed earlier in this chapter were one example suggesting that some New Jersey reformers were not particularly concerned with making a full secondary education available to as many students as possible. Other covert and overt methods used by New Jersey public school reformers to rid the public schools of unwanted children, which will be presented later in this chapter, shall serve as additional proof of this claim.

New Jersey Schools as Vehicles for Social Conformity

During the 1920s, New Jersey public school reformers may have found multiple ways to oust children from the public schools, but the inclusion of an unprecedented number of children in schools was concurrently a blessing for reformers who wished to change society by sculpting the behavior, thoughts, customs, and values of children. The fear and instability of the 1920s came at a time that native-born Americans were already weary of societal changes that threatened familiar culture, traditions, expectations, and their overall way of life. With compulsory education intact, the public school presented itself as ideal vehicle for social reform; the school provided guaranteed access to new immigrants' children and served as a mass tool to control these and other youngsters who

did not learn traditional values in their homes. As historian David Tyack observed, "The schoolhouse was to Americans in the 1920s what the Cathedral was to the middle ages."³³ The mass public enthusiastically embraced the seemingly altruistic growth of high schools and the ever-expanding offerings of the public school, and reformers took full advantage of this fact.

New Jersey school reformers aggressively utilized the Garden's States public schools to assimilate its highly diverse student population. Their efforts to push children into one common mold were overt. Through multiple means, such as the 100% Americanization campaign and the Character Education movement, New Jersey reformers taught other people's children not only how to read, write, and do math but also proselytized children with their beliefs about morality, citizenship, reverence, and sound character. Children who did not adhere to the teachings of the public school faced the danger of being viewed as delinquents who could not be assimilated.

Americanization and Efficiency in New Jersey Schools during the 1920s

The calls of Ellwood Cubberley and like-minded reformers who worshipped at the throne of business efficiency and sought to use the public school to assimilate new immigrants were answered in New Jersey in the years immediately preceding and during the 1920s. Reformers such as Cubberley believed the public school was the solution to the cultural ills plaguing society, and the movement to assimilate new immigrants into the "American race"³⁴ came to be known as 100% Americanization.. The commonly held belief was that "if American youth, especially those from foreign language speaking

³³ Tyack, *Tinkering toward Utopia : A Century of Public School Reform.*, p. 16.

³⁴ Ellwood P. Cubberley, *Changing Conceptions of Education* (Boston: Houghton Mifflin, 1909)., p. 16.

homes, could be insulated from the “demoralizing” effects of foreign languages, particularly German, then perhaps they would be strengthened in their devotion to America.”³⁵ In 1917, The United States Commissioner of Naturalization, Richard Campbell, called “foreign-speaking aliens within a community “fester spots on the body politic” of that community.”³⁶ These beliefs led many states to pass laws “stressing the learning of English as the major element in their Americanization programs, and several states specifically passed laws prohibiting the teaching of German below the high school level.”³⁷

While New Jersey, as of 1919, was not one of the sixteen states to prohibit foreign languages in public and private primary schools, New Jersey’s public schools fervently embraced reformers’ pleas to use the school to inculcate American values in the children of new immigrants. New Jersey publicized its 100% Americanization educational campaign during the era of the Red Scare and for several years thereafter. New Jersey’s Commissioner of Education, Calvin Kendall, led the charge; in New Jersey’s September 1921 *Education Bulletin*, Commissioner Kendall wrote:

I hope that every school will be *one hundred per cent American*. The primary teachers who are teaching foreign-born children to speak English are teaching Americanization. The teacher who is teaching children to sing patriotic songs “by heart” is teaching Americanization, particularly if the children sing them by *heart* and not mechanically. The teacher who teaches that our brave soldiers and sailors who fought so gallantly in the recent World War were fighting for our own freedom and liberty as well as for world freedom and liberty is teaching Americanization. The teacher who

³⁵ Lynn Dumenil, ““The Insatiable Maw of Bureaucracy”: Antistatism and Education Reform in the 1920s,” *The Journal of American History* 77, no. 2 (September 1990), p. 163.

³⁶ Quoted in O’Brien., p. 161.

³⁷ Dumenil., p. 163. In 1919, sixteen states prohibited the teaching of foreign languages in all public and private primary schools. These included Alabama, Arkansas, Colorado, Delaware, Illinois, Idaho, Iowa, Kansas, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, Ohio, Oklahoma, and Oregon.

applies her instruction in civics is teaching Americanization. The teacher who teaches children to memorize the Gettysburg Speech and other similar masterpieces is teaching the best of Americanization. The teacher who is wise enough to drive home the lesson that “America is another word for opportunity and responsibility” is teaching Americanization. The teacher who, with map of the United States displayed, explains and discusses with the children the greatness of our country and its marvelous resources is teaching Americanization. The teacher who teaches the children to be *clean in body, mind, and morals* is teaching Americanization. The teacher who teaches, in the every-day conduct of her school, that ignorance, greed and indolence are conducive to *Bolshevism*, and that industry, honesty, self-reliance, observance of the rights of others, and willingness to obey law and order are the path of true success – such a teacher is teaching true Americanization. The teacher who teaches that every poor boy and girl has a chance for success if he or she is *honest, industrious, and intelligent*³⁸ is teaching Americanization.³⁹

This excerpt from the Commission of Education's message to New Jersey educators revealed the extent of the hyperventilated propaganda that was pushed through the 100% Americanization campaign. As the chief of New Jersey's public schools, Commissioner Kendall was obviously in a highly influential leadership position. Consistent with other reformers of era, he hid his agenda to attain cultural monism behind fancy rhetoric. Kendall stood on the shoulders of the public school teachers he inflated and adorned in American flags; children faced a choice to either march in step behind their teachers or find themselves under the teacher's feet before being kicked out the door. New Jersey's Commissioner of Education went as far as to imply that children whose conduct showed ignorance, greed, or indolence (as opposed to industry, honesty, and obedience) were Bolshevists in the making. This was political language that sought to garner public

³⁸ By stating that children had a chance for success if they were honest, industrious, and intelligent, Commissioner Kendall also implied that there was no hope for success via the public schools for the dishonest, lazy, or unintelligent. This implication was a reality in 1920s New Jersey as those who misbehaved or were deemed to be feeble-minded were placed in special classes in the public schools and, whenever possible, reform or training schools.

³⁹ State of New Jersey Department of Public Instruction, *Education Bulletin* 8, no. 1 (September 1921). Emphasis added.

support for the Americanization agenda by manipulating a nervous public on the heels of the Red Scare.

By calling nearly any act of good teaching “Americanization,” Commissioner Kendall beat the drums and was rallying his troops. He urged his teachers to do much more than teach strictly academic content. He implored them to convert foreign language speakers into English speakers and urged his teachers to teach children how to be clean in body, mind, and morals. Beyond simply employing language that equated typical adolescent misbehavior as bolshevist, Commissioner Kendall took matters a step further in another publication and overtly attacked new immigrants. This was an attempt to stir New Jersey into frenzy by portraying the “illiterate class” as a great danger. In the *Annual Report of the State Board of Education and of the Commission of Education of New Jersey for the Year Ending June 30, 1920*, the Commissioner of Education stated that “New Jersey should as a State attack the *great problem* of Americanization that exists here.” The Commissioner added:

There is no other State in the Union, except New York and Pennsylvania, where the problem of Americanization is as great as in New Jersey. According to the New York Bureau of Immigration there are 106,000 persons in this state between the ages of 21 and 50 who cannot read, write or speak the English language. How many there are between 16 and 20 I have no means of estimating, but the number must be very large. *It is not necessary to point out what a menace this large mass of foreign-born illiterates is to the state and to the nation. Largely from the illiterate class are recruited the foes of democracy and of all that Americanization stands for.*⁴⁰ It is true that we have a law authorizing evening schools for foreign-

⁴⁰ Italics added. The Commissioner not only ended his sentence with a dangling participle but also pointed out what he stated was unnecessary to point out. The notions that illiterate new immigrants were sapping the nation of strength and were susceptible to Bolshevism were espoused throughout much of the 1920s, as this dissertation has repeatedly shown. The fact that the educational leader of the state wrote this passage suggests the ethnic bias against new immigrants was strong in New Jersey’s public schools, strong enough for the Commission of Education to imply that communist recruits came from this “illiterate” “second-class” group of citizens.

born residents. The attendance at these evening schools, however, is optional. Last year these schools were attended by 3,095 persons. The state expended during the year \$38,257.34 for these schools. But this is a mere drop in the bucket. In the opinion of everybody whose *opinion is entitled to weight*,⁴¹ evening schools are not the solution of this problem. The solution must be reached by other means than mere evening schools. The problem is so great in this state that it must be taken up sooner or later, as it has been taken up by the states surrounding us. In all the states in which the condition is similar to our own, very serious beginnings have been made toward the settlement of this problem. This we have not done. The plain fact is that New Jersey is backward in attacking this problem. Excellent work has been done in a few localities, but there are many localities in which Americanization is entirely neglected.⁴²

The Commissioner of Education proceeded to highlight the fact that neighboring states had all appropriated money for “Americanization and allied activities.” New Jersey was the only state listed which, as of 1920, had appropriated no money specifically to the cause. The Commissioner proposed that New Jersey should develop an Americanization Bureau within the Department of Public Instruction and recommended that at least \$100,000 be appropriated for Americanization efforts.⁴³

While New Jersey never developed a lasting branch of Americanization within its education department, the overt statements made by the Commissioner were symbolic of the unforgiving climate of the era. Commissioner Kendall's inflammatory remarks about the illiterate class of foreign immigrants were the antithesis of what was needed at the time from New Jersey's top educational administrator. He heightened cultural tensions

⁴¹ Italics added. He certainly was not referring to new immigrants. In other words, the opinions of the “masses” of people (new immigrants) who were to be assimilated to the “American race” through New Jersey’s public school system were meaningless to the Commissioner.

⁴² *Annual Report of the State Board of Education and of the Commissioner of Education of New Jersey with Accompanying Documents for the Year Ending June 30, 1920.*, pp. 23-24.

⁴³ Ibid., p. 24.

and, through his political language, set forth a clear expectation that conformity was the only choice for waves of new immigrant children.

The Boy Scouts and the American Legion

While the "100% Americanization" rhetoric softened during the course of 1920s, attempts to Americanize children through New Jersey's public schools lingered on throughout the decade. Yet comments and tactics became less overtly aggressive and more subtle. Similar shifts could be seen with the American Legion, one organization which championed the 100% Americanism ideal of nationalism. William Pencak, in *For God and Country; The American Legion, 1919-1941*, explained that the respected organization was highly influential in the 100% Americanization movement, in large part due to their beliefs that "internal radical subversion seriously threatened the nation."⁴⁴ During the height of the Red Scare, a number of Legionnaires frequently used violence and vigilante attacks against those who were perceived as threats to the country.⁴⁵

Because radicalism was "nearly defunct by 1921," the American Legion "saw little need

⁴⁴ William Pencak, *For God & Country; the American Legion, 1919-1941* (Boston: Northeastern University Press, 1989), p. 3. Pencak reported, on page 12 of the Preface, that "few Americans are aware of the American Legion's historical importance. Formed on February 15, 1919, by 20 officers of the World War I expeditionary force, it number 840,000 men and was a national power within a year. Immediately following World War II, over 3,500,000 veterans belonged; there were 2,700,000 Legionnaires in 1987. [Pencak added that] ...over six decades, the Legion's boosters have praised it was "the greatest organization the world has ever known," whereas its detractors have warned that a "Facist" "King Legion" seriously threatened American democracy.

⁴⁵ See Pencak, p. 155. Pencak explained, "Mob incidents by Legionnaires were waged on Socialists, the IWW, suspected Bolsheviks, and others. The attacks "were so numerous that the American Civil Liberties Union despaired of counting them. Many attacks were unreported: "Information about the lawless practices of various local posts is quite meager," the ACLU noted. "Newspapers as a rule are unsatisfactory." To call attention to the magnitude of the problem, in July 1921, the ACLU confronted the Legion with a list of fifty selected documented "crimes," charging that "usually it is against the poor, the weak, those whom they know to be hopelessly unpopular minorities, that the presumably gallant defenders of the Constitution have raised their hands. Since National Commander D'Olier and former President Taft had also criticized the veterans for breaking the law in order to preserve it, National Headquarters wrote to every accused post to demonstrate disapproval of such violence."

to resort to violence,” and the vigilante attacks ceased for the remainder of the 1920s.⁴⁶ While “Legionnaires still tried to silence their opponents” on occasion,⁴⁷ the massive organization instead “tried to preempt radical organizing through legislation. With the Legion’s sponsorship or blessing, states passed criminal-syndicalism and antisedition laws “to rid our country of this scum who hate our country, our flag, and who prate of their privileges and refuse to perform their duties,” as John Thomas Taylor argued in unsuccessfully urging the federal government to enact a peacetime sedition bill.”⁴⁸

The American Legion forged an intimate relationship with New Jersey’s educational system during the 1920s, as illustrated by Boy Scout troops being organized in the schools, Legion sponsored essays contests for schoolchildren on communism and Americanism, and American Legion sponsorship of the super-patriotic American Schools Week. Through such efforts, the American Legion was one interest group that enabled 100% Americanism to continue to thrive throughout much of the decade in New Jersey. The Boy Scouts, in particular, were closely connected to the American Legion. The Scouts, brought to America around 1910 and led by Lord Baden-Powell, aimed to turn young boys into good citizens. The Boy Scouts were trained to be soldiers, and Scout Law was modeled on the romance of the Knights of the Middle Ages, a vision that

⁴⁶ Pencak, p. 157.

⁴⁷ Ibid., p. 165. Pencak explained that one such incident occurred in 1924 when the Legion post in Newark, New Jersey, and some other posts in other parts of the country, protested a meeting held by radicals to honor the death of Soviet Statesman Lenin.

⁴⁸ Ibid., p. 157.

seemed to attract many young boys. By 1911, sixty thousand boys had joined the scouts. By 1920, the Boy Scout enrollment had swelled to six hundred thousand.⁴⁹

The Scouts and the American Legion became interdependent, and many parallels existed between the two organizations. For example, the Scout oath began, “On my honor I will do my best to do my duty to God and my country”; the Legion’s motto became “For God and Country.”⁵⁰ The American Legion sponsored more Boy Scout troops during the interwar period than any other organization except for the Methodist Church, and the Legion leaned on Boy Scout organizations across the country during the 1920s to carry out its Americanization mission.⁵¹ This occurred throughout New Jersey during the Twenties as the Boys Scout organization became enmeshed with the school and intertwined with the character education movement.⁵² As the Commission to Survey Public Education reported to the New Jersey legislature, New Jersey school systems “recognized in the Scout movement great possibilities for character training.”⁵³ Troops of both Boy and Girl Scouts were organized in many school systems throughout the Garden state, and the “fundamental virtues” which were “essential to sound moral character” were emphasized.⁵⁴

⁴⁹ Ibid.

⁵⁰ Ibid., p. 34. Another similarity was the fact that both became federally chartered organizations. Pencak explained, “Like the Legion later, the Scouts in 1916 acquired a federal charter, an honor shared by no previous association except the Red Cross in American history.”

⁵¹ Ibid.

⁵² The character education movement, of which “good citizenship” was an essential part, will be presented later in this chapter.

⁵³ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 134.

⁵⁴ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 134.

Other state publications revealed that the American Legion had additional influence in New Jersey schools during the 1920s. For example, in a 1924 *Education Bulletin*, information appeared about “The American Legion National Essay Contest.” Proof that fears of internal threats from Bolshevism did not entirely end with the cessation of the Red Scare just a few years earlier, children were encouraged to enter the national essay contest between April 1 and June 15, 1924; the essay topic for 1924 was “Why Communism is a Menace to Americanism.” It is unclear how many New Jersey children chose to show their patriotism by writing on this topic, but 362,000 children throughout the United States entered the American Legion’s essay contest during 1923.⁵⁵ The topic of the 1924 essay contest revealed that students were still being warned of the dangers of Bolshevism after the Red Scare had ended, and it could be argued that organizations such as the American Legion intentionally perpetuated fears to continue imposing their agenda to Americanize all children.

Another example of a very direct link between the American Legion and New Jersey schools was found in a 1926 *Education Bulletin*. “American Education Week,” sponsored by “the National Education Association, the American Legion, and other organizations,” attempted to “acquaint the public with the work and needs of the school.”⁵⁶ During this week, parents were invited into the schools to study “not only its educational plant, but also its educational ideals and the community atmosphere in which

⁵⁵State of New Jersey Department of Public Instruction, *Education Bulletin* 10, no. 8 (April 1924), p. 195. I had access to New Jersey “Education Bulletins” at Alexander Library at Rutgers University.

⁵⁶State of New Jersey Department of Public Instruction, *Education Bulletin* 13, no. 1 (September 1926), p. 18. William Pencak explained that National Education Week began in 1921 when the American Legion’s National Americanism Commission agreed to cosponsor the week with the National Education Association. See Pencak., p. 275.

children [were] brought up. ...[The Bulletin read] Let the week be a time of deeper understanding on the part of the people of the role education has played, is playing, and must play in the life of our great democracy.”

Each day of American Education Week, celebrated from November 7, 1926 through November 13, 1926, had its own theme. Monday was *Constitutional Rights Day*; Tuesday was designated *Patriotism Day*; Wednesday was titled *Equal Opportunities Day*;⁵⁷ Thursday was named *Armistice Day*, Friday was reserved as *Know Your School Day*; and Saturday was *Community Day*. Fittingly, American Education Week kicked off on Sunday, November 7, 1926 with *For God and Country Day*. The motto for the day was “Laws without the support of individual morality are powerless,” and the focus was on education in the home, education in the school, and education in the church.⁵⁸ The partnership forged between the American Legion and the schools, and the agenda of integrating education in the home, school, and church were clear attempts by reform groups to integrate and unify a diverse, increasingly disjointed society.

Fueled by fears of internal enemies that persisted beyond the Red Scare, the embracing of Americanism in New Jersey’s public schools during the 1920s was significant to this dissertation for several reasons. First, immigrant children, who

⁵⁷ The modern reader may assume that this would have been a day on which diversity and multiculturalism would have been celebrated. Today on such a day we might learn more about the unique cultures, languages, and customs of others from different races, religions, ethnicities, etc. The polar opposite was the case in 1926. The motto for the day was “Make democracy safe for the world through universal education.” The *Education Bulletin* revealed three other mantras for “Equal Opportunity Day”: 1. The adequate education of youth is one of the few paramount duties of an enlightened government; 2. An illiterate adult is not a disgrace to himself, but to his education fellow-citizens; and 3. There is no Americanization, in the true sense of the word, which does not educate the immigrant to meet the problems of everyday American life.

⁵⁸ *Ibid.*, p. 18.

historically have faced a high risk of being labeled as delinquents, faced intense pressure during the 1920s to abandon unique ethnic cultures and customs and adopt the “American” way. During a decade that saw a unique youth culture emerge, temptations to stray from the norm, or to embrace individuality, were no doubt strong for many youth (despite or perhaps in large part because of the endless bombardment of messages regarding good citizenship, conformity, and Americanization in New Jersey’s schools). Students who did not toe the line and embrace the cult-like nationalism faced an increased risk of being assigned one of the many popular labels of the day (i.e. “incorrigible,” “delinquent,” etc.), labels that often carried grave consequences.

Second, the fact that interest groups such as the American Legion were able to join forces with the National Education Association and infiltrate and influence New Jersey public schools reveals again the complex social scene that shaped 1920s society, New Jersey public schools, and the story of juvenile delinquency. Reform and interest groups such as the Legion sought to create cultural unity in a culturally pluralistic state. Increasingly powerful schools that had unprecedented access to record numbers of children who joined forces with interest groups were dangerous for children who did not conform to the one set of norms celebrated and taught by those in power.

A third significant aspect of the Americanization movement was its use of the school, among other agencies, to perpetuate and exaggerate fears that “American” society was greatly threatened by internal enemies, whether they were bolshevists, criminals, delinquents, or “Un-American” individuals. By keeping fear alive, unsubstantiated claims about a “crime wave” carried credibility and, in turn, cultivated a public more eager to persecute any “delinquent” child.

The decline in certain states' strong-armed tactics with Americanization was partly influenced by the Federal Supreme Court when, in *Meyer v. the State of Nebraska*,⁵⁹ the court *overturned* a Nebraska Legislature law prohibiting any person or teacher in a private, denominational, or public school from teaching any language other than English to children who had not yet successfully passed the eighth grade. The ruling was ironic for two reasons. First, the decision was made by a Supreme Court that would become infamous just four years later due to their decision to sanction sterilization of feeble-minded inmates. Second, the case shocked bigots parading in the American flag; a full-proof ploy to reshape a changing American by hiding under the guise of "Americanization" was challenged, and this fact shocked overconfident reformers. The decision confounded educational leaders such as Ellwood Cubberley, who called the Supreme Court decision "almost incomprehensible." Cubberley maintained that assimilating the foreigner was one of the leading problems in the schools, and the justices had merely compounded the problem.⁶⁰

While Americanization efforts pushed forward deep into the 1920' in New Jersey's schools, the *Meyer* case probably prevented Americanization from reaching its full potential. Without the Supreme Court case, Americanization may have been even more overt in attempts to crush individuality and cultural pluralism. My claim seems especially credible because of the statements of Commissioner Kendall that New Jersey's extensive Americanization efforts were wholly inadequate to solve the "great problem" facing the Garden State. Despite the fact that the *Meyers* case may have pulled in the

⁵⁹ *Meyer v. the State of Nebraska*, 262 U.S. 390 (1923).

⁶⁰ Kenneth B. Jr. O'Brien, "Education, Americanization, and the Supreme Court: The 1920s," *American Quarterly* 13, no. 2 (1961, Summer).

reigns to some extent, Americanization remained a prominent shaping force in New Jersey's schools throughout the 1920s.

Character Education and Morality in New Jersey Public Schools

In addition to Americanizing children, New Jersey reformers of the 1920s used the public schools to guide, shape, and reform children through a comprehensive program of Character Education. Most modern day educators who are implementing a Character Education program have no idea that the movement did not begin in the 1990's but saw its first heyday during the Twenties. Due to efforts of both public school educators and professional religious educators, character education became "a mass phenomenon" during the 1920s.⁶¹

During the 1920s, new developments in religious education appear to have influenced New Jersey's public schools. Public and private religious schools were both concerned about how they could shape society and mold children in an era marked by individualism and a new youth culture. To meet this challenge, progressive religious educators such as William Bower led a major transformation of religious education during the 1920s. Bower recognized that the era's obsession with science was threatening to traditional Christian leaders, but rather than shunning or damning scientific progress, he wisely advocated that religious education become intertwined with science.

Bower viewed religious education as backward thinking, archaic, authoritative, and unappealing to children of the 1920s and urged the church to change.⁶² Bower wrote

⁶¹ Warren., p. 61.

⁶² William Clayton Bower, *The Educational Task of the Local Church* (St. Louis,: Front Rank Press, 1921). I reviewed these and some of Bower's other works through Google Scholar.

groundbreaking material that reinvented religious education;⁶³ while being careful not to step on the toes of traditional educators, he passionately advocated for both religious and public schools to use character education to inculcate morals, values, and esteemed character traits in children. Bower recognized that character education typically involved adults drilling their values into the minds and souls of children, but he advocated for educators to try to develop character *within* children as opposed to trying to impose *upon* children.⁶⁴ He helped spread the idea that religion and morals should both be taught not only in religious schools but also in the public school.

Character Education was mentioned repeatedly in educational publications and reports in New Jersey during the 1920s. In the New Jersey Public Education Survey Commission's 1928 report, Pierson and colleagues summarized the Garden State's views on Character Education when they stated, "It is generally accepted that a system of education, to be complete, must include in its objectives the development of its pupils of strong righteous character."⁶⁵ Proof that progressive religious educators had influenced the public school, the Survey Commission then quoted William Bower, who they referred to as "Professor Bower of the University of Chicago."⁶⁶ The commission wrote:

⁶³ William Clayton Bower, *The Curriculum of Religious Education* (New York,: Scribner, 1925).

⁶⁴ William Clayton Bower, *Character through Creative Experience*, The University of Chicago Publications in Religious Education. Handbook of Ethics and Religion. (Chicago,: University of Chicago Press, 1930).

⁶⁵ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 134.

⁶⁶ Bower taught at the University of Chicago from 1926 through his retirement in 1943. While at the University of Chicago, Bower served as a director and vice-president of the Religious Education Association, was a member of the International Lesson Committee (beginning in 1917), and was a member and secretary of the Educational Commission of the International Council of Religious Education until its merger with the International Lesson Committee in 1928.

Throughout the history of education, moral education has persistently been regarded as its highest objective. In recent years the increasing complexity and rapidly changing conditions of modern social life have temporarily shifted the emphasis of education to the technic [sic.] of economic and civic processes in response to the increasing pressure upon the curriculum and program of the public school. But in keeping with its best historic traditions, public education is becoming deeply convinced that the possession of technical skills is futile or even dangerous without the supporting guarantees of sound personal character. The nation-wide character education movement is objective evidence of this deepening conviction that the technics of living must not outrun moral idealism.⁶⁷

Here again, New Jersey reformers were framing schools as vital agencies to protect society; technical skills were said to be "dangerous" without the inculcation of values and personal character. Throughout New Jersey and the nation, character development was portrayed as essential to the health of the country; the general conviction was that "character and democracy formed two sides of the same coin."⁶⁸ With World War I as the backdrop, reformers advocated that "churches and societies could educate either for democracy, which required the responsible exercise of individual liberty, or autocracy, which depended on obedience and docility."⁶⁹ The fact that one component of character education taught obedience and docility was noteworthy given

⁶⁷ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*., p. 134, quoting Professor Bower of the University of Chicago.

⁶⁸ Warren., p. 63, quoting Hugh Hartshorne, Director of the Character Education Inquiry. The Character Education Inquiry was an extensive project at Columbia University Teachers College. This project was funded from 1924 to 1928 through John D. Rockefeller, Jr.'s Institute on Social and Religious Research; the Character Education Inquiry examined the effectiveness of religious education in making children more honest. Warren explained, "They found that it did not make much difference."

⁶⁹ Ibid., p. 63, quoting Hugh Hartshorne. The component of character education which taught obedience and docility was noteworthy given this dissertation's focus on juvenile delinquency. In New Jersey's October, 1926 edition of *Education Bulletin*, Vera Telfer, a Helping Teacher in Warren County, New Jersey, explained that teaching obedience was the fourth goal of Character Education. She wrote, "Respect for authority is a very important requisite of a good citizen. The democratic, but forceful, type of teacher finds this not very difficult to teach. Many teachers have found it helpful to encourage the pupils themselves to formulate a set of standards as laws by which to govern themselves. In this way, they learn that rules and regulations are not imposed so that the teachers may show their authority, but in order that the welfare of the whole group may be considered." See *Education Bulletin*, October 1926. Vol. 13. pt. 2., p. 88.

this dissertation's focus on juvenile delinquency. In New Jersey's October 1926 edition of *Education Bulletin*, Vera Telfer, a Helping Teacher in Warren County, New Jersey, explained that teaching obedience was the fourth goal of Character Education. She wrote, "Respect for authority is a very important requisite of a good citizen. The democratic, but forceful, type of teacher finds this not very difficult to teach. Many teachers have found it helpful to encourage the pupils themselves to formulate a set of standards as laws by which to govern themselves. In this way, they learn that rules and regulations are not imposed so that the teachers may show their authority, but in order that the welfare of the whole group may be considered."⁷⁰

The New Jersey Public Education Survey Commission reported that many New Jersey school systems had "adopted courses of study in character building and moral training." They added, "In the administration of these courses special attention is given to such topics as honesty, truth, obedience, morality, reverence and self-control. Other school systems recognize in the Scout movement great possibilities for character training and troops of Boys and Girl Scouts are organized in the schools. Here, too, the fundamental virtues which are essential to sound moral character are emphasized."⁷¹

It may be surprising for contemporary readers to see that the schools focused not only on morality but also reverence; however, in the 1920s the lines between church and state were blurry. An interdependence and cooperation between the church and school system existed and was advocated by New Jersey's educational and government

⁷⁰State of New Jersey Department of Public Instruction, *Education Bulletin* 13, no. 2 (October 1926)., p. 88.

⁷¹ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 134.

leaders.⁷² During the 1920s, New Jersey public school students' morning or weekly rituals often included not only the flag salute but also the reading of the Lord's Prayer and reading from the Bible.⁷³

The Survey Commission, sanctioned through the New Jersey Legislature, clearly believed and published their conviction that religion was necessary for the moral development of children. They stated that the "great responsibility for the character training of youth will be met effectively only when the efforts of the school are supported and supplemented by the great moral and religious influence of the church." They added, "There should be ample opportunity for children to acquire in their impressionable years that firm moral and religious background which is so necessary to good character, and which can be developed best in the atmosphere and under the guidance of the church."⁷⁴

The commission was "convinced" that this could be accomplished without any

⁷² For example, see *Annual Report of the State Board of Education and of the Commissioner of Education of New Jersey with Accompanying Documents for the Year Ending June 30, 1920.*, pp. 34-35. The New Jersey Commissioner of Education, Calvin Kendall, with approval from Acting Governor of New Jersey, William Runyon, explained "Educational Sunday," a partnership between the state, Department of Education, and religious Sunday Schools. In their letter *To the Clergy and the People of the State of New Jersey*, the Commissioner wrote, "In thousands of schools here in New Jersey ambition is kindled, ideals of service are fostered, patriotism is nourished, contents of stimulating books are made known, standards of proper living are created, and divine ideals are encouraged. . . . But more generous support must be had, and there should be more public interest in education. The promotion of public education in this republic is a challenge to all forward-looking men and women. As one means of arousing still greater interest in public education, "Educational Sunday" in our churches was established several years ago, and the idea has had widespread support on the part of the clergy and congregations throughout the state. I therefore recommend that the second Sunday in October, October 12, be devoted to the great cause of education.. It is hoped that on this day sermons may be preached and addresses given relating to the importance of education. It is further suggested that in Sunday schools and similar assemblages it would be appropriate to impress upon the young that both the Sunday school and the day school are instruments for human progress. Clergymen may secure information concerning the schools by applying to local superintendents and supervising principals."

⁷³ See "Morning Exercises Made Interesting in Salem County Schools," pp. 41-42 in State of New Jersey Department of Public Instruction, *Education Bulletin* 10, no. 2 (October 1923).

⁷⁴ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 135.

“embarrassment to any denominational group.” The Survey Commission went one step further in their fervent advocacy for religious partnership with schools by recommending that children be released from school during school hours to attend regular religious training. The commission's official recommendation was:

...that whenever one or more churches in any school district shall offer, during the hours of the regular school day, instruction in religion for children of school age, the Board of Education of such school district may excuse pupils from school for attendance at such churches or church schools for one or two afternoon hours each week; provided that regular school activities shall be continued at school for all pupils not receiving religious instruction at such churches or church schools; and provided, that attendance at such churches or church schools shall be supervised by the attendance officers of the school district in the same manner that all other school attendance is supervised.⁷⁵

Character Education remained a steadfast part of New Jersey's public schools beyond the 1920s. During the 1930s, New Jersey developed a State Character Education Committee that oversaw schools' efforts with character education and served as an organizing body that received character education related feedback and data from other educational agencies of the state. School districts from throughout the state purportedly submitted thousands of case studies of children who had been positively influenced by

⁷⁵ Ibid., p. 135. The Commission added: "It is evident that something more [than teaching honesty, truth, obedience, morality, reverence, and self-control] is needed when attention is directed first, to the great number of children, who because of parental indifference or neglect, or both, receive no religious training at all; and second, to the very limited time available in the average American Sunday School for formal instruction in religion. Some great religious bodies have attempted to overcome these difficulties by the organization of church schools or parochial schools with sessions five days a week and including daily religious instruction along with the usual school program. Others conduct schools for religious training from four to six'oclock several afternoons each week. In many towns summer schools for religious training are conducted by the churches during the school vacation period. And it is not unusual, in the city school districts, at least, for a clergyman to request that the children belonging to church be excused from part of their school duties to attend a course of lessons under the instruction of a religious leader or missionary. These, and other similar activities, are carried on in every large center of population in the State. They indicate that the church is ready and anxious to assume its responsibility, and it is only the long hours of the school day that prevent it from making a greater contribution to the solution of the problem. In fact, it is the earnest conviction of many thoughtful people that this great responsibility for the character training of youth will be met effectively only when the efforts of the school are supported and supplemented by the great moral and religious influence of the church."

the Character Education movement in New Jersey's public schools.⁷⁶ The state committee, similar to New Jersey educational publications of the 1920s, advocated that juvenile delinquency could be reduced through Character Education efforts.

The Character Education movement of the 1920s had both a positive and deleterious impact on New Jersey's school children, most especially delinquent children. The proactive efforts of New Jersey's public schools to inculcate values and build character were probably helpful for tens of thousands of children, and it is reasonable to assume that proactive efforts to teach positive character traits in public schools may have prevented some cases of juvenile delinquency.⁷⁷ However, the flip side of this argument is that teaching a unitary set of character traits and values amplified the extant pressure on children who were not learning similar values at home. Public schools were not only requiring excellent penmanship and a mastery of the multiplication tables, they were demanding conformity in values, ethics, and morals. Schools were not discussing the wonderful aspects of each child's ethnic make-up and celebrating multiculturalism; to the contrary, they were stripping some children, typically new immigrants, of their identity through any and all means possible.

As evidenced by the Character Education movement, the Americanization movement, and the intimate relationship between public schools and religion in 1920s New Jersey, reformers had broad and often coordinated means to demand conformity. New Jersey reformers saw the public school as an ideal vehicle “for effecting social

⁷⁶ Ernest A. Harding, "New Jersey's Program of Character Emphasis in Education," *Journal of Educational Sociology* 10, no. 7 (1937).

reform through individual transformation.”⁷⁸ While it may seem liberal, unpatriotic, or misguided to criticize New Jersey public school efforts to celebrate Americanism, instill character, and forge a strong relationship between the home, school, and church, the motives of reformers were no doubt mixed. New Jersey Commissioner of Education Calvin Kendall went as far as to say that only certain people mattered and openly degraded new immigrants in governmental publications, New Jersey's educational system did not consider all children to be equal. The Character Education and Americanization movements may have instilled admirable qualities in some New Jersey children, but it also made them pawns in a social reform movement. Whether children wanted it or not, New Jersey's public schools and affiliated agencies attempted to wipe clean each child's cultural slate and replace it with the customs and traditions deemed proper by those in power.

Through these processes, New Jersey educators once again cast themselves in the limelight as "helping professionals" who were going to save society by reforming youngsters at impressionable young ages. Through Americanization, the public school was preventing further Bolshevism, and because of Character Education, educators were ensuring that morally void or morally corrupt children would not grow into adults who would destroy society. Camouflaged as pure altruism, these movements bolstered the esteem of teachers as professionals, provided leverage for teachers who demanded pay raises because of their multiple responsibilities, and served as powerful, covert tools for eugenicists, Nativists, and other reformers who desired cultural monism.

⁷⁸Justice., p. 279.

Finally, the Americanization and Character Education movements paradoxically set the stage for additional juvenile delinquency. Beyond the typical pressures of completing homework, studying, and being quiet in class, public school children in 1920s New Jersey had to mimic the morals, reverence, character, and values of those in charge. Any child who failed to live up to any of these standards faced the risk of being called inefficient, incorrigible, or immoral, labels that transformed normal children into delinquents. Despite a facade of benevolence, these movements made it easier for students to be branded as different. As the remainder of this chapter will reveal, New Jersey's educational leaders were often not striving to help every child succeed in the public schools. To the contrary, public school reformers pushed countless children out of New Jersey's public schools during the 1920s.

The Paradoxical Public Schools of 1920s New Jersey; Sorting Machines Disguised as Progressive Institutions of Learning

Throughout the 1920s, New Jersey public schools functioned as mass "sorting machines"⁷⁹ which channeled tens of thousands of students into niches constructed by reformers. Despite rhetoric about providing a free and efficient public education for all youth, New Jersey public schools locked their gates to many children. While educational reform was inevitably sold to the public as progressive and beneficial, behind the facade the vehicles for reform were the very mechanisms that discriminated against and harmed thousands of New Jersey children.

⁷⁹ David Kirp, "The Great Sorting Machine," *Phi Delta Kappan* 55, no. 8 (April 1974). Although Kirp's article was written fifty years after the time period of my study and did not focus on New Jersey in any way, his allegory was powerful and useful for me.

In his book *How Teachers Taught; Constancy and Change in American Classrooms 1880-1990*, Larry Cuban (1993) explained that “the organization and practice of formal school function to socialize and sort students into varied socioeconomic niches.”⁸⁰ He added, “Schools and the adults who staff these [educational] institutions ...unwittingly distribute dominant cultural knowledge (American history, grammar, math, and so on), inculcate mainstream values (punctuality, the work ethic, competitiveness, and so forth), and channel students into appropriate socioeconomic niches (the upper and middle class into corporate, professional, and business careers, the lower classes into service and low-grade technical jobs.)”⁸¹

The transmission of dominant cultural knowledge, inculcation of mainstream values, and channeling of students into socioeconomic niches was done both overtly and covertly in New Jersey during the 1920s. The mainstream value of efficiency and its tool, the intelligence test, made the 1920s an especially interesting period to examine. A review of nearly any primary educational document from the 1920s revealed that the efficiency obsession had a profound hold over educational leaders in the Garden State. For example, an excerpt from a September 1921 *Education Bulletin*, a publication of the New Jersey State Department of Education, proclaimed:

An application of educational measurements is revealing waste and unbusinesslike methods in many school systems. Due consideration has not been given to the amount of money spent in relation to the value received. A school system should meet the same requirements that any business corporation must meet. Our output must be commensurate with our

⁸⁰ Larry Cuban, *How Teachers Taught; Constancy and Change in American Classrooms 1880-1990*, 2nd ed. (New York: Teacher's College Press, Columbia University, 1993)., p. 12.

⁸¹ *Ibid.*, p. 16. I was also troubled by was appeared to be racially biased omissions made by the Public Education Survey Commission of 1928. These will be discussed later in this chapter.

expenditure. If administrators of schools hope to secure and retain the support of business men, taxpayer and school patrons, they must in the future demonstrate their ability to handle the schools on a businesslike basis.⁸²

Schools leaders in New Jersey prided themselves on their ability to use measurement to run efficient, business-like schools. Measurement sometimes appeared to be useful, at other times appeared to be used to advance social agendas, and in some instances seemed outright unnecessary and absurd. The Superintendent of Schools in Montclair, NJ used measurements of height and weight of students to assess nutrition. A survey conducted in that school district found that 34% of children in schools were more than 7% underweight for their height. Montclair's Superintendent explained that one school in his district provided an opportunity for its children to purchase a glass of milk in the mid-afternoon and added that this experiment was supplemented by talks to parents, bulletins home, and articles in the local press. Results were reported to be "at once apparent;" the Superintendent claimed that malnutrition had been reduced to 15%, or a gain of 47%.⁸³

While schools were making progress in using measurement to inform decision making, measurement was often little more than the copious spewing of numbers. In the previous example, the fact that one-third of children were more than 7% underweight for their height does not appear to be an alarming fact. Throwing around data appeared not to be a glowing endorsement for milk but appeared to have some other motive. It is unclear why only one school in the district had results published, how quickly the health campaign created the supposed marked improvements in children's health in the school, or if the means or medians used as norms had any statistical validity whatsoever. The

⁸² *Education Bulletin*, September 1921. Vol. 8. pt. 1.

⁸³ *Ibid*, p. 20.

statistics may possibly have been used as justification for additional funding for school lunches, but they also were no doubt used simply to bolster the impression that Montclair was a progressive and efficient school system that was operating on a business model.

The Montclair data had at least some significance because the measurement focused on student health, but absurd and overzealous measurement of anything and everything possible took place throughout the efficiency-obsessed educational and institutional system in New Jersey throughout the 1920s and 1930s. For example, annual reports for the State Home for Boys in Jamesburg contained copious documentation of absolutely useless statistics. Reports contained a chart of the number of baseball bats, sneakers, and other equipment used by each cottage,⁸⁴ a chart containing the specific number of gallons of peas, mixed pickles, stewed apples, green tomato pickles, and 26 other foods prepared and canned in Jamesburg in a given year;⁸⁵ a list detailing the number of boys who competed in each specific activity during an indoor relay meet on New Year's Day 1932;⁸⁶ a chart of the number of basketball games officiated by each of six men and six boys during a season;⁸⁷ and line graphs displaying the cabin-by-cabin results of free-throw, potato race, and chinning competitions.⁸⁸

⁸⁴ *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*, p. 43.

⁸⁵ *Seventieth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1934, 1935; Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*, p. 114.

⁸⁶ *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*, p. 40.

⁸⁷ *Ibid.*, p. 35.

⁸⁸ *Ibid.*, pp. 36-37.

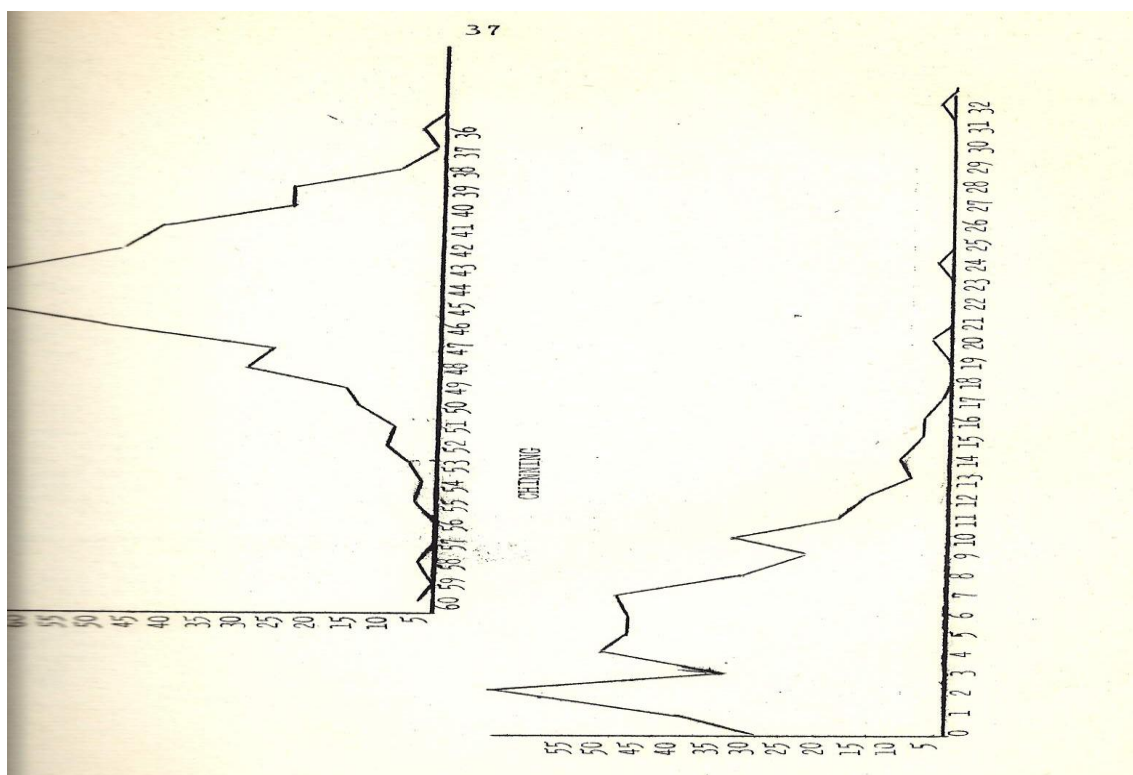
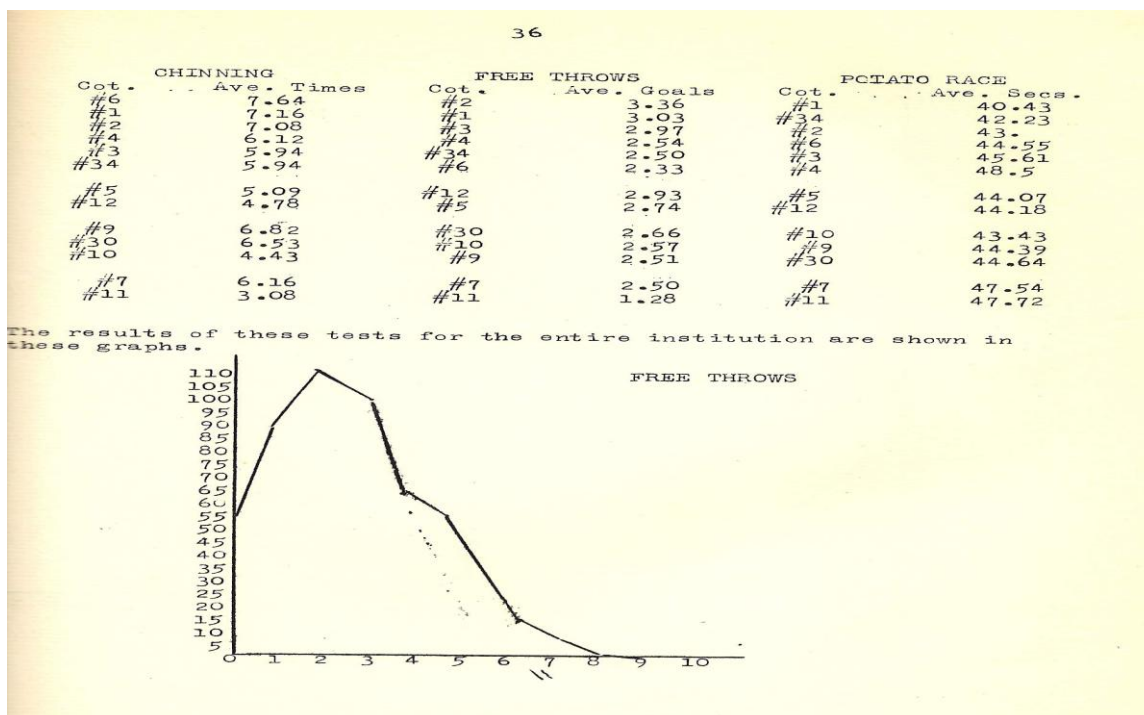


Figure 6.1 - Scanned images of Inter-Cabin Sports' Competitions from Jamesburg's Annual Report for 1932⁸⁹

⁸⁹ Ibid., pp. 36-37.

The fact that an annual report contained detailed graphs of the results of the annual potato race, free throw contest, and chinning competition symbolized the overzealous application of measurement in New Jersey's schools and institutions during the era. It is puzzling to try to understand the motive behind the publication and graphing of such useless data. Given that it is highly unlikely that the annual reports were distributed to the young inmates in Jamesburg, the data were not published to motivate the children nor to promote healthy competition between the cabins. It appears from examining nearly any primary document from the 1920s and 1930s that such documentation was kept and broadcast because measurement and efficiency were the valued norms.⁹⁰ While the speed of each cabin in the potato race was of little concern to the outside world, documenting such minutia and graphing it was an attempt by The State Home for Boys to bolster their public image as a well-oiled, scientific, and efficient institution that could reform delinquents to better them and society.⁹¹ Aside from showcasing their efficiency and ability to measure anything, the State Home for Boys was also giving the impression that it was a wholesome environment that was "helping" delinquents. Buried beneath the facade of efficiency and assistance was an institution that resorted to violent corporal punishment during the 1920s.⁹²

⁹⁰ For more on this topic, see Raymond E. Callahan, *Education and the Cult of Efficiency* (Chicago: The University of Chicago Press, 1964), pp. 240-243.

⁹¹ The impression given was that if Jamesburg could record and graph data with such precision, surely they could care for the delinquent child efficiently.

⁹² Jamesburg staff physically abused boys during the 1920s, a fact I discovered while combing through documents in the New Jersey State Archives in Trenton. Details regarding these practices at Jamesburg will be presented in Chapter Seven.

In a September 1921 *Education Bulletin*, New Jersey Commissioner of Education Calvin Kendall summarized the views held by educational leaders regarding the paramount importance of efficiency in schools:

In recent years many students of education have been placing considerable emphasis upon educational measurements applied to the achievement of school children with a view to putting educational practice on a good, sound basis. Because of a lack of scientific information, many theories not justified by systematic observation have gained a foothold. As a result much of the time and energy of teachers and pupils has been spent to great disadvantage; confusion has been produced; and the advancement of our profession has been greatly retarded. But gradually a body of scientific knowledge concerning the actual accomplishment of schools is evolving. School administrators are beginning to realize the need of accurate information whereby the progress of children can be determined. Administrators are also realizing the necessity for defining objective standards for their guidance in school procedure.⁹³

A particular interest of mine in this chapter was to determine if any evidence existed of the “objective standards” that administrators, teachers, and other school officials used with supposedly less intelligent children, students whose behavior was problematic, or otherwise undesirable children. No “objective standards” were found despite pouring through dozens of primary documents. Despite an appearance of scientific, efficient, progressive objectivity, New Jersey educators and reformers of the 1920s were more or less able to pick and choose the children they wanted to pluck out of the typical classroom. Armed with new truancy statutes, intelligence testing, separate classrooms and institutions for behavioral or feeble-minded children, vocational schools, and continuation schools, New Jersey educators had multiple means to exile students. All the while, educators and reformers were able to operate under the guise that their decisions to segregate children or provide them with an alternative type of education

⁹³ *Education Bulletin.*, September 1921. Vol. 8, pt. 1, p. 8.

were being done for the sake of efficiency and for the good of society, the school, and the individual child.

The extensive focus on efficiency in New Jersey schools was of paramount importance to this dissertation. As previously shared, prominent reformer Henry Goddard framed delinquency in a novel manner by equating delinquency with inefficiency. Goddard (1920) defined the delinquent as “one who has been left behind,” and he added, “The delinquent is one who does not come up to the mark in the performance of those duties which the group has placed upon every member. Delinquency is an offense because it impairs the efficiency of the group.”⁹⁴ During a decade in which New Jersey public schools fervently embraced the efficiency agenda, failing to meet the academic, moral, and behavioral benchmarks set by leaders in educational institutions would have made a child *inefficient*. There was no room in 1920s society for inefficiency, and schools made no room for children who were perceived or portrayed as inefficient stumbling blocks to progress.

Historically, school teachers have faced a dilemma trying to keep a desired pace of instruction when teaching a large class of children who have been heterogeneously grouped. The efficiency movement, and the concurrent inclusion of unprecedented numbers of children in New Jersey schools, magnified this dilemma. As discussed in the previous chapter, intelligence testing was extensively used throughout New Jersey schools during the 1920s.⁹⁵ These tests gave educators data that could be used to assist or

⁹⁴ Goddard, *Human Efficiency and Levels of Intelligence*.

⁹⁵ Intelligence testing in New Jersey was mentioned in nearly every 1920s educational publication I reviewed, some of which have been presented in this chapter. School leaders lauded their use of IQ tests to sort children. In 1921, for example, Mr. Bliss, Superintendent of Montclair Schools, stated, “The two most

injure the child whose score was not up to par. Given Alfred Binet's greatest fear, that educators might misuse his IQ test as a means to rid themselves of their most challenging students, and given Goddard's broad definition of delinquency as children "who have been left behind," it is safe to say that New Jersey public schools of the 1920s turned Binet's nightmares into reality just years after Binet's death. With the precipitous increase in the number of special classes for subnormal children, the overcrowding at special institutions for feeble-minded children, and the repeated calls for the state to build more segregated facilities, New Jersey children faced their greatest foe in the intelligence test. Hiding behind political language that portrayed segregation and isolation as helpful for the less intelligent, New Jersey educators and reformers cleverly and easily pushed unwanted children out of their classrooms and schools.

Similarly, the creation of truancy laws paradoxically made it easier for New Jersey's schools to get rid of unwanted children, as presented at the onset of this chapter. Omnipotent truancy officers were able to refer children to juvenile court not only for skipping school but for a wide variety of unwelcomed behavior that in modern times would not be associated with truancy. As acknowledged in the state's internal assessment of its own schools, truancy officers helped public schools by removing difficult children and aided reform schools by providing them with clientele. Any vision that truancy officers were trying to ensure the highest possible attendance rates in New Jersey's public schools was a mirage. Behind the smoke and mirrors, truancy laws and truancy officers

important achievements of the year are the development of previous plans for promoting the health of school children and utilization of intelligence tests." See *Education Bulletin*.

were yet another way that New Jersey's schools left children behind and created delinquents.

The children who exhibited behavior that was deemed intolerable by those in charge in New Jersey's public schools were either remanded to court and institutions via truancy officers or intermingled in special classes with others perceived to be misfits. The 1912 law that required New Jersey schools to create special classes for those children who were intellectually three years or more subnormal led not only to special classes to isolate less intelligent pupils but also provided holding pens for the "incurable" students. In 1928, investigators found the special classes to have fallen far short of the supposed intentions of the original law. Many schools did not have the special classes required by law, and in those schools that did, less than one-fourth of the children in the special classes were feeble-minded. The other three-fourths were composed of "other types of handicapped children, including physically defective children, children with special disability, and behavior problem children."⁹⁶

Surpassing intelligence testing, truancy laws, and special classes, the most brazen method through which New Jersey public schools excluded some students was simply by calling them *ineducable*. Not surprisingly, New Jersey *Educational Bulletins* I examined did not broadcast the fact that some New Jersey school districts were ignoring compulsory education laws by pretending that some of the most challenging children simply did not exist. A general survey conducted in 1928-1929 by the New Jersey Commission to Survey Public Education revealed "a *widespread* practice of excluding

⁹⁶ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 61. This brings to mind "The Land of Misfit Toys," an isolated island where toys with any imperfection were permanently exiled in the holiday move, *Rudolph the Red Nosed Reindeer*.

from school some handicapped children on the ground of ineducability.”⁹⁷ The commission probed this frightening fact by asking school officials why this was occurring. The answer they published in the commission report was shocking: “None of the authorities who practice exclusion are able to give satisfactory grounds for such exclusion under existing laws.” The commission diplomatically concluded that the practice was an “indication of a need for some discretionary authority in this direction.”⁹⁸

Nine decades later, it is difficult to accept that a state such as New Jersey knew which children were most in need of help and did not extend a helping hand. In direct violation of the law, they closed their doors to these children as if to deny their existence. While in modern times a sea of attorneys and child advocates would swarm any school district that employed such a practice, during the 1920s, the children that were deemed ineducable were left behind and forgotten. Similar to the many youngsters who were misfortunate enough to be called feeble-minded and permanently segregated in training schools, New Jersey society closed its eyes to these horrors. Being feeble-minded was not viewed as a mere handicap, it was portrayed and perceived as a burden, possible family scandal, and an embarrassment. Outlandish claims that feeble-mindedness led to criminality deepened the sense of shame associated with any label that indicated subnormal intelligence. Because the feeble-minded were portrayed as “sapping the strength” from an efficient society,⁹⁹ New Jersey public schools encountered little opposition in their disparate treatment of supposedly less intelligent children.

⁹⁷ Ibid., p. 61. Emphasis added.

⁹⁸ Ibid., p. 61.

⁹⁹ 274 U.S. 200. And many families either hid or placed “feeble-minded” children in orphanages.

As shown thus far in this chapter, New Jersey's public schools were not welcoming institutions that embraced all children. They were instead sorting machines, and only those children who fit the mold carved by those in power remained in traditional classrooms. Aside from the multiple overt and direct mechanisms through which New Jersey ousted unwanted children, there were other methods of discrimination that were slightly more covert.

Continuation Schools

One covert mechanism through which New Jersey schools rid themselves of unwanted children were Continuation Schools. Prior and subsequent to enactment of compulsory education laws, children often left school to work. During the 1920s, New Jersey's ample farm land and the booming industry in New Jersey and nearby cities availed opportunities for children to work on farms or in industrial jobs. Many families, particularly new immigrant families, relied on the additional income produced by the labor of their children.

New Jersey made it exceedingly easy for children to gain employment at very young ages. For most of the 1920s, New Jersey child labor laws merely required children to complete the Fifth grade to earn a work certificate, a far lower threshold than 15 other states which required that children complete the Eighth grade before working.¹⁰⁰ Although by 1929 New Jersey amended its child labor laws to require children to

¹⁰⁰ Nettie P. McGill, *Child Labor in New Jersey, Part 3; the Working Children of Newark and Paterson* (Washington, D.C.: U.S. Department of Labor, 1931).

complete the sixth grade or the fifth grade with one year of vocational school,¹⁰¹ that New Jersey allowed itself to lag behind other states calls into question the motives of those who made or lobbied for such loose child labor laws.

Although the New Jersey State Constitution in 1844 provided a thorough and efficient system of public schools for the instruction of the children between the ages of five to eighteen years, New Jersey children were permitted to leave school prior to age 18, even after it adopted compulsory education laws.¹⁰² Rather than requiring children to remain in school, New Jersey elected to make it easy for them to end their formal education if they left school for work. On July 1, 1920, the Continuation School Law, passed by New Jersey legislature in 1919, permitted children to leave school at age 14 provided they enrolled part time in a local Continuation School.¹⁰³

During the 1920s, children 14 and 15 years of age could sign out of school to work provided they attended a continuation school for six hours each week for 36 weeks per year. Children were required to attend Continuation Schools within the school district or county where they were employed. Employers and school districts were required to maintain "age and schooling" certificates. If a child worked in a school district other than the one in which the child resided, the legislature mandated that certificates be sent from the home district to the County Superintendent of Schools in the appropriate county and

¹⁰¹ "Acts of the One Hundred and Fifty-Second Legislature of the State of New Jersey, Chapter 276," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1928). I reviewed 1910s, 1920s, and 1930s laws passed by the New Jersey legislature through the Law Library of Rutgers University. Rutgers has digitalized all sessions of the New Jersey legislature dating back to 1776.

¹⁰² Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*.

¹⁰³ "Acts of the One Hundred and Forty-Third Legislature of the State of New Jersey, Chapter 35," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1919). Both Rutgers University and Google provide online access to the New Jersey laws of 1919.

then forwarded to the district of employment.¹⁰⁴ It appeared from these and other safeguards that the New Jersey legislature was trying to ensure that the Continuation School Law would be a success.¹⁰⁵

New Jersey children seized the opportunity provided to them through the Continuation School Law; if the number of children who left school early was the indication of success, the Continuation School Law was a resounding success. Between the years 1918 and 1928, approximately 18,000 children who were fourteen or fifteen years old left school *each year* to enter employment. In a self assessment of its Continuation Schools, the New Jersey Public Education Survey Commission explained their interpretation of why many children between 14 and 18 years old seized the opportunity to leave school early. The commission wrote: “Among the large numbers of boys and girls who leave school between 14 and 18 years of age are many who cannot avail themselves of the full-time school, some for economic reasons and many others because they cannot adapt themselves to the usual school procedures.” The commission added, “To give these young people the thorough and efficient education contemplated in the State constitution requires a type of school that is organized and equipped to meet their peculiar needs and that can utilize the social life and work experiences of its pupils for educational ends.”¹⁰⁶

¹⁰⁴ Ibid.

¹⁰⁵ However, given that the Continuation School Law was so poorly enforced, I question whether the Legislature had altruistic intentions or desired to simply unload unwanted children from the burgeoning rolls of its public schools.

¹⁰⁶ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 78.

The Continuation School Law gave the appearance of being a beneficial and intelligent reform movement that provided less academically inclined students with financial benefits and freed them from having to "adapt themselves" to the usual school procedures. Viewed optimistically, New Jersey reformers were trying through the Continuation School Law to provide unique, tailored opportunities to certain students who desired to begin a vocational career rather than being subjected to years of unwanted, traditional education. Viewed less optimistically, New Jersey reformers dangled financial incentives (the opportunity to work more and attend school less) to lure children away from the traditional public school.

The motives of reformers were highly suspect. Several extensive investigations into New Jersey's implementation of the Continuation School Law revealed tremendous flaws in the system. Despite the law mandating continuation schools, many children who dropped out of school between 14 and 18 to work never attended a continuation school. Forty-two school districts and three counties maintained continuation schools as of 1928. Twenty-five of the forty-two schools were located in the three counties of Bergen, Essex, and Hudson Counties. Eight counties had no schools whatsoever.¹⁰⁷

The Children's Bureau of the U.S. Department of Labor conducted its own study of New Jersey's child labor laws, specifically as they related to Continuation Schools in the industrialized cities of Newark and Paterson.¹⁰⁸ During the 1920s, Newark had highly diversified industries, while Paterson was primarily a textile center. Given that Newark had many industrial jobs and Paterson was the leading US manufacturer of silk, both

¹⁰⁷ Ibid.

¹⁰⁸ McGill..

cities had plenty of opportunity for minors to find work. Given my belief that the Continuation School Law was a subversive attempt to push new immigrants' children out of the public school, the Children' Bureau study was particularly intriguing because approximately three-fourths of both Newark and Paterson's populations were of foreign birth, or of foreign or mixed parentage.¹⁰⁹

As suspected, the ethnic composition of Newark and Paterson's continuation schools was primarily new immigrants' children. The fact was more significant given that the percentage of new immigrant children in continuation schools surpassed the corresponding demographics for these cities. In Newark, for example, while only 60 percent of 10 to 14 year olds and 50 percent of 15 to 19 years olds had foreign or mixed (partially Native-born and partially foreign-born), almost 76 percent of the Newark continuation school pupils had foreign born fathers. While this could have been the result of several factors, including parental influence to leave school for work or instincts to follow in the footsteps of parents who were semi-skilled laborers, the disproportionately high number of new immigrant children in Continuation Schools deepened my suspicion that reformers used the Continuation School law to alleviate crowding in the public schools and to force new immigrant children into low status niches carved out by the political elite.¹¹⁰

Children in Newark and Paterson who attended Continuation Schools were, statistically, more "retarded," or older than other children their age, when they left school to work at young ages. Given that New Jersey permitted children to leave school after

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

completing the Fifth grade (as opposed to the Eighth, like some other states), schools that failed children would have no doubt increased the temptation to leave school via the Continuation School Law option. While educators and reformers may have portrayed Continuation School as helpful to children who were academically failing, they could have also utilized the system to shove unprecedented numbers of children out of the public school. Because New Jersey school districts and counties frequently failed to provide any continuation school whatsoever, it is hard to dismiss this criticism.

When children were unemployed after leaving school, Newark did not compel them to attend Continuation School, in direct violation of the law. In Newark's eyes, they were, in essence, "out of school, out of mind." Paterson, in contrast, took a very unique approach to make sure those children who were out of work found employment. They threatened children by telling them that if they did not find employment, they would send them back to a public school.¹¹¹ School attendance was probably already viewed as punishment for many of the new immigrant children in Paterson, and reformers who explicitly threatened to "sentence" children to public school if they did not find employment exacerbated this image.

The New Jersey Public Education Survey Commission's 1930 report addressed the fact that situations such as these, in which children who left school never attended Continuation School as required by law, were happening throughout the state. The lack of continuation schools in some counties and districts was blamed on ignorance and the difficulty in implementing the law. The Commission stated that many schools "struggled to overcome the prejudices of parents and employers, the indifferent attitude of school

¹¹¹ Ibid.

officials and the handicaps of inadequate building and equipment. They [were] also retarded in their development because of the effects of repeated attempts to nullify the law.”¹¹²

The commission acknowledged that many school officials were “indifferent” to the laws mandating continuation schools, meaning that they were *deliberately* indifferent. I was originally impressed that the New Jersey Public Education Survey Commission had such harsh criticism of the poor enforcement of Continuation School laws in New Jersey and found it admirable that the state was so thoroughly self-scrutinizing its mishandling of these children. Upon learning of the Children's Bureau 1925 investigation, I reassessed this admiration. It appears that “the heat was on,” and the NJ Public Education Survey Commission's report, which was published one year prior to the Children's Bureau report,¹¹³ may have been New Jersey's proactive attempt to avoid insinuations of a state conspiracy or cover up. A state that finds its own flaws and appeared, at least in rhetoric, to be slapping the wrists of those who led to the failure of the Continuation School Law, certainly appeared more responsible than a state that stood in silence and allowed its demons to be exposed for the first time through a federal investigation.

It is unclear whether or not the timing of the reports was coincidental. What remains evident, however, is the fact that between 1918 and 1930 approximately 200,000 New Jersey children left school at the very young ages of fourteen or fifteen due to the

¹¹² Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p., 79. The commission did not mention who attempted to nullify it.

¹¹³ The U.S. Children's Bureau investigation was conducted in 1925 but not published until 1931.

Continuation School Act.¹¹⁴ In the majority of New Jersey school districts and in many counties, Continuation Schools were simply never created. Given the sharp increase in enrollment, the passage of the Continuation School Act acted as a pressure valve which alleviated overcrowded secondary schools. Moreover, the disproportionate numbers of new immigrant children who elected to leave the public school early to work had a two-fold benefit for reformers. Educational reformers were able to rid the public schools of those children whose cultural backgrounds may have made them most difficult to assimilate and control. Secondly, Continuation Schools had the societal benefit of keeping cultural and economic hierarchies intact. The overwhelming majority of children who left school to work at age 14 or 15 found themselves attaining semi-skilled laborer positions,¹¹⁵ following in the footsteps on parents who were typically blue-collar industry workers with little opportunity for social advancement.

Regardless of the validity of these theories, the fact remains that thousands of New Jersey children were permitted to leave school with less than an elementary education to pursue jobs. While society had recognized the value and potential of education long before the 1920s, the New Jersey public schools readily relinquished their responsibility to provide a thorough and efficient education for many of its children. Children and their parents were often lured by the money that could be earned when children left school for work. Yet, employment as a laborer has rarely availed a child to climb the financial and social ladder in life. The state of New Jersey crafted a Continuation School Law that ensured continued education for children who left school

¹¹⁴ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*.

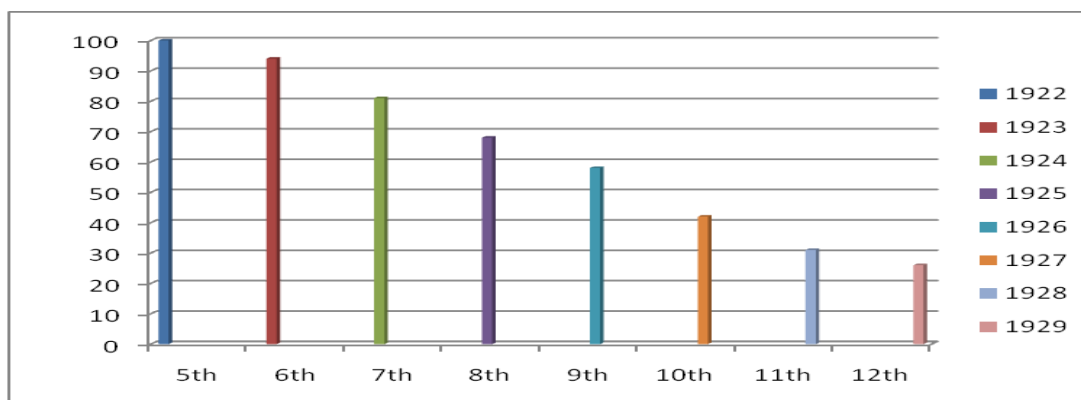
¹¹⁵ McGill.

just one year after becoming a teenager and then failed miserably to deliver on the promise. Using, once again, the definition of the delinquent as children who have been left behind, New Jersey's Continuation School Law proved to be one of its schools' most powerful ways to create tens of thousands of juvenile delinquents.

Vocational Schools in New Jersey during the 1920s

This chapter has already revealed a variety of ways that New Jersey public schools were able to rid themselves of unwanted children. New Jersey had an unusually high "pupil mortality" during the 1920s; that is, New Jersey's students frequently dropped out of school prior to graduating twelfth grade more frequently than children in neighboring states. State data which followed the cohort group of the 5th grade class of 1922 revealed the extent of pupil mortality. Of the 60,500 students in the 5th grade in 1922, only 18,622 remained for 11th grade and 15,958 for 12th grade. The percent of the class who remained in school during the years 1922 through 1929 for the 5th, 6th, 7th, 8th, 9th, 10th, 11th, and 12th grades were 100, 94, 81, 68, 58, 42, 31, and 26 percent, respectively.¹¹⁶

¹¹⁶ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*. I created the above graph using the data reported by the New Jersey Commission to Survey Public Education. See Graph 5.2.



Graph 5.2 - Pupil Mortality in 1920s New Jersey for the Cohort Group of 1922

Children could leave school at 14 to work was, without question, a major contributor to the high dropout rates during the 1920s. By 1920, New Jersey was a highly industrialized, highly urbanized state. Eighty percent of New Jersey's population resided in urban communities; of the 1,310,653 people working within New Jersey, one-half were working in manufacturing or mechanical positions, while approximately 59,000 were in agriculture.¹¹⁷ The Commission to Survey Public Education blamed the industrialized region in which New Jersey was situated for the high dropout rate in the state. They wrote, “The many opportunities for boys and girls 14 years of age and over to secure employment in our industrial cities, and in New York and Philadelphia, have a decided influence upon the holding power of the schools.”¹¹⁸ The commission then blamed the children who dropped out and their parents, adding that a “lack of appreciation of benefits of further education and the economic need of many parents” were other factors “governing the length of stay of pupils in the schools.”¹¹⁹ In attempting

¹¹⁷ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*.

¹¹⁸ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*.

¹¹⁹ *Ibid.*, p. 64.

to explain the unusually high dropout rate in the state, the Commission to Survey Public Education did not fault the Continuation School Law or attribute any of the high pupil mortality to educational reformers who enabled or implored schools to oust their toughest students. Instead, they blamed industrialization, the children, and their parents. While the Commission's statements were accurate, they failed to place any blame on school leaders, teachers, legislators, and other reformers who created or were propagating an educational system that was forcing children out of the public schools. Ironically, by assigning all blame to the children, parents, and industrialization, reformers such as the Commission to Survey Public Education were able to propose new ways they could "help" and correct the problem. The commission stressed the importance of developing industrial and agricultural educational programs that considered population shifts and trends in industry and agriculture.

The counties of Bergen, Camden, Essex, Hudson, Passaic, Union, Middlesex, and Mercer comprised less than 20 percent of the land area of the state yet had approximately 80 percent of the state population; consequently, New Jersey officials stated that it was imperative to meet the vocational education needs of these densely populated, highly industrialized counties. Because industry in these urbanized counties was comprised of multiple small, highly diversified industrial establishments,¹²⁰ reformers proclaimed "a need for a broad and diversified industrial education program."¹²¹

¹²⁰ While the total number of manufacturing plants in 1925 exceeded 8,000, the average number of employees was 51. Moreover, these industries were highly diversified, representing approximately 200 special lines.

¹²¹ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 65.

During the 1920s, agriculture in New Jersey was largely confined to vegetables, fruits, dairy, and poultry products. In 1927, 58 percent, or \$43,000,000 of the total farm produce consisted of truck crops. The amount of farming and the number of farm owners increased during the 1920s, but acreage decreased across the state. Reformers advocated that these challenges indicated an “a growing need for special courses in agriculture education.”¹²²

To address the needs of young men and women who wished to enter industry or agriculture, the New Jersey Legislature passed the Vocational School Act,¹²³ the Continuation School Law,¹²⁴ and the Manual Training Act.¹²⁵ New Jersey reformers dubbed the Garden State as “one of the pioneer states in the development of industrial and other types of vocational education.”¹²⁶ While some industrial school existed prior to the era, the 1913 Vocational School Act provided for the establishment of vocational schools and authorized the use of State aid to districts maintaining approved schools. Because it was not feasible for small districts to organize and maintain a vocation

¹²² Ibid., p. 65. New Jersey's efforts to provide more widespread agricultural education in its schools began in the early 1910s. Commissioner of Education Calvin Kendall expressed that industrialization was reducing land in New Jersey more frequently than in other, larger states. See *Introduction to the Teaching of Elementary Agriculture*, (Trenton, NJ: State of New Jersey Department of Public Instruction, September 1912).

¹²³ “Acts of the One Hundred and Thirty-Seventh Legislature of the State of New Jersey, Chapter 294,” (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1913). The Vocational School Act provided for both day and evening classes. Evening classes provided education for adults 16 years of age or older.

¹²⁴ The oddly constructed and poorly implemented Continuation School Law was described in detail earlier in this chapter.

¹²⁵ The Manual Training Act dealt “with an elementary type of industrial education. Manual training, however, [was] not vocational in purpose and should not be confused with the work of the vocational schools.” See Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 65.

¹²⁶ Ibid., p. 69.

schools, the Legislature permitted their establishment by a local school district, a combination of school districts, or a county.¹²⁷

Industrial schools offered three types of courses: trade courses, unit technical courses, and industrial courses for mentally retarded people.¹²⁸ As of 1928, 18 schools for boys were in operation, five of which were departments in elementary schools. Industrial schools were offered by two county organizations, eight school districts, and a segregated school for “colored youth.” Industrial schools included, but were not limited to, The School of Industrial Arts at Trenton,¹²⁹ the School for Industrial Education at Hoboken,¹³⁰

¹²⁷ "Acts of the One Hundred and Thirty-Seventh Legislature of the State of New Jersey, Chapter 294."

¹²⁸ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*. This third type of course was “found in a few cities.” The commission stated: “[Mentally retarded pupils] when properly trained make the best kind of semi-skilled workers because they are satisfied in a limited field of employment.” The commission urged that these children be taught a specialized skill in addition to the social and occupational adjustment training they were typically provided in industrial courses. They added, “This problem is a most pressing one and neither the school nor industry is giving it adequate attention. The presence of these boys and girls in the regular classes of the elementary school seriously hampers the work of these schools while the pupils themselves gain little from the instruction offered.” The recommendation from the commission was to train these children early in their formative years to learn a skilled task through repetitive training in industrial schools.

¹²⁹ This school was established in 1881. The Board of Trustees was appointed by the Governor, and the Governor and Mayor of the city acted as ex-officio members of the board. The school was funded through both state and city taxes. By 1928-1929, the school was primarily an evening school. 1052 pupils were enrolled during that year in evening classes, 353 in day classes, and 41 in both day and evening classes. See Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*., p. 84.

¹³⁰ This school was also established in 1881 but was not viewed favorably by the Commission. The school included “such activities as [were] usually found in a public school system. The day classes [were] composed of about five hundred continuation school children who [were] required by law to attend school for six hours a week. ... The evening school offer[ed] very few courses which [were] industrial in character.” See Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*., p. 84. The commission added, “There [was] little in the organization of this institution to warrant its continuance as a school for industrial education with an independent Board of Trustees. It is recommended that the State discontinue the special appropriation for this school and that the Board of Trustees permit the Hoboken Board of Education to use the plant and equipment for local school purposes.

The Manual Training and Industrial School for Colored Youth in Bordentown, and the New Jersey School for the Deaf.¹³¹

The Manual Training and Industrial School for Colored Youth in Bordentown was organized as a private school in 1886,¹³² and it became a state institution eight years later in 1894. It was placed under the supervision and control of the New Jersey State Board of Education in 1900. The Manual Training and Industrial School in Bordentown was a segregated, residential school open to "colored" children in the state, fourteen years of age or over, who had completed fifth grade.¹³³ As of 1928, approximately 350 pupils were enrolled in the Manual Training and Industrial School for Colored Youth.¹³⁴

The school experienced significant growth during the 1910s and 1920s. Between 1916 and 1926, several additional properties were acquired, and the Bordentown campus

¹³¹ The Commission reported that developing an effective program of vocational education for deaf children was far more difficult than it was for normal children due to the need to train them for occupations in which they could find employment. They added that an added challenge was posed by the fact that the number of students in any one institution was too small to warrant an extensive vocational training program. During the year ending June 30, 1929, there were 317 pupils enrolled in the school; 132 of these students were over 14 years of age. (This would indicate that many younger deaf children were placed in the New Jersey School for the Deaf. This appears to be reflective of the 1920s practice of placing any child not deemed to be "normal" into the *most* restrictive environment). Vocational courses offered at the school for boys included printing, photo engraving, machine shop work, woodwork, painting and mechanical drawing, and "the graduates of the printing and photo engraving courses [found] ready employment. Vocational courses for girls included training in the homemaking activities, - cooking, sewing and dressmaking, millinery, embroidery and art. The commission acknowledged, "These subjects are valuable in training a girl as a future homemaker but have little value in the preparation of a girl for a wage earning occupation other than domestic service." They added, "The work in sewing and dressmaking offers the best opportunities for vocational training and wage earning. ...The School might well develop courses in power machine operating for those girls who wish to enter employment after leaving the school." Ibid, p. 88.

¹³² Reverend W.A. Rice, a minister of the African Methodist Episcopal Church, established the school in 1886 under the name of "The Ironsides Normal School."

¹³³ Ezola Bolden Adams, *The Role and Function of the Manual Training and Industrial School at Bordentown as an Alternative School, 1915-1955* (New Brunswick, NJ: Rutgers University, 1977). I reviewed Adams' dissertation in the Alexander Library Archives at Rutgers University in New Brunswick. This book does not circulate and must be reviewed in the Archives room.

¹³⁴ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*.

stretched out over 400 acres.¹³⁵ The school's expansive campus, two working farms, dormitories for boys and girls, cottages for teachers, and its trade and academic buildings illustrated the support given by the State of New Jersey for its only state-run, segregated, manual training school. By the end of the 1920s, a new \$185,000 girls' dormitory was under construction, and the New Jersey legislature had appropriated \$150,000 for an additional trade school building.¹³⁶

During the 1920s, Bordentown's vocational and agricultural courses were extensive and expanding. The vocational courses for boys included agriculture, printing, automobile mechanics, steam boiler operation, woodworking, band music, and general mechanics. The agriculture work included courses in general agriculture, general dairying, swine production and general horticulture.¹³⁷ Both historian Ezola Adams, who completed his doctoral dissertation on the Bordentown segregated school, and the New Jersey Commission to Survey Public Education, who assessed the school as one part of their state investigation of New Jersey public education in the 1920s, praised the fact the administration at Bordentown provided African American children with practical experiences on campus to employ the skills they learned in the classroom. The school farm was viewed as "an excellent opportunity for practical training" in agricultural classes;¹³⁸ that children were acting as the plumbers, bakers, cooks, painters, launderers, and repairmen in the kitchens, dormitories, and buildings throughout the Bordentown

¹³⁵ Adams.

¹³⁶ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*.

¹³⁷ Adams.

¹³⁸ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*., p. 85.

campus was similarly portrayed as excellent reinforcement of industrial skills learned in vocational and industrial classes. "Students, together with staff, literally operated the entire school plant."¹³⁹

Interpretations that the "needs of the institution" provided practical work for those students in industrial and agricultural courses were understandable, but these facts can also be perceived as unsettling. While I agree with a statement made by Adams that children rarely leave school with the type of practical, hands-on *experience* provided at Bordentown, the self-sufficient nature of the school also gave the appearance that this training school was an "island" penalizing and exiling African Americans children. Children may have been gaining valuable experience for the types of jobs that white America would permit them to attain, but they were also providing free labor on the Bordentown campus. This saved New Jersey taxpayers money, all the while being cleverly disguised as altruistic job training for African American boys and girls.

While it could be extreme to view Bordentown as a quasi-penal colony dressed up as an educational institution, the fact remained that the institution placed children and adults on an experimental island under the guise of humanitarianism. One startling reality was that children were not the only ones for whom Bordentown became a 24 hour per day, 7 day per week campus of exile. Teachers (many of whom were African American) who taught at Bordentown typically worked 14 hours per day, seven days per week, nine months per year. Teachers lived in cottages on the school grounds and were frequently required to work many major holidays. Requests for days off were rarely granted. Bordentown officials even denied one former employee who worked at Bordentown for

¹³⁹ Adams., p. 44.

over 25 years a day off for her wedding. Consequently, the female employee was married in town and came back to work the same day.¹⁴⁰

Teachers who taught African American children at Bordentown adhered to an entirely different set of rules than other New Jersey public school teachers. For those who accepted the prescribed conditions of employment, the Bordentown School provided a unique opportunity for the teachers to educate and guide African American children who paid tuition to attend the school. Although they were technically limited to teaching the curriculum sanctioned by the state, some of Bordentown's African American teachers secretly taught children "Negro" history and provided moral guidance that was not contained in textbooks. Despite the school's shortcomings, the educators who worked at Bordentown were able to exert meaningful influence on the lives of the youngsters who learned and resided there.¹⁴¹



¹⁴⁰ Ibid., p. 59.

¹⁴¹ Ibid.

18th Annual Meeting of the Organization of Teachers of Colored Children in the State of New Jersey. Bordentown, NJ: May 1932.¹⁴²

The attitudes of its teachers but also new mandates from the New Jersey State Board of Education and the recommendations of the Commission to Survey Public Education were important. Some meaningful curricular enhancements occurred during the 1910s and 1920s, but opinions as to whether academic instruction should have been strengthened, eliminated, or provided only to meet minimal needs for a future industrial job greatly differed. To the dismay of anyone who opposed the strengthening of academics for "colored" children at Bordentown, the curricular offerings significantly improved in the late 1910s and 1920s compared to the minimal amount provided previously. As of 1915, the 110 students enrolled in Bordentown took only basic arithmetic, penmanship, grammar, and geography. Prominent reformers, such as the former Assistant Commissioner of Education in New Jersey, recommended that English taught to the African American boys and girls be "closely related to the industrial activities" in which African American youngsters would be finding employment after leaving the Bordentown School. Despite such efforts to limit any further academic advancement for Bordentown children, by 1923 students in Sixth through Tenth Grade studied a curriculum that also included new courses such as general science, composition, spelling, world history, bookkeeping, physiology, and American History.¹⁴³ By September 1927, Bordentown's two year high school program was expanded to a four-

¹⁴² This picture was found online at the New Jersey State Archives website and was accessed on December 28, 2009. <http://www.state.nj.us/state/darm/links/images/sedma005/SEDMA005-008a.jpg>

¹⁴³ Adams.

year program, and new courses for the inaugural Eleventh and Twelfth grade classes included Algebra, Geometry, Biology, and Drawing.¹⁴⁴

Published approximately three years after the newest set of significant academic improvements, the *Report of the Commission to Survey Public Education* evaluated the progress taking place at Bordentown. According to the Survey Commission, the Bordentown school work was “planned to provide both a general academic education and a vocational training for the colored youth of the State.”¹⁴⁵ “Special emphasis” was supposedly placed on the general academic training program of the school. Curiously, the commission did not celebrate the profound changes that had taken place between 1915 and 1927; to the contrary, their statements contained subtle but detectable comments that reflect the type of systemic discrimination facing black youth at the time. The Survey Commission provided the following assessment:

From careful analysis of the work which is being done apparently there is a demand in New Jersey for a program of general high school work in this school. This demand, though not large, seems to be such that the for present such a program should be continued. In our judgment, the high school work should emphasize English, social studies, and science. Under the present plan and in the revised program which has been submitted by the principal of the school all such students are required to devote at least half time to vocational subjects.¹⁴⁶

The commission’s recommendation to emphasize English, social studies, and science left one glaring omission--mathematics. This was more peculiar because the

¹⁴⁴ "New Jersey State Board of Education Minutes," (Trenton, NJ: The State of New Jersey, September 1927). Rutgers University's Alexander Library provided me with access to State Board of Education minutes. As of 2007, the year that I checked out these materials, the State Board of Education minutes circulated. The March 1927 through 1930 minutes were included in one 3,229 page volume.

¹⁴⁵ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 85.

¹⁴⁶ *Ibid.*, p. 86.

commission specifically mentioned the importance of mathematics multiple times in their comprehensive state report.¹⁴⁷ Given that disaggregated data from New Jersey state assessments during the 2000s have consistently revealed lower mean mathematical scores for African Americans compared to Caucasians, the omission of mathematics from the commission's recommendation for academic work in the segregated black school was thought-provoking.

Furthermore, racial biases may have led to a glaring omission in the commission's recommendations for black girls who attended the Colored School in Bordentown. The commission's analysis of the Bordentown institution revealed that "vocational training for girls include[d] practical training in home activities including the preparation of foods, serving, sewing and dressmaking, and laundry work. A course in dressmaking [was] also offered to prepare girls to enter this trade." The commission concluded, "The vocational course for girls could be greatly strengthened by the development of those subjects intimately related to homemaking and dressmaking."¹⁴⁸ The commission's recommendation to "strengthen" vocational courses for African-American girls by developing subjects related to homemaking and dressmaking was in sharp contrast to recommendations made by the same committee for white girls enrolled in vocational programs. The commission explained that vocational work for (white) girls was originally confined to home economics with one or two cases of the unit trade type. It quickly became evident, however, "that the majority of girls, on leaving school, entered commercial or industrial employment and that they needed courses that would prepare

¹⁴⁷ See *Ibid.*, p. 68., as just one example.

¹⁴⁸ *Ibid.*, p. 75.

them for commercial and industrial occupations.”¹⁴⁹ Due to this concern, New Jersey schools developed trade departments in the home economics schools and separate trade or industrials skills. The commission noted that “some prejudice against industrial education for girls and their occupational training [was] further complicated by the fact that the number of skilled trades in industry open to girls [was] limited.”¹⁵⁰ They explained that the field was growing, and the success of some schools in preparing girls for specialized careers in industry was “an indication of what [could] be accomplished when the problem [was] seriously attacked.”¹⁵¹ The commission added, “There is immediate need in the State for a number of such schools.”¹⁵²

The Public Education Survey Commission’s recommendation for homemaking and dressmaking courses for African American girls was a polar opposite of their plea for aggressive industrial training in skilled trades for white girls. Similarly, their failure to recommend academic mathematics for African American boys contradicted their report’s repeated calls for intensive mathematics instruction. Given New Jersey’s disproportionate institutionalization rates for black juvenile delinquents,¹⁵³ the commission’s racially disparate recommendations regarding vocational education further aroused my attention.

Other researchers’ investigations into the disparate educational treatment of African Americans affirmed that my suspicions were not miscast. James Anderson’s

¹⁴⁹ Ibid., p. 75.

¹⁵⁰ Ibid., p. 75.

¹⁵¹ Ibid., pp. 75-76.

¹⁵² Ibid., p. 76.

¹⁵³ See Chapter Six of this dissertation.

book, *The Education of Blacks in the South, 1860-1935*, revealed the sinister intentions of southern reformers who used vocational, industrial, and manual education to preserve and expand the political and economic subordination of American Americans.¹⁵⁴ Although Anderson's focus was on black education in the Southern United States, findings related to black education in 1920s New Jersey had many uncanny parallels to Anderson's work.

James Anderson unveiled the fact that Yankee reformer Samuel Chapman Armstrong used ex-slave Booker T. Washington and the Hampton Normal and Agricultural Institute in Hampton, Virginia to subvert the educational, economic, and political aspirations of African Americans. "Hampton trained [African American] leaders such as Booker T. Washington to counsel blacks to remain in the South as cheap and contented agricultural laborers and to refrain from political activity." By doing so, "it contributed to the development of a conservative Afro-American leadership, which did not foster the political and economic improvement of black workers and voters."¹⁵⁵

At Hampton, like elsewhere in the South, African Americans were denied opportunities to study advanced academic courses and were instead channeled into an educational system which provided only elementary academics. Racist reformers believed that the "highly educated [African American] could not serve as models for the masses, who, according to Armstrong, were destined to plow, hoe, ditch, and grub. Therefore, manual labor rather than scholarship became Hampton's chief criterion for

¹⁵⁴ James Anderson, *The Education of Blacks in the South, 1860-1935* (Chapel Hill, NC: The University of North Carolina Press, 1988).

¹⁵⁵ Ibid., pp. 52-53.

academic excellence.”¹⁵⁶ Worried southern whites knew that an equal education might enable the financial and political advancement of blacks; moreover, it would destroy the southern financial infrastructure that was dependent on cheap black labor. “A Virginia land-owner put the question frankly: “If we educate the Negro out of being a laborer, who is going to take his place?”¹⁵⁷

Anderson’s analysis of the racist motives of self-serving Southern whites intensified my suspicions. The first thing that stood out as odd about the Manual Training and Industrial School for Colored Youth in Bordentown was the fact that it was a residential facility. Why did the industrial school for New Jersey’s African American students house them while the other facilities for white children did not? ¹⁵⁸ The Bordentown school required its African American students to pay for their round-the-clock confinement, and black boys were required to pay for and wear uniforms.¹⁵⁹ Even after the move to a four year high school and the curricular enhancements of 1927, Bordentown had a rigid schedule and an agenda that made it clear that they were attempting to shape every facet of a child's life. The daily program, as of 1928, was as follows:

¹⁵⁶ Ibid., p. 49.

¹⁵⁷ Ibid., p. 96.

¹⁵⁸ In his examination of the South, James Anderson revealed Armstrong’s racist beliefs regarding residential “education.” “The “average Negro student,” according to Armstrong, needed a boarding school so that his teachers could “control the entire twenty-four hours of each day – only thus can old ideas and ways be pushed out and new ones take their place.” When his whole routine is controlled,” Armstrong believed, “the Negro pupil is like clay in the potter’s hands.” From this “clay” he intended to “create a class or guild who will be a nucleus of civilization” and would transmit the Hampton doctrines of politics and economics to the black race.” See Ibid., pp. 46-47.

¹⁵⁹ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*.

Figure 5.3 - Daily Program at Bordentown as of 1928¹⁶⁰

5:30 a.m.....	Rising Bell
6:05 a.m. - 6:25 a.m.....	Calisthenics
6:30 a.m. - 7:00 a.m.....	Breakfast
7:00 a.m. - 7:30 a.m.....	Morning Chores
7:30 a.m. - 11:15 a.m.....	Academic Classes or Vocation
11:30 a.m. - 12:00 p.m.....	Military Drill
12:00 p.m. - 12:30 p.m....	Dinner
12:30 p.m. - 1:15 p.m.....	Rest or Relaxation
1:15 p.m. - 4:15 p.m.....	Vocational Work or Academics
4:30 p.m. - 5:30 p.m.....	Supervised Recreation
5:30 p.m. - 6:00 p.m.....	Supper
6:00 p.m. - 6:45 p.m.....	Student Activities
6:45 p.m. - 7:20 p.m.....	Chapel

As evidenced by the uniforms, Bordentown's status as a residential school, and the daily schedule that included calisthenics, chores, military drill, and religious services, the Bordentown School tried to remove the individuality and past influences of the African American children as its leaders sculpted the black clay into their desired mold.

A second troubling finding of mine was that the New Jersey *Public Education Survey Commission* omitted rigorous mathematics from their recommendations for black children at Bordentown. Despite warnings in some of the country's newspapers, such as the *Cleveland Gazette* and *Washington Bee*, that industrial education would not "fit young blacks for the "higher duties of life," it appeared that reformers such as the New Jersey Public Education Survey Commission failed to advocate for "higher and professional training for the "fullest development of the [African American] mind."¹⁶¹ While the *Washington Bee* "urged blacks to relegate industrial education to a secondary role and to place top priority on the training of lawyers, doctors, scientists, and other

¹⁶⁰ Adams., p. 38.

¹⁶¹ Ibid., p. 65.

professional persons,”¹⁶² New Jersey’s Survey Commission made recommendations aimed to stunt and reverse some progress that had already taken place. Equally suspicious was the New Jersey *Public Education Survey Commission’s* recommendation for Bordentown to prepare African American girls for lives as homemakers, in stark contrast with their recommendations to provide semi-skilled and skilled training for white girls that would assist them in landing jobs in industry.¹⁶³

As evidenced by the daily schedule at the Bordentown School, leaders of the school were following in the footsteps of the Southern schools. Bordentown leaders were proud of their "self-sufficient" school plant, but they made certain through the daily routines and limited academic offerings that black children were learning obedience, discipline, and the dignity of labor. Shaped by a state-drive curriculum and educators who not only taught but lived and worked alongside the children, New Jersey African American children rose at or before dawn, performed calisthenics, engaged in vocational training that was acceptable to those in power in society, engaged in military drills, had supervised recreation, and attended religious services. With each tightly scheduled hour of their day, New Jersey African American children were becoming the disciplined soldiers of the working class envisioned by reformers who controlled the school. New Jersey’s industrial and manual training for African American children suggest that

¹⁶² Ibid., p. 65.

¹⁶³ Decades earlier, in Hampton, Virginia, similar racism was at work. “Female [African American] students received less regular training [than African American boys] and were encouraged to do little except “plain sewing, plain washing and ironing, scrubbing, mending, etc.” The Hampton faculty believed they were doing good work in taming a “savage race,” training African American boys and girls “how to work steadily and regularly, to attend promptly at certain hours to certain duties” as they “gained new ideas of the values of manual labor.”¹⁶³ Armstrong wrote, “We do not mean to say that much is not learned by every faithful student in these departments; he or she will be a better cook, laundress, or farmer, and surely the object in view is not to teach a trade but to the get the work done.”

industrial education was yet another systemic method of control used by New Jersey reformers to subvert its “second-class citizens.”

Outside of Bordentown, other African American children in New Jersey faced similar discrimination. During the 1920s, New Jersey had both segregated and interracial schools. Ironically, some African American leaders in New Jersey sought to develop their own schools to free black children from racism that existed in intermingled schools. In *The Education of Negroes in New Jersey*, Marion Thompson Wright (1941) delved into the historical evolution of education for African Americans in the Garden State. While most of her focus was on education prior to and including the year 1900, Thompson skillfully articulated the irony inherent in the fact that some African American leaders were the ones seeking out segregated schools for black children:

It is a sad commentary upon the educational systems of the state when members of a minority race seek separate schools a means of escape from stultifying influences which are resultant forces of inhuman practices motivated by undemocratic principles. ...One of these is the tendency by direct or subtle methods to promote and perpetuate an economic caste system by discouraging Negro pupils who seek training for semi-skilled, skilled, or professional vocations. Another is the refusal to employ with the school system itself qualified teachers whose only fault lies in the degree of pigmentation of their skins, or the denial of opportunities to do practice teaching or observe in the regular schools for the same reason. Still another is the denial of privileges to participate in any of the curricular or extra-curricular activities.¹⁶⁴

In his doctoral dissertation, Egerton Hall (1933) studied African American wage earners in New Jersey and discovered that extensive discrimination in the industrial economy was reflected in the limited opportunities for vocational training for black youth. Due to a belief that only a limited number of jobs were open to these students,

¹⁶⁴ Marion Thompson Wright, *The Education of Negroes in New Jersey* (New York: Columbia University Teachers College Bureau of Publications, 1941), p. 209.

school officials in some cases discouraged or refused to permit African American boys and girls to enroll for vocational courses on a basis of equality with other children.¹⁶⁵

Given my finding that the Public Education Survey Commission recommended the development of courses for homemaking and dressmaking for “colored” girls, Hall’s finding that no training opportunities for nursing *existed anywhere* in New Jersey for African American girls was intriguing. Hall also found that no black girls attended the New Jersey College for Women.¹⁶⁶

Unlike many other states, New Jersey never adopted a law *requiring* segregated schools subsequent to *Plessy v. Ferguson*. In 1881, the New Jersey State Legislature “enacted a statute which prohibited the exclusion of any child from any public school on account of nationality, religion, or race.”¹⁶⁷ Both prior and subsequent to this law, continuing through the early twentieth century, New Jersey’s African American students attended both mixed and segregated schools.¹⁶⁸ The Manual Training and Industrial School for Colored Youth at Bordentown came under the administration and control of the State Board of Education in 1900, in accordance with the recommendation made by

¹⁶⁵ Egerton Hall, “The Negro Wage Earner of New Jersey: A Study of Occupational Trends in New Jersey, of the Effect of Unequal Racial Distribution in the Occupations and the Implications for Education and Guidance” (Rutgers University, 1933).

¹⁶⁶ Marion Wright commented that within just years following Hall’s report, “Negro girls [had] been admitted to training in a public hospital in Jersey City, a Negro [had] been placed in a high school in that same city as a teacher, and another Negro girl graduated from the New Jersey College for Women,” p. 286. Wright explained that the graduate from the New Jersey College for women was Julia Baxter, granddaughter of “the last principal of the colored school in Newark.” Supposedly, “the only prejudice exhibited was the refusal of the administration to allow her the privilege of dormitory accommodations.” See Wright., pp. 206-207. The New Jersey College for Women is now Douglass College, Rutgers, The State University of New Jersey.

¹⁶⁷ *Ibid.*, p. v. of *Foreword*

¹⁶⁸ As of 1941, at least 70 segregated schools existed for African American children in New Jersey. See Wright.

the State Superintendent based upon the pleas of reformers. The State Superintendent saw the school “as a “star of hope” to the colored citizens and felt the state would do well to give it larger consideration and a more adequate support.” The principal of the school, James Gregory, “expressed the hope that the legislature of the state would see the wisdom of providing sufficient funds to enable it to do its work thoroughly and thus to give to the colored youth of the state the training and education they so badly needed.”¹⁶⁹ The transfer of control of the Bordentown facility to the State Department of Education may have availed the possibility of increased funding and other educational benefits for African Americans, but the “act forged another link in the chain of separate schools for the use of colored youth.”¹⁷⁰

During the 1920s and 1930s, the number of segregated public schools in New Jersey indicated a “tendency...away from rather than toward the democratic ideal in education.”¹⁷¹ During these two decades, the total number of segregated schools increased by 18. Despite the fact that African Americans during the 1920s began to break racial barriers that had previously prohibited them from obtaining teaching positions in mixed schools,¹⁷² the increase in segregated schools public schools indicated that tensions

¹⁶⁹ Wright., p. 180.

¹⁷⁰ Ibid., p. 180.

¹⁷¹ Ibid., p. 6.

¹⁷² Wright, on page 190, explained: “Although, on one hand, efforts of placement of Negro teachers in mixed schools has met with no success in many communities, on the other hand, the situation in other communities has been decidedly more encouraging. In 1919 three percent of the Negro teachers were in the northern counties. Eleven years later this proportion had increased to eight percent. In Englewood two colored teachers were employed in a building where the population was rapidly becoming colored. The school officials, however, expressed the opinion that it would be impractical to place them in other schools because of the possible serious objections of white parents. Officials of Passaic gave the same excuse, while the adjoining city of Paterson, which employed colored teachers on the basis of merit, placed them indiscriminately among the schools of the city. Although colored children constituted only five percent of

and inequality between the blacks and whites remained strong throughout much of New Jersey during the 1920s.¹⁷³

The increase in segregated public schools may have reflected the desire of many whites to oust black children from the mixed schools, but the trend toward rather than away from segregation was also due to the desire of some African American leaders to educate black children in “their own” schools, free of the discriminatory practices employed in many white schools. Inspired by examples set by powerful leaders such as W.E.B. Dubois, African Americans exhibited increased self-assertiveness during the 1920s.¹⁷⁴ Blacks were, in some cases, the initiators of some segregated schools. These reformers believed that black schools would not subject children to feelings of inferiority that were often created by white leaders of mixed schools. They also believed the segregated schools would afford other benefits, including increased employment opportunities for African American teachers.¹⁷⁵

the school population of Jersey City, this city had the highest number of negro teachers employed in any system of mixed schools. In 1930 twenty teachers, of whom one was employed in the high schools, were appointed on an equal basis with white teachers and were required to meet the same standard requirements. Colored teachers [were] also employed in the mixed schools of Newark, Elizabeth, Orange, and Hackensack.”

¹⁷³ The fact that tens of thousands of New Jersey citizens were members of the Ku Klux Klan and Sons and Daughters of American Liberty during the 1920s certainly did not help extant racial tensions in the state. See Chapter Two of this dissertation for these details.

¹⁷⁴ Wayne Cooper, "Claude McKay and the New Negro of the 1920s," *Phylon* 25, no. 3 (1964). The African American Renaissance occurred during this era. African American writing surged in popularity. For an interesting read on white fear and resistance to the blossoming cultural expression of African Americans, particularly Caucasian fears about jazz music, see also Berger.

¹⁷⁵ Wright explained that despite the fact that African Americans were enrolled in a number of the State Normal Schools, the training schools for New Jersey educators, these teachers in training faced discrimination as they graduated from the Normal School. Many black teaching candidates could not find placement for their student teaching. Countless others found few, if any, schools that were willing to hire African American teachers. Several reasons led African Americans to ask for separate schools in Penns Grove, New Jersey. In this Southern New Jersey town, the African American population had increased, blacks were paying higher taxes and not reaping the benefits, and black children were mistreated

I probed the subtle racial biases found in the report of the Public Education Survey Commission after reading the commission's recommendations regarding "the needs" of the Manual Training and Industrial School for Colored Youth in Bordentown. Ironically, an investigation by Egerton Hall in 1925 revealed that the Bordentown school was the most advanced vocational and industrial school available for black youth in New Jersey during the 1920s; Hall concluded that the school was making the most earnest and successful attempts to train African American boys for semi-skilled trades which resulted in employment opportunities. The Public Education Survey Commission's racially biased recommendations for the Bordentown School paled in comparison to the overt racism that Hall discovered in his investigation into the disparate vocational training opportunities available to blacks and whites throughout the state as a whole. In Elizabeth, for example, "*no* [African American] boys were enrolled in the trade courses because it was felt that the opportunities for employment in the skilled and semi-skilled trades were limited for them."¹⁷⁶ While minimal progress was noted in some other vocational programs during the 1920s, many public schools justified their lack of skilled and semi-skilled training for black boys and girls due to supposed beliefs that African Americans would not be able to establish careers in these fields.¹⁷⁷

in white schools and "indoctrinated with feelings of racial inferiority." See Wright, p. 187. . In Wright's dissertation, he explained the greatest percentage of segregated schools were in Southern New Jersey while Northern New Jersey schools quite frequently were racially mixed. As of 1941, there was no absolute rule that governed the state. Some districts had segregated elementary schools but mixed junior high and high schools; other districts had the reverse. Some districts segregated black children in one part of the building and white children in others. Not surprisingly, investigations during the era frequently revealed that African American children were frequently not receiving equitable treatment.

¹⁷⁶ Wright., p. 189. Emphasis added.

¹⁷⁷ Hall., Wright.

The systemic exclusion and/or disparate treatment of African Americans in industrial and vocational training revealed yet another way that some New Jersey reformers attempted to rid the school system of “unwanted” children. When African Americans were actually afforded opportunities to attend vocational or industrial training schools, they were rarely given a chance to be trained in skilled or semi-skilled positions. African American young men and women who did attend schools for professional training could rarely find placements for training or internship, let alone employment. Improvement occurred during the 1920s, particularly in the number of African Americans employed in schools, but even this was painfully slow progress.

Vocational and industrial training provided a limited number of increased opportunities for a select few black children. Thinly disguised as altruistic efforts to provide “equal” opportunity to African Americans in an industrial society, the Bordentown School was one of many examples of reformers’ efforts to control, thwart, and oppress African Americans. Other researchers have concurred with Anderson’s views that vocational education programs were designed to keep economic caste systems intact.

Some other research has looked beyond race and viewed vocational education as a vehicle for the general oppression of lower socioeconomic classes. Aaron Benavot, in *The Rise and Decline of Vocational Education*, explained, “A consequence of the growth of secondary “modern” schools was to legitimize the formation of other non-elite, technical and vocational schools for working class children.”¹⁷⁸ Several different theories

¹⁷⁸ Aaron Benavot, “The Rise and Decline of Vocational Education,” *Sociology of Education* 56, no. 2 (April 1983), p. 64. Benavot explained that before technical-vocational schools were established, the formative training of working-class youth occurred outside the public school system. After completing a

were formulated regarding reformers' agendas for vocational education. The first was that vocational education arose from the need for future workers to gain skills in industrial jobs that were more complicated than the types of jobs that preceded them. During the 1920s, New Jersey was a highly industrialized state with many different lines of work requiring technical or semi-skilled knowledge. The vocational and industrial training helped New Jersey's young men and women gain the skills necessary to attain and be successful in employment.

A second explanation viewed the rise of vocational education "as a natural outcome of expanding democratic societies bent on integrating and socializing new citizens. In this "integrationalist" argument, the major precipitating factors are unchecked immigration and an expanding clientele of secondary pupils (usually from working-class backgrounds) due to the broadening of compulsory education laws."¹⁷⁹ Benavot (1983) explained:

The rise of vocational education stemmed from its appeal to "progressive" educators and teachers who saw the need for practical curricular topics that were designed to kindle interest among "problematic" students, thereby keeping them in school and postponing their entry in the labor market. Thus in attempting to meet the needs of an increasingly heterogeneous student population, the decision of state policy-makers and educational

number of years of primary schooling, working-class children sought apprenticeship training in artisanal and industrial trades under the tutelage of a master craftsman or worker. He stated, "Private industries, town councils, and industrial associations – all examples of agencies [which supported new, labor-intensive technologies by initiating policies to control and standardize job training processes], organized and financed "schools" offering technical-vocational courses designed to train young workers in new skills and supplement their knowledge in general subjects. ... These new forms of schooling, which combined on the job training with part time educational instruction, weakened and, in some cases, replaced existing apprenticeship systems. It was also during this time that many industrial and trade courses that took on school-like features became incorporated into the public school system." Benavot., p. 64.

¹⁷⁹ Benavot., p. 66.

administrators to expand vocational programs is seen as a rational strategy for furthering national integration.¹⁸⁰

A third perspective on the rise of vocational schools viewed the movement “as a class-based solution invented by capital businessmen and industrial managers to consolidate their power over the emerging corporate capitalist economies.” Subscribers to this philosophy believed that industrialists played an active role in the establishment of vocational programs and, through their creation, had “direct interests in hiring loyal and disciplined workers who acknowledged their proper place in the division of labor.” Benovat added, “Publicly funded vocational education provided a relatively cheap, if only partial, means of turning out semi-educated workers sensitive to capitalist work values and instilled with a respect for manual labor.” Industry’s push for vocational education also “neutralized the discretionary powers of skilled workers and union-controlled apprenticeship programs by placing the responsibility for job entry and job training in either public or managerial hands.”¹⁸¹ This third perspective intrigued me because of the federal government’s push for and New Jersey’s expansion of vocational education during the 1920s, directly on the heels of the Red Scare.¹⁸²

The perspective which contended that vocational education resulted from its popularity among progressive educators wishing to both integrate and develop practical curricular topics for “problematic” students provided an interesting lens through which to

¹⁸⁰ Ibid., p. 66.

¹⁸¹ Ibid., p. 66.

¹⁸² The *Smith-Hughes Act*, through which the Federal Government provided supplemental aid to states to develop vocational education programs, was passed in 1918. This act was passed around the same time as the Red Scare and violent labor union strikes. For more on the Smith-Hughes Act in New Jersey during the era, see *Plans for the Administration of the Smith-Hughes Act for the Period 1927-1932*, 1927.

view New Jersey's establishment of vocational and industrial education. Given New Jersey's surge in enrollment figures in secondary (high) schools during the 1920s, the purging of many working-class students out of the high school and into vocational, industrial, and manual training schools or courses would have alleviated some overcrowding and pleased high school teachers eager to rid themselves of "difficult" pupils. In other words, the vocational and industrial programs allowed schools to push out the "unwanted" and often unassimilated working-class children a few years earlier. This perspective seemed to be supported by statements found in the Public Education Survey Commission Report of 1928. A different but related entity, the Continuation School, was not only a means to continue the academic education of minors who had left school full time to report to work, "it [was] also a bridge between school and employment. Its purpose [was] to help the young worker to attain *self development, good citizenship, and effective economic service.*"¹⁸³

Historically, industrial schools provided "opportunity" for working-class children but also provided an unassuming edifice of exile for children nudged out of the academically-oriented public secondary schools. The industrial schools were also used as dumping grounds for otherwise "delinquent" children. In their state-sponsored-report, The Commission to Survey public education conceded:

Industrial schools when first established were poorly housed and not well located. Handicapped by a lack of equipment the work often had more the characteristics of manual training than industrial education. Many of the early schools were organized without careful survey of local industrial needs or the appointment of trade advisory committees. Some schools established courses in trades and occupations requiring a high degree of skill and related

¹⁸³ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education.*, p. 77. Emphasis added.

technical knowledge to find that they could be pursued only by those who had previously acquired a general education. One of the greatest handicaps has been the general attitude that industrial education is an inferior kind of education designed for pupils who are incapable of doing the work of the elementary school. Normal children were usually urged to stay in the regular schools. At times the juvenile courts made use of the vocational schools as a place to dispose of delinquent children.”¹⁸⁴

New Jersey’s Vocational, Industrial, and Manual Training schools appeared to serve multiple useful purposes for the state during the 1920s. In the eyes of the public, they were offering an excellent opportunity for children to gain useful skills that might lead to skilled or semi-skilled employment. On the surface, this showed that the state was investing “equally” in the education of all children and valued both the academically oriented child and the “manual-minded” child. Beneath the surface, the schools provided a dumping ground for some of its delinquents and also allowed New Jersey to alleviate some of the potential overcrowding in its secondary schools. Disguised as benevolence, New Jersey also appears to have been perpetuating an economic caste system through its Vocational, Industrial, and Manual Training Schools by fostering a “second class education” for its “second class citizens.”

Concluding Thoughts for Chapter Five

During the 1920s New Jersey schools and other educational systems throughout the United States faced increased pressure to play an influential role in preventing and curbing juvenile delinquency.¹⁸⁵ In a decade still reeling from the Red Scare, plagued with intense cultural battles, characterized by a threatening, new youth culture, and bombarded with dramatic exaggerations of a crime wave, the public school was viewed

¹⁸⁴ Pierson, Heiss, and Elliott, *Report of the Commission to Survey Public Education*.

¹⁸⁵ Leonard John Vanden Bergh, *Public Schools Versus Delinquent Youth* (Los Angeles,: Clark Publishing Company, 1929).

as an essential agency to quash the ills of society. Faced with the daunting task of providing an efficient, progressive, multi-dimensional education for record numbers of children during a volatile era, New Jersey school systems faced unparalleled challenges. Unfortunately, if delinquents are defined as children left behind, New Jersey's public schools and educational leaders did not prevent but instead created hundreds of thousands of juvenile delinquents during the 1920s.

In this chapter, I have presented the public school as having two main roles in regards to juvenile delinquency. First, the school became a vehicle for social reform that attempted to create conformity and cultural monism in an increasingly pluralistic society. Through reforms such as the 100% Americanization campaign and the Character Education Movement, New Jersey school leaders tried to erase the cultural identities, thought processes, and habits of its diverse student population and replace them with the cultures, values, morals, reverence, and habits deemed proper by the political elite. Because the public school had access to all New Jersey children, schools became the optimal agency to promulgate "social reform through individual transformation."¹⁸⁶ Unfortunately, children with diverse ethnic, racial, or cultural backgrounds who did not adhere to the mandates of conformity faced an increased risk of being pushed out of the public school. "Unassimilated" children, those perceived to be devoid of morality and character, and those who were less intelligent found no home in the "efficient" public schools of 1920s New Jersey.

The second role of the public school explored in this chapter was its function as a supreme sorting machine. Hidden behind professional rhetoric and multiple reform

¹⁸⁶ Justice.

movements that were seemingly altruistic, New Jersey educational leaders ousted hundreds of thousands of New Jersey children from the public schools during the 1910s, 1920s, and 1930s. Children who were labeled as truants were overzealously and haphazardly removed from the public school, remanded to juvenile courts, and faced possible institutionalization. Reformers placed feeble-minded children or those who exhibited behavioral problems in an increasing number of segregated classrooms for subnormal children and, whenever possible, forced these children into reform schools or training schools for the feeble-minded, where they remained indefinitely or permanently. Reformers steered the less academically inclined “manual-minded” children toward a second-class education in a vocational, industrial, and manual training school or, worse yet, “granted” the children the "opportunity" to leave school at the early age of 14. Children who had the most difficulties and whose intellectual abilities were the weakest were called "uneducable," and many New Jersey school districts simply pretended as if these children did not exist and failed to provide any sort of education whatsoever.

The motivation of educational reformers advocating for schools to assist “pre-delinquent” or new immigrant children in New Jersey was surely not based solely on financial desires for raises or professional quests for enhanced credibility for the field of teaching, nor were the horrors unveiled in this chapter indicative of overtly sinister intentions. Many teachers and educational reformers had altruistic desires to help the children most in need of assistance. Yet statements made by New Jersey leaders about their desires to educate *all* children frequently did not come to fruition.

Public schools in 1920s New Jersey failed in part because they tried to conform very different children to a single mold. Public school failure continued as schools sorted

children into the niches or ditches deemed appropriate by school leaders and the politically elite. While instilling pride in the country, teaching character traits, and availing multiple avenues to students had some merit and were not inherently malevolent, the actions and inactions of New Jersey schools hurt countless New Jersey children during the era. This chapter has exposed the numerous ways that New Jersey public schools were able to rid themselves of their most difficult, challenging, apathetic, or unwanted pupils. As this chapter has shown, educators were yet another set of powerful and highly influential reformers whose agendas shaped and were influenced by the definition, portrayal, and means of addressing juvenile delinquency.

CHAPTER SIX: The Juvenile Court: Disorganized Yet Dangerously Omnipotent

The public school was the institution called upon to identify “pre-delinquent” behavior, to provide academic and moral education to create upstanding citizens, and to sort children into distinct niches deemed most appropriate for both the adolescents and society. Reformers believed the public school could act as a watchful and regimented mother who could instruct, discipline, and steer children away from a life of vice and inefficiency. While identification was but one crucial part of efforts to address delinquency at its roots, reformers created the juvenile court as the ultimate authority to govern children and to assess what punishment or assistance was needed for those children who did not adhere to the expectations of school and society.

The juvenile court emerged after extensive efforts of “child saving” by reformers throughout the Nineteenth century. These efforts typically focused on children of the poor. While rural Nativists viewed industrialization, urbanization, and immigration with great disdain, it was not so much the city as urban poverty that came to be equated most closely with delinquency.¹ Poor adults and their children were believed to be destined to become paupers and criminals; economic determinism went as far as to say that the poor would steal to obtain what they otherwise could not have.² To “help” the poor and “protect” society, Nineteenth Century reformers utilized refuge houses and reform schools to save poor children from their inevitable life of pauperism and criminality.³

¹ Wiebe.

² Ellen Ryerson, *The Best-Laid Plans; America's Juvenile Court Experiment* (New York: Hill and Wang, Inc., 1978).

³ Steven L. Schlossman, *Love & the American Delinquent; the Theory and Practice Of "Progressive" Juvenile Justice, 1825-1920* (Chicago: The University of Chicago Press, 1977).

Yet, reform schools seemed unable to effectively address the needs of the children assigned to them, and this was problematic. During the late 1800's, most states' loosely worded statutes enabled reformers to circumvent legal procedure and allowed the courts to directly commit children to the reform schools. Consequently, tens of thousands of children were swept into reform schools and locked away from society during the late 1800's. In time, advocates and investigators' reports revealed abusive practices in reform schools throughout many parts of the United States. Social welfare agencies began to doubt the wisdom of placing numerous children in the increasingly violent and exploitative reform schools.⁴ Legal decisions in the late nineteenth century eventually reflected many reformers' growing distrust of reform schools. This skepticism of the reform school reflected a more general "collapse of the faith in the healing powers of the edificial world."⁵ During the closing decades of the nineteenth century, a convergence of influences from evolutionism, individualism, and the growth of interest in the psychology of personality led to the growing popularity of the notion that youth, or adolescence, was a distinct state in the psychological development of an individual.⁶ Reformers continued to try to find ways to reform juvenile delinquents without incarcerating them because the hopes and enthusiasm once held for the asylum, the penitentiary, and the reform school had faded.

Reformers around the turn of the twentieth century believed that a juvenile court system would become the optimal agency to salvage destitute and delinquent children.

⁴ Mennell.

⁵ Ibid., p. 124.

⁶ Finestone.

The juvenile court movement was heralded as a potential panacea to solve society's problems with crime--once and for all. The new agency was not be punitive but instead was supposed to be child-centered and focused on redirecting the wayward child. Prior to the advent of the juvenile court, public opinion had vacillated between blaming adolescent misbehavior on the innate wickedness of children, the horrific example set by poor parents, and the byproduct of an unforgiving society.⁷

The juvenile court was founded on the belief that children needed help and were not vicious criminals; however, that it remained a "court" pleased reformers who preferred to redirect children with a closed fist rather than a helping hand. Traditional courts of law (in New Jersey they were called "common courts") focused solely on facts, statutes, and rules and were designed to punish, not to assist, offenders. The juvenile court, in theory, was not to find a child guilty of a crime and punish him; instead, the juvenile chancery court was to regard the delinquent "as an infant, who was in need of care, protection, and discipline of state. ...He was to be helped and encouraged, not condemned and punished."⁸ As I shall momentarily show, New Jersey's juvenile court, like others in the United States, fell far short of these intentions.

The Juvenile Court

The first juvenile court in the United States was established in 1899 when Illinois created the Chicago Juvenile Court, technically called the Chicago Juvenile Court of Cook County. Some researchers viewed Illinois' juvenile court as being the first juvenile

⁷ Lois Forer, *No One Will Listen; How Our Legal System Brutalizes the Youthful Poor* (New York: The John Day Company, 1970).

⁸ James Hoge Ricks, "The Juvenile Court and Public Welfare," *Journal of Social Forces* 1, no. 2 (1923).

court of its kind in the world.⁹ With extensive support from philanthropists and the Chicago Bar Association, the Illinois legislature unanimously passed in 1899 “An act to regulate the treatment and control of dependent, neglected and delinquent children.”¹⁰ Illinois’ delinquents were defined as children who violated “any law of this State or any City or Village ordinance.”¹¹ Dependency and neglect were broadly defined as follows:

Any child who for any reason is destitute or homeless or abandoned; or dependent on the public for support; or has not proper parental care of guardianship; or who habitually begs or receives alms; or who is found living in any house of ill fame or with any vicious or disreputable person; or whose home, by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care it may be, is an unfit place for such a child; and any child under the age of 8 years who is found peddling or selling any article or singing or playing any musical instrument upon the street or giving any public entertainment.¹²

Juvenile court laws were quickly passed in other states in the five years after 1899, including *New Jersey*, New York, Maryland, California, Missouri, Indiana, Iowa,

⁹ Herbert H. Lou, *Juvenile Courts in the United States* (New York: Arno Press and the New York Times, 1972). This is a reprint of Lou’s original book, which was published in 1927. While some regard the United States court as the first in the world, variations of the juvenile court existed prior to 1899 elsewhere in the world. According to Lou, England had provisions for a different type of trial for children under fourteen and “young persons” between fourteen and sixteen years old as of 1879. An 1872 law in Switzerland provided that a child under fourteen charged with having committed an offense cannot be prosecuted on that charge. The Australian State Children Act of 1895 provided for probation and separate hearing of charges against children under eighteen years of age in a room other than the public court room.

¹⁰ Quoted in Mennell, p. 130.

¹¹ Quoted in Mennell, p. 130. Because laws differ from one area to the next and also change over time, the same behavior can be defined as delinquent (unlawful) or legally permissible. Delinquency definitions, like all other laws, are social constructs created by society to legally prohibit specific behaviors that are deemed undesirable by those making the laws. In Ohio, for example, delinquency laws made it illegal for a child to visit a billiard room or movie theater, both viewed as corrupting influences of youth. See N. M. Miller Surrey, “Juvenile Delinquency,” *The American Political Science Review* 2, no. 4 (1908).

¹² Quoted in Mennell, p. 131. It is amusing and interesting that the singing or playing of a musical instrument would classify a young child as being neglected or dependent. The jazz age which emerged in the 1920s also threatened many Americans, particularly racist individuals who viewed jazz as black music; many radio stations in the 1920s only played jazz after the demand for it grew and required radio stations to acquiesce in order to broadcast other types of programs. See Jerome L. Rodnitzky, “Getting the Ear of the State: A Pioneer University Radio Station in the 1920s,” *History of Education Quarterly* 8, no. 4 (1968).

and Ohio.¹³ Laws governing juvenile courts were either state-wide or, in some instances, applicable only to larger cities. There were often no independent courts, but jurisdiction was vested in existing courts, in which the juvenile court became a branch.

The period from 1899 to 1904 was a pioneer stage in the development of the juvenile courts, an era of experimentation, sentiment, and missionary work by individuals. Courts often lacked the supplemental agencies needed to compel their enforcement. It was a time of trial and error, copying ideas, and an era during which the courts suffered from political pressure, constitutional attack, and public indifference as the juvenile court tried to gain the confidence of the community.¹⁴

New Jersey has been called a pioneer state due to the fact that it followed quickly in the footsteps of Illinois in developing a juvenile court. However, the path of the Garden State's juvenile court during the 1900's, 1910s, and 1920s was an odd, winding one whose origins and evolution were not in concert with the general spirit behind the creation of the juvenile court.

1903 Juvenile Court Act

New Jersey established its first semblance of a juvenile court in 1903. On April 8, 1903, the New Jersey Legislature approved *An Act Establishing a Court for the Trial of Juvenile Offenders and Defining its Duties and Powers*.¹⁵ Section One of the statute specified the conditions under which the Juvenile Court would have jurisdiction:

¹³ Lou, *Juvenile Courts in the United States*.

¹⁴ Ibid.

¹⁵ "Acts of the One Hundred and Twenty-Seventh Legislature of the State of New Jersey, Chapter 219," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1903).

When a boy or girl under the age of sixteen years shall be arrested upon complaint of any crime (except murder or manslaughter), or of being a disorderly person, or be habitually vagrant or being incorrigible, it shall be lawful for the magistrate before whom he or she shall be taken to commit said boy or girl to the *county jail* to await trial as such trial is hereinafter provided, or to parole him to await trial, upon such conditions as the said magistrate shall determine, and forthwith send the complaint to the clerk of the court for the trial of juvenile offenders established.

This original Juvenile Court Act for New Jersey had several troubling features. The New Jersey Legislature permitted judges to send children to the county jail while they awaited trial. In the subsequent decades, children were frequently remanded to county jail while they waited for their day in court, and, sadly, they were often intermingled with hardened adult criminals.¹⁶ In some cases, children as young as 7 years old were placed in close proximity to adult offenders.¹⁷

Aside from the fact that children were placed in county jails with adults, the 1903 Juvenile Court Act contained multiple other shortcomings. The 1903 Act made it very easy for children to be branded a juvenile delinquent. The statute's description of behaviors that were explicitly prohibited— arrest for violation of a crime or being a disorderly person, habitually vagrant, or incorrigible – was a short list, but its blanket language obscured rather than clarified what could result in referral to the juvenile court.

¹⁶ There was nothing new about children and adults being intermingled in New Jersey county and local jails; this occurred throughout the late 1800's as well. See Turner, Hopkins, and Ellis. However, the fact that the Juvenile Court Act of 1903 legally sanctioned magistrates to place children in adult county jails while they awaiting their hearing or trial permitted this practice to continue for decades (and with the court's blessing).

¹⁷ Bentley. Emphasis added. Bentley and colleagues published *The New Jersey Juvenile and Probation Study Commission Report* on March 28, 1927. This report will be intermittently referenced throughout this chapter because it provided me with invaluable insight into the operation of certain aspects of the juvenile justice system in 1920s New Jersey. Despite extensive digging, very few primary documents of any kind provided evidence of how the state implemented its juvenile court laws and what impact these laws were having on New Jersey children. The state statutes were very important primary documents that allowed me to determine how juvenile delinquency statutes unfolded during the era of interest, and the Juvenile and Probation Study Commission Report helped to fill in important details.

The words *disorderly person*, *vagrant*, and (most especially) *incorrigible* were labels that those in power could affix to any child who did not meet their moral and behavioral standards. Consequently, New Jersey created an unfair system of juvenile justice from its onset.

Another fundamental flaw of New Jersey's first juvenile court was its lack of novelty; there were no new court houses, court rooms, or special judges assigned to juvenile cases. While a handful of other states assigned distinct judges to handle cases for minors and formulated its court to meet the unique needs of children, New Jersey had no new method of trying juvenile cases in 1903. The statute stated: "The judge *for the time being* of the *court of common pleas* of each and every county of this state *shall constitute a court of trial of juvenile offenders* in and for such county."¹⁸ While juvenile courts, in theory, were designed to take into account the unique developmental needs of children, New Jersey magistrates were not required to have any special training. The wording in the 1903 statute made it clear that little had changed other than some new rhetoric. By renaming the court of common pleas a juvenile court without any substantive changes, the New Jersey Legislature essentially stated, "We shall call an apple an orange." Furthermore, although the 1903 Act included the caveat "for the time being," the practice of regular judges hearing juvenile cases continued in New Jersey throughout most of the 1920s in the majority of its counties.¹⁹

¹⁸ "Acts of the One Hundred and Twenty-Seventh Legislature of the State of New Jersey, Chapter 219.", Section Two. Emphasis added.

¹⁹ Bentley.

The 1903 Juvenile Court Act also established, in peculiar contradiction to some other states, that children would face trials that closely mirrored adult trials. The prosecutor of each county was mandated to forward to the court “an accusation in writing alleging that the said offender is a juvenile delinquent and has committed one or more of the offenses named in the first section” of the act.²⁰ If the child pled guilty to the charges for which he was being branded “a juvenile delinquent,” or if the child was found guilty by the court, the court:

...could commit him or her to the state home for boys or state home for girls; or may commit such boy or girl to any public institution established for the care, custody, instruction, and reform of juvenile offenders which is maintained in the county in which said court is located; or may commit said boy or girl to a like institution maintained by any city, town, township, borough, or other municipality in such county; ...or may suspend sentence; or may suspend sentence and order such boy or girl to be placed on probation under the care of the probation officer of the county, for such time and upon such conditions as the court may determine; or may render and record against such boy or girl such judgment of imprisonment or fine, or both.²¹

The wide array of possible sanctions available to a “juvenile court” judge deepened the danger for New Jersey juvenile delinquents. Numerous types of behavior perceived as misconduct could land a child in court, and those found guilty were at the complete mercy of the judge. Fines, probation, dismissal of the case, suspension of a sentence, commitment to the State Home for Boys or State Home for girls, or institutionalization in *any public (or “like”) institution* were possible fates awaiting the thousands of children who passed through the juvenile courts in the early 1900’s. New Jersey children encountered a game of “Russian Roulette” when they entered the juvenile

²⁰ "Acts of the One Hundred and Twenty-Seventh Legislature of the State of New Jersey, Chapter 219.", Section Three.

²¹ Ibid., Section Seven.

court, unsure of what fate would be delivered by the magistrate. The permissive and broad language in the 1903 statute opened the door for discrimination and subjective, unfair treatment. As shown later in this chapter, discrimination did in fact occur as a result.

Ironically and sadly, the blanket language did not improve during subsequent decades. New Jersey was one of the 15 states to establish a juvenile court system during the late 19th and early 20th centuries. During its infancy, the US juvenile court system embraced imitation, as well as unique judicial forms, and with this variation began to produce varied results. By 1910, Illinois, Alabama, Colorado, Michigan, Ohio, and ten other states had similar and extensive juvenile statutes whose lists of offenses dwarfed the New Jersey statutes. Offenses which created the potential for a delinquency charge in these 15 states included any child who: (a) knowingly associated with thieves, vicious or immoral persons; (b) absented himself from home without consent of its parent or guardian or without just cause; (c) grew up in idleness or crime; (d) knowingly visited or entered a house of ill repute; (e) visited or patronized gambling houses, saloons, or bucket shops; (f) wandered about the street at night or about railroad yards or tracks; (g) jumped on and off trains; (h) entered a car or engine without lawful authority; (k) used vile, obscene or indecent language; or was (j) immoral or indecent.²²

In *Juvenile Court Laws in the United States*, Hastings Hart praised these fifteen states for the extensive number of behaviors they explicitly prohibited through their statutes. Hart criticized New Jersey and a handful of other states whose juvenile

²² *Juvenile Court Laws in the United States*, ed. Hastings H. Hart (Philadelphia, PA: Press of WM. F. Felt. Co., 1910).

delinquency statutes, in his opinion, were too limited. Hart (1910) stated: "Better laws make the definition [of delinquency] much more inclusive so that the court will not be unable, because of any technical lack of jurisdiction, to place a child under the care of the court and its officers, if that seems to be for the best interest of the child."²³ While Hart's statement appeared to reflect popular sentiment during the era, Hart's viewpoint was the antithesis of Edelman's findings (1974) about language contained in juvenile delinquency statutes. Laws that contained seemingly endless lists of obscure offenses did, as Hart championed, brought more children under the potential umbrella of the juvenile court.

Acts of 1905, 1906, and 1908

Numerous amendments to the 1903 Juvenile Court Act expanded the breadth, power, and influence of the New Jersey juvenile court as the decade progressed and neared an end. One noteworthy development occurred when the New Jersey legislature of 1905 decided that the juvenile courts could exert influence over not only children but also their parents. The 1905 Act permitted courts to punish parents who were negligent or in some manner contributed to the delinquency of their children by issuing fines of up to \$100 and/or sentencing parents to six months in jail.²⁴ While on the surface the 1905 Act can be perceived as positive legislation needed to levy crucial influence over negligent parents, the same act can also be viewed as the government becoming overtly and overly involved in private family matters. Given the historical discrimination waged against

²³ Ibid., p. 126.

²⁴ "Acts of the One Hundred and Twenty-Ninth Legislature of the State of New Jersey, Chapter 160," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1905).

working-class parents by the politically elite during the Nineteenth Century,²⁵ the juvenile court's new power to fine and jail parents of the Garden State was problematic.

The 1905 statute made it clear who was calling the shots. Magistrates dictated their expectations to parents, and parents could either follow the conditions set or face jail.²⁶ While it may have been important for the State to be able to take action against negligent or abusive parents, the 1905 Act permitted the court to fault a parent for his child's delinquency and may have opened up the door for state agencies and reformers to coerce parents into agreeing with the state's opinion of what was best for other people's children.

One year later, in 1906,²⁷ and as amended in 1908, the New Jersey legislature expanded the juvenile court's influence over the treatment of juvenile delinquency by establishing schools of detention. The 1908 Act permitted county freeholders or commissioners to purchase land and erect buildings "to be used as a school of detention for the purpose of caring for dependent and delinquent children under sixteen years of age whom it may be necessary to hold in custody by virtue of the order or direction of the Court of Common Pleas of said county, and to furnish and maintain the same."²⁸ While the Juvenile Court Act of 1903 had already established that judges could sentence

²⁵ Finestone.

²⁶ "Acts of the One Hundred and Twenty-Ninth Legislature of the State of New Jersey, Chapter 160." An important caveat provided that a parent's sentence "may be suspended during compliance with the conditions imposed."

²⁷ "Acts of the One Hundred and Thirtieth Legislature of the State of New Jersey," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1906).

²⁸ "Acts of the One Hundred and Thirty-Second Legislature of the State of New Jersey, Chapter 307," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1908).

children to the State Homes for juvenile delinquents and to a myriad of other institutions, the 1908 Act permitted the state to funnel significant money to the detention homes. In fact, the Legislature stipulated that the schools of detention would “constitute a special school district in said county” and “be entitled to receive State school moneys and interest and surplus revenues” that were traditionally paid to the public school districts.²⁹

Through this 1908 Act, any reformers wishing to open or maintain a reform school for juvenile delinquents now found themselves in the enviable position of being eligible for state school funding to supplant any other funds received.³⁰ New Jersey institutions typically relied on a combination of private tuition, donations, and public funding to operate, and administrators’ salaries and fiscal compensation at facilities such as the Vineland Training School fluctuated based upon the amount of revenue brought in from inmates.³¹ The 1908 statute and related amendments did more than shape salaries, enable the purchase of land, and promote the building of new facilities; by providing state school money to build and maintain institutions that were to house juvenile delinquents, the 1908 statute implicitly influenced the manner in which juvenile delinquents would be handled. Had money been invested in finding ways to keep delinquents in the public

²⁹ Ibid., Section One.

³⁰ The issue of funding for institutions for the feeble-minded, reform schools, and other similar institutions for delinquents will be covered in more detail in the section on New Jersey’s institutions.

³¹ I discovered this reality after he reviewed private correspondence between administrative officials at Vineland; these documents, some handwritten and some typed, were found in Edward Johnstone’s papers at the Alexander Library Archives at Rutgers University. Details will be provided in the upcoming chapter on New Jersey’s institutions.

schools, the path for delinquents would no doubt have been different than a state which channeled money into institutionalization.³²

The 1908 statute also gave direction to current and potential facilities regarding the type of institutionalization the state envisioned. Schools of detention, and other facilities that were to house juvenile delinquents, were to provide education and training for “good citizenship and self support,” and to ensure that there was “ample ground for farming or gardening, and shops or other means, for industrial training.” The institution was also to be “maintained or conducted as a *home*.”³³ The Act also provided for the hiring of key personnel who would “control and manage” the house of detention; these included a Superintendent (“a man or woman of good moral character”), teachers, matrons, farmers, and other employees that were deemed necessary to ensure the proper care, instruction, and training of the child inmates.³⁴ The 1908 statute's description of the ideal institution mirrored the attributes of the Vineland Training School, The Manual Training and Industrial School at Bordentown, and the State Home for Boys in Jamesburg. Since most counties could not afford to create their own school of detention, it appeared that the Legislature's call for the facility to have ample land, a farm, shops for

³² As I shall argue and present in Chapter Eight, money may have been an influential factor in some of the most horrific treatment of juvenile delinquency in 1920s New Jersey. One alluring aspect of Dr. Cotton's treatment of focal infections was that it was viewed as a superior way to save money in the long term treatment of delinquency.

³³ "Acts of the One Hundred and Thirty-Second Legislature of the State of New Jersey, Chapter 307.", Section Three. Emphasis added. The irony here is that calling institutions “homes” sounded lovely, but the reality was frequently not rosy. The State *Home* for Boys in Jamesburg was called likened to a prison in 1925 by the Knights of Columbus (See Leiby. and the Vineland Training School kept some children in their “home” permanently.

³⁴ *Ibid.*

industrial work, etc. was an attempt by the Legislature to steer children to the large (and politically influential) institutions in the state.

A critical proviso to the 1908 statute stipulated that if any county did not have a sufficient number of delinquents to warrant the construction of a new reform school, county officials were permitted to enter into negotiations with any other institution in the State of New Jersey. Provided the public or private institution had appropriate facilities to instill the "appropriate" "physical, mental, and moral discipline," county freeholders could agree to pay said facilities any fee, subject to certain caps.³⁵ While the act created options for counties to create their own schools, it clearly benefited existing institutions as well. Counties were not shackled by the burden of having to place its children in a county institution and could instead remand its dependent and delinquent children to any other public or private institution in the state. Counties now had a unique opportunity to ship their most unwanted children to a different part of New Jersey. Since the Garden State (and not county taxes) was footing the bill, the motivation for counties to create their own detention homes was probably low; only the chronic overcrowding at New Jersey's institutions for delinquents during the late 1910s and 1920s would have given county freeholders any real incentive to accommodate delinquents within the same county.

The language in the 1908 statute also indicated a slight shift in the label applied to the types of children who could be committed to institutions with the state's blessing. The Court of Common Pleas could commit any "delinquent or *dependent* children" to the

³⁵ "Acts of the One Hundred and Thirty-Second Legislature of the State of New Jersey, Chapter 307.", Section Six.

reform schools (or other suitable institutions). By including dependent children in the statute, this broadened the definition included in the 1903 Juvenile Court Act. The lines between dependency and delinquency were blurred, and without explicitly defining what fell under the dependency and delinquency labels, the court continued its march toward including increasing numbers of children under statutes that governed the treatment of delinquency. Despite or perhaps in concert with criticism that New Jersey delinquency statutes did not include language that was as all-encompassing as statutes of some other states, New Jersey continued to expand the number and types of children that were governed by the juvenile court throughout the 1910s and 1920s.

Acts of 1910 and 1914

Utilizing the inclusion of both delinquent and dependent children from the 1908 Act and widening the already expansive set of dispositions available to the juvenile judge through the 1903 Act, a 1910 statute permitted magistrates to remand children to the State Board of Children's Guardians.³⁶ This social welfare agency, which had been established in 1899,³⁷ placed children in "family homes," as they would in the case of other public wards.³⁸ In addition to providing more discretion to a seemingly endless

³⁶ "Acts of the One Hundred and Thirty-Fourth Legislature of the State of New Jersey, Chapter 13," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1910). The statute stated that it was lawful for the court to commit juvenile offenders who had been "adjudged as *juvenile delinquents* to the care and custody of the State Board of Children's Guardians." Emphasis added.

³⁷ "Acts of the One Hundred and Twenty-Third Legislature of the State of New Jersey, Chapter 165," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1899). The State Board of Children's Guardians was charged with the maintenance, care, and supervision over "indigent, helpless, dependent, abandoned, friendless, and poor children," and the act specified that these children were officially then considered "charges of the state." Please note that in Turner, Hopkins, and Ellis., p. 40, the authors incorrectly cite the 1899 Act as P.L.1899, C.217; the correct Chapter was 165. Please also note that in Leiby., p. 92, he states the State Board of Children's Guardians was established in 1899 but failed to cite the exact statute.

³⁸ An important provision in the 1899 Statute dictated that the State Board of Children's Guardians could only place children with families of the same religious background. This was an important proviso because

array of sentencing options available to the juvenile judge, this 1910 act permitted the juvenile court to remove a child from his current home and to place him with foster parents. Adding insult to injury, if an investigation by the juvenile court revealed that the child's original family had the financial means, the juvenile court could now force the supposedly inept family to pay a weekly fee to State Board of Children's Guardians to cover costs incurred to care for the child in the foster home setting.³⁹ This act provided New Jersey juvenile courts with the important ability to remove a child from a seemingly toxic home and place the child in a potentially healthier foster home, but it also expanded the power and influence of New Jersey's inconsistent and poorly organized juvenile courts. The 1910 Act was another link in the increasingly strong chain of a juvenile court that added to the ability of New Jersey government to shape and reshape the social landscape.

Just four years later in 1914, the New Jersey juvenile court's authority expanded yet again when a powerful new truancy statute precipitously increased the number of children who could be brought before the juvenile court. During the latter half of the Nineteenth Century, an early truancy statute was enacted to help enforce New Jersey's first compulsory education law.⁴⁰ An influx of truants jammed into Jamesburg and county

during the Nineteenth Century, social welfare agencies (throughout not necessarily New Jersey but the entire United States) were placing children out of their homes with new families whose religious backgrounds matched the politically elite as opposed to the religious background of the poor family. New immigrants' Catholic children, for example, were frequently placed with Protestant families; thus, "placing out" was criticized as a Nativist attempt to proselytize children. For more on this practice, see Mennell.

³⁹ "Acts of the One Hundred and Thirty-Fourth Legislature of the State of New Jersey, Chapter 13.", Section Two. The delinquent family was required to pay the State Board of Children' Guardians a minimum of \$1.50 per week for the child's maintenance, \$2.00 per month for the child's clothing, and "such further sum" as the State Board of Children's Guardians paid for medical expenses.

⁴⁰ "Acts of the Ninety-Eighth Legislature of the State of New Jersey, Chapter 523," (Paterson, NJ: Criswell and Wurts, Book and Job Printers, 1874); "Acts of the Ninety-Ninth Legislature of the State of New Jersey, Chapter 443," (Trenton, NJ: Naar, Day, and Naar Printers, 1875).

institutions as a result of the original compulsory education laws,⁴¹ setting a pattern that would continue into the Twentieth Century. The power of the 1914 truancy statute dwarfed the previous regulations governing truancy as newly created attendance officers were armed with the power to arrest *vagrant, truant, vicious, immoral, or incorrigible* public school children and place said children in any prison, jail, school, or detention home while they awaited a hearing with the juvenile court.⁴² Truancy officers needed no special training; yet they were empowered with the ability to send a child to juvenile court simply by affixing a label. Truancy officers became both quasi hit-men for the public school and talent scouts for the reform schools.⁴³ As a result of the 1914 truancy statute, the juvenile court's influence over New Jersey children was as boundless as ever.⁴⁴

The truancy statute, the nearly omnipotent attendance officers, and juvenile court caused great harm to thousands of New Jersey children during the remainder of the 1910s, the 1920s, and the 1930s. Juvenile courts sentenced alarmingly high numbers of youngsters to New Jersey institutions simply for violating the truancy statutes.⁴⁵ As part of a comprehensive 1930s study of thousands of New Jersey inmates at both adult prisons and juvenile institutions, a survey of incarcerated individuals revealed some unfortunate

⁴¹ Turner, Hopkins, and Ellis.

⁴² "Acts of the One Hundred and Thirty-Eighth Legislature of the State of New Jersey, Chapter 223", Section 18.

⁴³ Turner, Hopkins, and Ellis.

⁴⁴ For more on the importance of truancy laws from the perspective of the public school, see Chapter Five of this dissertation.

⁴⁵ Frenkel and Heyer; Turner, Hopkins, and Ellis.

statistics: 553 of 946 inmates in both adult prisons and juvenile institutions who admitted to being truant during their school years declared that they had been taken to juvenile court explicitly for this reason; 398 of the 946 reported that they had been sent to institutions for truancy; and more than one out of every four "lawbreakers" who responded to the survey (these included inmates who said truancy was never a problem) explained that their first experience with institutional confinement was for the offense of truancy.⁴⁶

In Chapter Five, I presented the importance of truancy statutes to the public schools. They allowed the public schools to rid themselves of unwanted children. Yet the juvenile court was busier than ever thanks to the loosely worded 1914 truancy statute. Had judges who encountered children charged with truancy decided to habitually return children to the public school, it would have most likely resulted in fewer school officials bringing children to court. But because referral to the court frequently translated into an easy way to unload unwanted children from the public school, this is not what typically occurred. The school failed children by pushing them out, and then the juvenile court failed children by institutionalizing them for truancy. The poorly-worded 1914 truancy statute gave too much power to the public school and to attendance officers, but it was not the statute itself but the sentencing decisions of the juvenile court judges that was the statute's greatest failure. The juvenile court, supposedly designed to be sensitive to the individual needs of children and to take a course of action that was best for each child,

⁴⁶ Benjamin Turner and others, *New Jersey Juvenile Delinquency Commission Progress Report* 1938., pp. 46-47. This study was a joint effort of the New Jersey Juvenile Delinquency Commission and the U.S. Works Progress Administration (W.P.A.). The New Jersey Legislature and the W.P.A. spent almost \$100,000 on the study.

failed, yet again. From a historical standpoint, the juvenile court could be viewed as important legislative and social progress given the court's important function as a final authority that could punish out-of-control children. However, as a final authority which was also charged with assistant children who desperately needed help, New Jersey's juvenile court was largely a failure.

The (Broken) Arms of the Juvenile Court: Probation and Classification

The New Jersey Juvenile Court evolved into an agency which realized that the juvenile judge could not single-handedly solve the problems of juvenile delinquency. Despite the massive growth in sentencing options available to the magistrate, institutions for delinquent, dependent, and feeble-minded children quickly became overcrowded. New Jersey's facilities simply did not have the room to accommodate the flood of children being labeled as delinquents, a fundamental underpinning of the juvenile court called for a different course of action. The juvenile court was supposed to be more than a punishing agent; after all, there was nothing new about courts finding children or adults guilty of violating laws and then inflicting the punitive measure of incarceration. The juvenile court, in theory, was to find ways to *avoid* institutionalization for some delinquent children and to tailor both punishment and assistance to the unique problems and needs of each individual child.

Two important arms of the juvenile court emerged in New Jersey during the era: probation and classification. Probation sought to assign a specialist, the probation officer, to oversee the potentially dangerous delinquent and ensure a smooth integration of the offender with society. Probation was designed to not only alleviate overcrowding in institutions but also to humanize the juvenile court experience by keeping children who

committed minor offenses within the community through specialized supervision.

"Classification" was a model of progressive scientific reform in action: experts were to scientifically study the individual child; report their findings to the juvenile court; share information and make recommendations for the child through a centralized and coordinated system of institutions and agencies; and use the scientific data to tailor a plan of rehabilitation and treatment that would cure the child and concurrently protect society. Unfortunately, probation proved to be a broken arm of the juvenile court in 1920s New Jersey, and the "scientific advance" of classification became an arm which put children in a choke hold during the decade. The issue of classification will be presented in Chapter Seven given its importance to New Jersey institutions during the 1920s.

Probation in 1920s New Jersey

As early as 1902, some reformers in New Jersey were publicizing the potential of probation work as a superior way to address juvenile delinquency. Emily Williamson, President of the New Jersey State Conference of Charities and Correction, claimed that probation work in the years immediately following the turn of the century had reduced arrest rates and institutional commitments for juvenile delinquents in certain New Jersey locations. Williamson herself served as an unpaid volunteer probation officer in Union County, and in addition to sharing anecdotal evidence of the worth of her own probation work, she claimed that the use of probation in the city of Elizabeth had led to a forty percent reduction in arrests and commitments.⁴⁷

⁴⁷ Emily Williamson, "Probation and Juvenile Courts," in *Annals of the American Academy of Political and Social Science* (Philadelphia, PA: American Academy of Political and Social Science, July 1902). Probation work certainly would have led to reductions in commitments, but I am somewhat skeptical of the reduction amount reported by Williamson. While the data were not available to confirm or reject Williamson's claim,

Whether or not this drastic reduction actually took place in Elizabeth, reformers in several New Jersey counties recognized that probation work had the potential to reduce the number of children committed to institutions. Probation was to be a preventative measure; ideally, probation officers would see the accused as soon as a charge was made, investigate the child's background and the circumstances regarding the offense, and proactively intervene. This could translate into providing a thorough background of the child's problems to the judge at the hearing or would often result in outright dismissal of the hearing provided the child followed conditions set by a probation officer. For probation to be effective, turn-of-the-century reformers such as Emily Williamson believed it was vital for probation officers to meet frequently and consistently with the probationer.⁴⁸

The early successful strides made with probation work in Union County did not mean that probation work occurred with juvenile delinquents throughout all of New Jersey. In fact, as of 1902, only seven New Jersey counties had probation officers.⁴⁹ Although it was not a widespread practice at this time, the reformers' early work with probation for juvenile offenders showed great promise. Excluding delinquents who committed violent crimes or who were habitual serious offenders of the law, probation had, at the very least, the potential to provide a unique opportunity for children to receive

the significance for me laid not in the accuracy of the data but in the fact that reformers were recognizing that probation work could reduce institutionalization two decades prior to the 1920s.

⁴⁸ In Union County as of 1902, probation officers were required to meet a minimum of one time per month with all children on their case load and more frequently with special cases.

⁴⁹ Williamson., p. 261. These included Hudson, Essex, Morris, Union, Mercer, Middlesex, and Atlantic Counties.

additional structure, supervision, and assistance while remaining in his or her home environment and community.

Given the early success of probation work, one might assume that a bevy of probation officers would have been hired upon the inception of the juvenile court in 1903. During the first third of the twentieth century, the ever-increasing number of children under the jurisdiction of New Jersey juvenile should have made probation work one the most frequently used intervention with delinquents. Given the larger cultural growing obsession with efficiency, probation work by the 1920s should have been a well-oiled machine.

But probation work in 1920s New Jersey was anything but efficient or well organized; it was one of the broken arms of the juvenile justice system. The many flaws inherent in the Garden State's use of probation with juvenile delinquents came to light in 1928, based on a 1927 study of the New Jersey Juvenile and Probation Study Commission. They revealed multiple alarming realities: while salaried probation officers existed in all but one New Jersey county, one-third of the counties had only one *part-time* probation officer; in several counties, the low number of probation officers required each officer to supervise so many cases that constructive probation work was almost impossible; probation officers were literally relegated to nothing more than "fine collectors" in many New Jersey counties; probation officers in most counties were not properly qualified with little to no training or experience and often did not have any philosophical outlook that remotely resembled the intentions of those that founded the juvenile court; probation departments were housed with insufficient space, had little to no equipment, and frequently kept minimal or no records; and, finally, children were sent to

institutions for minor delinquencies whose cases, according to the Commission, would have been better corrected in their own homes under proper supervision.⁵⁰ The Juvenile and Probation Study Commission succinctly summarized their overall assessment, stating: "The standard of probation work in New Jersey varies from well organized and well conducted departments to work so inadequate that it defeats its own purpose of preventing crime and reforming the criminal."⁵¹

The Juvenile and Probation Study Commission called New Jersey a pioneer state for its use of probation for juveniles but acknowledged that the state had begun to significantly lag behind other neighboring states. The disjointed, ineffective, and disparate system of probation in the state as a whole reflected New Jersey's utter failure to provide sufficient personnel, training, and supervision to make probation effective. But in a state that pioneered probation work and remained "progressive" in its attack on juvenile delinquency, the failure to implement probation work was probably caused by other political forces at play.

First, the cauldron of fear in 1920s New Jersey did not create a sympathetic public that wanted to see the local delinquent being offered a second chance through probation; to the contrary, the culture in New Jersey during the 1920s was one which persecuted any

⁵⁰ Gloucester County placed *no* children on probation. In Ocean County, out of 50 children referred to the juvenile courts between 1924 and 1927, only three were placed on probation; the Commission stated that dismissal or institutional commitment were therefore the only alternatives used by that county's juvenile courts. In Sussex County, the juvenile judge himself acted as the probation officer, yet the judge refused to give probation to girls. They were, instead, institutionalized because they were typically in court for being sex offenders, and the judge believed the girls would have "profited by probation treatment." The same exact practice took place in Warren County as only boys were placed on probation. Even counties such as Hudson county, which had long established probation as an excellent means of assisting the delinquent, rarely used probation as the disposition for its juvenile cases (the Commission stated that only one in eight juveniles were given probation in Hudson County). See Bentley., pp. 35-37.

⁵¹ Ibid., p. 6.

child or adult who threatened the feeling of security. Therefore, it was not surprising that juvenile court judges often sentenced children to institutions in instances where probation would have been more appropriate.

Second, the public school was facing unprecedented numbers of children walking through schoolhouse gates. Public schools had easy access to the juvenile court because of truancy statutes, and institutionalization solved the public school dilemma of what to do with some of its most challenging students. Probation would have meant that the public school still had "to deal" with the problem child, and juvenile court judges certainly made allies out of public school reformers, administrators, and teachers when they chose to reject probation as a possible sanction in court.

Third, the professional esteem for and political power held by New Jersey institutions made institutionalization, and not probation, an attractive choice for juvenile court judges. The statutes mentioned earlier gave judges wide latitude when deciding whether to remand a child to one of the State Homes for delinquents, to a training school for the feeble-minded, to another version of a reform school, or to assign a lesser penalty such as probation. Because 1920s "science" had proven that institutionalization was vital for defective children (to protect them from society and to protect society from them), juvenile court judges were able to appear wise and kind by incarcerating children rather than assigning probation. The New Jersey juvenile court demonstrated increasing power in the first three decades of its existence, and during the 1920s it appeared to be influenced by the popular opinion that institutionalization was a prime way to solve the problem of delinquency.

Act of 1929

The most publicized and longest awaited amendment to the original 1903 Juvenile Court Act was passed as the 1920s near their end. On the heels of a less than flattering internal state report that exposed numerous flaws with the State's handling of juvenile offenders,⁵² the New Jersey Legislature of 1929 passed *The Juvenile and Domestic Relations Court Law*.⁵³ The New Jersey Legislature did not mince words about the parental power of the juvenile court and its right to exert control over the lives of children. In the first paragraph of the 1929 Act, the power of the court was made abundantly clear as an agency that would both protect children from neglect or injury and punish children for their mistakes.⁵⁴ This was followed with additional, explicit reinforcement in Section Four of the Act: "Children who appear before the court in any capacity shall be deemed to be wards of the court, and protected accordingly."⁵⁵ The fact that any child who *appeared before the court* was designated as a ward of the state (and the remainder of the Act that followed) was a fitting culmination of twenty-seven years of growing paternalism by New Jersey's Juvenile Court. During a decade in which New Jersey subjected many delinquent children to unnecessary surgery and institutionalized as many feeble-minded children as possible,⁵⁶ any growing "protection" from the juvenile

⁵² Ibid.

⁵³ "Acts of the One Hundred and Fifty-Third Legislature of the State of New Jersey, Chapter 157," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1929).

⁵⁴ The Act read: "The principle is hereby recognized that children under the jurisdiction of the court are wards of the State, subject to discipline and entitled to the protection of the State, which may intervene to safeguard them from neglect or injury and to enforce the legal obligations due to them and from them." Ibid., Section 1.

⁵⁵ Ibid., Section Four.

⁵⁶ During the same decade, the federal government and/or Federal Supreme Court outlawed alcohol, created ethnically biased Immigration Quota Acts, and legalized the sterilization of those deemed to be feeble-minded. On both the state and federal levels, governmental "protection" of the individual and "protection"

court was no automatic godsend. While the 1929 Act included new language that that the care, guidance, and control of children would “preferably” take place in the child’s own home,⁵⁷ the court paradoxically increased its potential power. The number of offenses that were defined as delinquency continued the precipitous upward trajectory that had characterized the New Jersey Juvenile Court since 1903. While the original Juvenile Court Act of 1903 listed only four types of offenses that were explicitly prohibited, the 1929 Act established a Juvenile and Domestic Relations Court in each New Jersey county and vested it with exclusive jurisdiction to hear all cases involving children under sixteen years of age who committed any offense defined as follows:

(a) who violates any penal law or municipal ordinance; (b) who commits any act or offense for which he could be prosecuted in a method partaking of the nature of a criminal action or proceeding; (c) who is a disorderly person; (d) habitually vagrant; (e) incorrigible; (f) immoral; (g) who knowingly associates with thieves or vicious or immoral persons; (h) growing up in idleness or crime; (i) knowingly visits gambling places, or patronizes other places or establishments, his admission to which constitutes a violation of law; (j) idly roams the streets at night; (k) who is a habitual truant from school; or (l) who so deports himself as to endanger the morals, health, or general welfare of said child.

This lengthy list of prohibited behaviors was a major step backward for the Garden State rather than being an indicator of progress. It is difficult to envision any child growing up in any age who would not, at one point or another, violate one of the prohibited acts described in this 1929 statute. Subjective measures such as *incorrigibility*,

of society nearly always translated into a violation of individual rights and discrimination against groups, (not yet) protected classes, etc.

⁵⁷ "Acts of the One Hundred and Fifty-Third Legislature of the State of New Jersey, Chapter 157.", Section 1.

immorality, and even *association* with *immoral* persons became legally prohibited actions that were all the “evidence” that was needed to condemn and harshly punish a child.

Judges had great latitude over the disposition of cases brought before the juvenile court and made subjective assessments of the children who were charged with violating a loosely defined statute⁵⁸ This was, of course, a philosophy of the juvenile court from its inception in 1899, since each child was to be treated according to his or her individual needs and circumstances. The problem with this philosophical underpinning of the juvenile court was evidenced in time: the perceptions, personal opinions, and biases of individual judges created the potential for a highly subjective system that discriminated against entire classes of children.

Given this potential for abuse, I sought evidence of systemic discrimination could be found along lines of race or gender. First, it must be repeated that the general lack of reliable data for not only the 1920s but most any era in the first half of the Twentieth Century made it impossible to make a definitive conclusion. With this unfortunate fact acknowledged, I attempted to examine the rates at which juvenile courts committed children to the state’s institutions for juvenile delinquents and the reasons they were committed. However, the available documents strengthen my belief that the subjective nature of New Jersey’s juvenile courts allowed personal biases of individual judges and societal prejudices to create systemic gender and racial discrimination.

Juvenile Court Discrimination along Lines of Gender

Reformers, institutional leaders, and the juvenile court treated girls inequitably during the 1920s. The problem of inequitable treatment of girls was compounded by the

⁵⁸ Similarly, the police, “The Blue Court,” had discretion to handle individual children as they deemed appropriate.

fact that many men felt threatened by women during the era. The 1920s were both an exhilarating and frustrating time for women; they were enjoying the right to vote for the first time due to the success of the woman's suffrage movement and ratification of the Nineteenth Amendment (1919), but women were also facing new resistance while battling long-standing stereotypes. The traditional image molded for women was challenged and altered during the Jazz Age. Short skirts and silk stockings were worn by a growing number of American women. Other women donned their hair in bobs and wore non-traditional clothing; this somewhat "masculine" look jolted the traditional image of appropriate womanly appearance. These "flappers," as they were called, were emulated by many women and girls throughout the nation as new cultural trends continued to emerge throughout "The Roaring Twenties." The flapper image and the more sexually provocative revolution of womanly image became sensationalized and glorified in popular press, most notably in motion pictures.⁵⁹

The limited juvenile delinquency statistics found for New Jersey did reveal a great deal about the disparate treatment of various groups, including female delinquents. While New Jersey rarely published any juvenile delinquency data during the 1920s, a report published in 1931 contained extensive data about commitments to the State Home for Boys and State Home for Girls for 1929-1930.⁶⁰ The data collection was completed by Emil Frenkel, Director of Research for the New Jersey Department of Institutions and Agencies, and a research assistant, Helen Heyer. The report confirmed the dangers

⁵⁹ Latham.

⁶⁰ Frenkel and Heyer. The report also contained a graph of institutional commitments to the State Home for Boys and State Home for Girls from 1920 to 1930. This data will be shared in the upcoming section on New Jersey institutions.

inherent in loosely defined juvenile delinquency statutes, a criticism also espoused by Frenkel and Heyer in their analysis of data. The pair of researchers stated that adequately classifying the offenses for which juvenile delinquents were committed in 1930 was impossible “because of the indefiniteness of a large number of charges.” Commitments for *incurability* comprised 26 percent of total commitments and the reason of *juvenile delinquency* was assigned to 14.8 percent of children who had been placed in The State Homes. Frenkel and Heyer acknowledged: “Since no statement on these cases has been made to indicate the specific act constituting the delinquency or incurability for which they were brought to trial, no conclusions can be drawn as to the number actually committed for any type of offense.”⁶¹

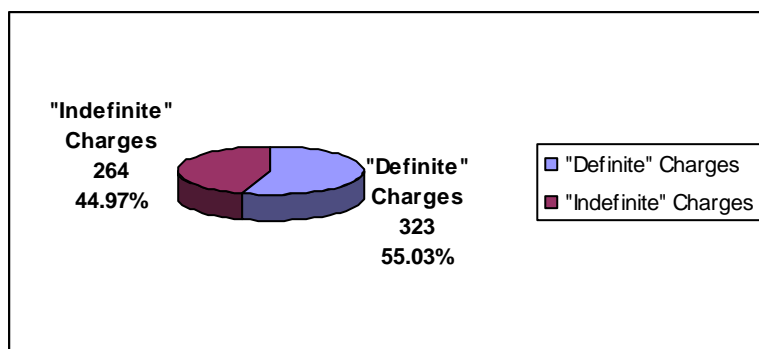
For the fiscal year ending June 30, 1930, 264 children were committed on blanket charges of incurability, juvenile delinquency, and violation of probation; during the same year, 323 were committed for more “definite charges.”⁶² Excluding the whopping 45 percent⁶³ of commitments for the blanket charges, 61.9 percent of those committed for

⁶¹ Ibid., pp. 6-7. The same was true for “violation of probation.” Frenkel and Heyer also suggested that commitments were made rather arbitrarily. They explained, “Even if the specific charges were given, it would still not be possible to understand the complete reasons for the commitments, since so often the particular offense that leads to detention may be entirely different from those that preceded it.”

⁶² Ibid., p. 7. I placed quotation marks around *definite charges* because he has found no precise definition of some of these offenses. “Sex offender,” for example, clearly did not mean only prostitution. It appears to have been an umbrella term, in use during an era that was fearful of a supposed sexual revolution. Movies and advertisements that presented women and youth in a more “provocative” manner frightened a nation that was already fearful of the many changes facing society. Boys and girls who could not control “impulses” were viewed as deviants. Masturbation, for example, was portrayed as an evil. Any girl who became pregnant, therefore, faced a risk of being committed to a state institution. Frenkel and Meyer reported that a disproportionate number of black girls were institutionalized for pregnancy. Whether they were charged with being dependent, juvenile delinquents, or sex offenders is unclear.

⁶³ Calculation made by this researcher based upon data reported by Frenkel and Meyer.

definite charges were charged with some form of stealing,⁶⁴ 15.4 percent were charged with truancy, and 8.4 percent with sex offense.⁶⁵



Graph 6.1 - Juvenile Court Commitments to the State Home for Boys and State Home for Girls for the Fiscal Year Ending June 30, 1930

While the ambiguous reasons assigned to commitments made by juvenile court judges clearly made any precise analysis of juvenile delinquency data impossible, the data were quite useful in comparing the overall practices and biases of judges in sentencing boys and girls. Boys were arrested far more frequently than girls, and, consequently, more than three times as many boys were committed to state homes as compared to girls. There were 15 times more boys committed for stealing and nearly eight times as many boys as girls committed for truancy. Incredibly, however, there were *more than four times as many girls as boys committed for sex offenses* (See table and graphs below).⁶⁶ As evidenced by these data, a gender double standard for sex offenses clearly existed in New Jersey at the conclusion of the 1920s.

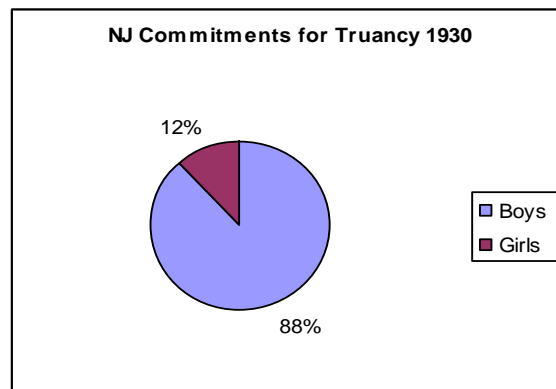
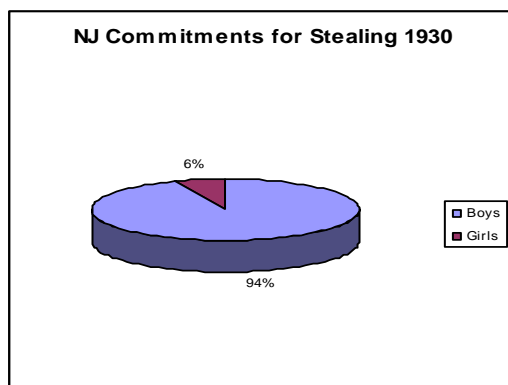
⁶⁴ Stealing included burglary, robbery, forgery, or larceny of any type.

⁶⁵ Frenkel and Heyer., p. 7.

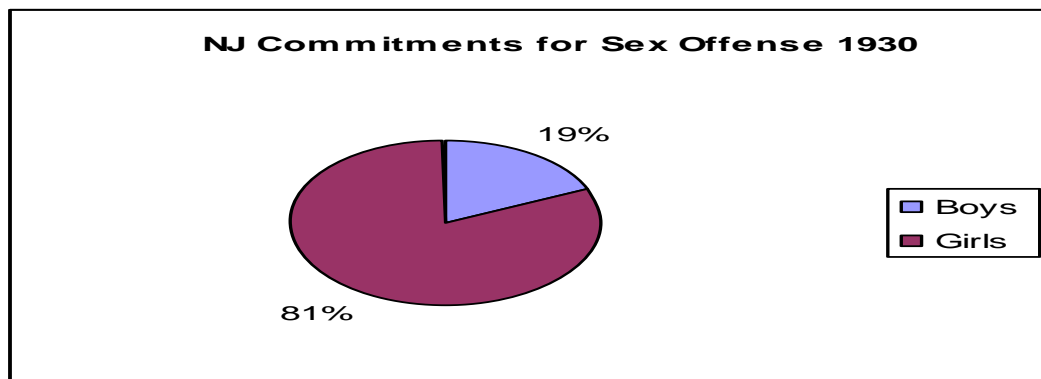
⁶⁶ Ibid., p. 7. The italics were added by this researcher.

Violation	Boys	Girls
Sex Offense	5	22
Truancy	44	6
Stealing	188	12

Table 6.1 - NJ Commitments to State Homes by Gender for 1930



Graph 6.2 - 1930 Data for Stealing by Gender Graph 6.3 - 1930 Data for Truancy by Gender



Graph 6.4 - 1930 Data for Sex Offenses by Gender

The majority of girls committed to the State Home for Girls were sex offenders. This sad fact, and the grossly disproportionate commitment rates of girls as compared to boys for sex offenses, was not exclusive to the 1920s or to New Jersey. To the contrary, the fact that girls were being inequitably punished for sex offenses mirrored a historical

trend. Throughout the Nineteenth Century, women were frequently sent to prison for sex offenses while the men who participated were rarely charged or incarcerated for the same transgressions. Historically, while men may have demanded fallen women, “women alone paid the moral and legal price for prostitution.”⁶⁷ The 1920s charge of “sex offense” did not always translate to prostitution, but girls in 1920s New Jersey followed in the unfortunate footsteps of women who had been discriminated against by the pervasive double-standard during the previous century.

Complicating matters significantly for girls in the 1920s was not only the culture of the decade but also the outlandish claims of eugenicists. Henry Goddard was one such prominent reformer whose distorted views about females were no doubt harmful to girls during the era. Goddard portrayed the feeble-minded as helpless and incapable of controlling themselves. He claimed that ninety percent of feeble-minded delinquents became agreeable and obedient after being placed in institutions, but he noted that some of these children formed habits which they could not control. Children who could not be controlled in institutions for any reason were typically given the label “defective delinquent.” Goddard, similar to other reformers during the era, believed that defective delinquents needed to be kept in even closer quarters. However, Goddard’s definition of the defective delinquent could not have been more sexist:

These [defective delinquents] are particularly girls who are delinquent along sex lines. Such delinquency cannot be tolerated, and if these girls show an incapacity for controlling themselves and acting properly, they must be

⁶⁷ Estelle Freedman, *Their Sister's Keepers; Women's Prison Reform in America, 1830-1930* (Ann Arbor, MI: The University of Michigan Press, 1981), p. 42.

placed where they will not meet the temptations and they must be kept there indefinitely or until the habit is broken down.⁶⁸

Goddard cleverly attempted to justify why he advocated for not only sex offenders but all feeble-minded girls to be committed to institutions, stating:

The male is not quite so serious a problem since his feeble-mindedness renders him inexpert in making opportunities for wrong-doing and normal women will seldom have anything to do with feeble-minded men. With the female, it is quite different; having once learned the significance of this life she is always impelled by this instinct common to humanity; and exercising no control over her impulses easily finds a male to accept what she has to offer. The marked difference between the girl who has been brought up carefully in an institution after having formed these habits, points most unmistakingly to the necessity of discovering those girls of low mental level and segregating them early and keeping them at least until the first strong impulses of adolescence have become somewhat modified.⁶⁹

Goddard's crafty shroud of logic, and similar rhetoric of like-minded reformers, undoubtedly buried some young girls who had the misfortune of being charged as sex offenders and/or were deemed to be feeble-minded (a combination of both would have been a real double-whammy). While Goddard's direct influence at the Vineland Training School ended in 1918 when he became the Director of the Bureau of Juvenile Research at Ohio,⁷⁰ Goddard's influence in New Jersey lingered on, through both frequent publications and occasional speaking engagements. The above quotes were made during

⁶⁸ Henry Herbert Goddard, *Human Efficiency and Levels of Intelligence, Lectures Delivered at Princeton University April 7,8,10,11, 1919* (Princeton,: Princeton University Press, 1920)., p. 88.

⁶⁹ Goddard, *Human Efficiency and Levels of Intelligence.*, pp. 78-29. One of the many startling aspects of this quote was Goddard's statement that the girls with low mental level must be segregated early. He was advocating not only segregating girls who have violated some loosely defined delinquency statute, but instead to isolate less intelligent pre-pubescent girls. He was making an assumption that all "dull" girls would become sex offenders.

⁷⁰ In 1922, Goddard also became a professor in the Department of Abnormal and Clinical Psychology at the Ohio State University.

four days of lectures Goddard delivered to prominent individuals at Princeton University on April 7-11, 1919.⁷¹

Regardless of the true extent of Goddard's direct influence on the treatment of female delinquents, eugenic discourse, combined with the flapper culture's perceived threat to a male dominated society, making the 1920s an especially dangerous time to be accused of being a flirtatious girl or female delinquent. New Jersey's sexist treatment of females was evident beyond the data charted and graphed above. In addition to the disproportionate juvenile court commitments rates for 1929 and 1930 for boys and girls who were charged with sex offenses, juvenile court judges in some New Jersey counties refused to offer probation to girls during the 1920s because they believed the girls would "have too much to benefit" from being free on the streets.⁷² Some juvenile judges gave boys a second chance through probation but saw it imprudent to offer the same to girls. Although isolated evidence of gender discrimination in 1920s juvenile courts' use of probation and state commitment data for 1929-1930 was not sufficient data to provide irrefutable proof that girls were consistently discriminated against for sex offenses, it was probably a consistent practice throughout the era. Data I reviewed for the mid to late 1930s revealed that sex offenses remained a primary reason for incarceration of female delinquents well into the next decade.⁷³

⁷¹ Goddard, *Human Efficiency and Levels of Intelligence, Lectures Delivered at Princeton University April 7,8,10,11, 1919.*

⁷² Bentley. Warren and Sussex Counties were two such counties.

⁷³ See Turner, Hopkins, and Ellis, *Justice and the Child in New Jersey.*, p. 67. Data contained on this page appear to indicate that girls were five times as likely to be committed for sex offenses as compared to boys in 1937.

The autonomy and unchecked power of juvenile court judges increased rather than decreased the number of unnecessary commitments for girls in New Jersey during the era. Females have always paid the price for prostitution, and although the majority of “sex offense” cases appear to have been for reasons other than prostitution,⁷⁴ rhetoric that unintelligent or provocative young females were a danger to themselves and society did not help to end a historically pervasive double-standard. The juvenile court was designed to take into account the unique needs of individual children, but the juvenile court judged was immersed in and a leader of a sexist and, as shall be momentarily shown, a racist society.

Juvenile Court Discrimination along Lines of Race

While New Jersey’s juvenile court may have been able to turn to faulty logic asserting that female sex offenders benefited more from careful institutional guidance than assistance within the community, disproportionate commitments along lines of race would have left the juvenile court judges hard-pressed to find a rationale that they could share publicly. While racism during the era was anything but subtle, the juvenile court judge, as a supposed model of fairness and equity, could not justify incarcerating more black children than white children. Pressures to acquiesce to racist thought were strong during the 1920s. Eugenic philosophy during the era was that not only new immigrants but also African Americans were inferior human beings who were causing the demise of American society. Eugenicists leaned on pseudoscience, claiming that lower scores on

⁷⁴ In 1937, for example, out of 1571 total arrests for sex offenses by police in 52 municipalities, only 513 were for prostitution. During the same year, of the 215 sex offense cases referred to the juvenile court, only 3 were prostitution cases. See *Ibid.*, pp. 224 and 234.

intelligence tests proved the racial superiority of whites.⁷⁵ Eugenicists were blatant in publicizing their racist views that society was doomed because African Americans and other “strains” of humanity threatened the great white race which had built the morals, values, laws, stability, and strength of the American government.⁷⁶

Eugenics, and white racism, fueled and supplanted the racial tension of 1920s New Jersey described in Chapter Two. The unprecedented number of Jersey Ku Klux Klan members during the decade was proof that tens of thousands of Garden State residents created a culture wishing to suppress and extinguish African American adults and their children. The juvenile court judge stood as a leader of the judicial system during an era in which fear was rampant and prejudiced reformers were vying for influence, power, and control.

Juvenile court judges clearly discriminated against African American children during the era. Data contained in several state reports, and the analysis of these data by high ranking officials within the New Jersey Department of Institutions and Agencies, demonstrate that New Jersey’s juvenile courts racially discriminated against African Americans during the era by incarcerating them far more frequently than white children. Juvenile delinquency data on state commitments to the State Home for Boys and State Home for Girls for the year ending June 30, 1930 stood out as one example. Although only 4 percent of the state’s population was African American at the time, 24 percent of juvenile delinquency commitments for 1929-1930 were black boys and girls. Black girls

⁷⁵ John P. Jackson, Jr. and Nadine M. Weidman, "The Origins of Scientific Racism," *The Journal of Blacks in Higher Education* 50 (2005). New Jersey had an indirect but profound influence on this type of racist thinking because of the Garden State’s crafting and hosting of biased, large scale intelligence tests.

⁷⁶ See, for example, Madison Grant and Henry Fairfield Osborn, *The Passing of the Great Race, or the Racial Basis of European History*, 4th rev. ed. (New York,: C. Scribner's Sons, 1921).

in New Jersey comprised 32 percent of all female commitments while black boys comprised 22 percent of all male commitments.⁷⁷

Director of Research Emil Frenkel (and his assistant) briefly touched upon their troublesome statistical findings. While most of their 1931 report was merely a statistical summary free of judgment or opinions, a quick two-line statement suggested that Frenkel and Meyer were troubled by these racially inequitable data. They wrote: “It is also true that judges occasionally send neglected and dependent children to the State Homes instead of to the State Board of Children’s Guardians which is equipped to provide home-life for dependent children who are not definitely delinquent. The number of Negroes committed would be lessened if Negro dependents were not committed.”⁷⁸ Frenkel and Heyer’s assessment appeared quite accurate. The words dependent, delinquent, and neglected were wholly interchangeable terms throughout not only the 1920s but most of the previous century. Their meaning often got lost in a sea of labels; labels were branded upon unwanted children by those in power, and the original definition of the labels became irrelevant. Even in a state that claimed it was running increasingly specialized institutions to train unique classes of children (morons, imbeciles, epileptics, dependent, delinquent, defective delinquent, etc.), the lines were frequently blurred. Regardless of the façade, this brief statement in the report suggested that juvenile court judges were improperly institutionalizing *dependent* African American girls (a practice designed for *delinquent* children) who should have been referred to the State Board of Children’s

⁷⁷ Frenkel and Heyer. They explained that the larger percentage of black girls committed (32 percent of the state total) was probably due to the fact that a disproportionate number of African American girls were sent to the State Home for Girls “because of pregnancy combined with dependency.”⁷⁷

⁷⁸ Ibid., pp. 5-6.

Guardians. Through this quick statement, Frenkel and Heyer were attempting to split important hairs. Unfortunately, too many juvenile court judges discerned little difference between African American children who appeared before them, often seeing only their dark-skin. It appeared that the judges did not wish to split hairs. Instead, many took every opportunity to institutionalize black children, even when they provided less restrictive sanctions for the exact same offenses for most white children.

Although this one year of data from the 1931 report cannot necessarily be generalized to represent the entire picture in the 1920s, other state-sponsored publications also revealed that rates of juvenile court appearances and state home commitments were racially lopsided. A 1943 state report entitled *Negro Child and Juvenile Delinquency in New Jersey*, prepared by Douglas H. MacNeil, Assistant Director of the Division of Statistics and Research,⁷⁹ revealed that the gap between commitments of black and white juvenile delinquents grew even larger after 1930.⁸⁰ MacNeil explained:

Workers in the field of delinquency control in New Jersey have long been concerned because Negroes, known to represent approximately one-twentieth of the population of the state, form a far higher proportion of the children dealt with by juvenile courts and of children committed to state homes for juvenile delinquents. This concern has been intensified by evidence that, during the 1930s, when the total number of children dealt with by these facilities was diminishing year by year, the number of Negro children coming under their jurisdiction was steadily increasing.⁸¹

⁷⁹ The 1942 publication listed MacNeil's title(s) as follows: Assistant Director, Division of Statistics and Research, State Department of Institutions and Agencies; Chairman of Juvenile Delinquency Section, Community War Services Division, Office of State Civilian Defense Director.

⁸⁰ D. MacNeil, *The Negro Child and Juvenile Delinquency in New Jersey* (Trenton, NJ: New Jersey Institutions and Agencies, 1943).

⁸¹ *Ibid.*, p. 1.

All data found in MacNeil's report, and all other data I reviewed in the other reports, support MacNeil's claim that the number of African American children committed to New Jersey State Homes was grossly disproportionate to the number of white children committed. MacNeil appeared to not only be a skilled data collector but also a wise analyst who anticipated potential counterarguments to the troubling data. For example, MacNeil realized the fact that 1930 data, which were already racially lopsided, only grew worse over the next decade. He anticipated that shifts in population could be used as an excuse to justify the growing disparity between the New Jersey juvenile court commitments of white and black children.

In the 1942 report, MacNeil stated: "Population trends have an important bearing on delinquency trends. All other conditions being equal, the number of children dealt with as juvenile delinquents can be expected to increase when the child population increases."⁸² The 1930 and 1940 census figures for New Jersey revealed that there was a 10 percent decrease in the number of children from ages 10 to 15. The population of white children in this age range decreased 12 percent while the population of black children increased by 30 percent during this ten year period.⁸³ While 142 "Negro children" were committed to state homes for juvenile delinquents in 1930, 182 were similarly committed in 1942. This was "an increase of 28 percent, a gain proportionate to the population increase."⁸⁴

⁸² Ibid., p. 1.

⁸³ The Great Migration of the era involved African Americans relocating from southern to northern states

⁸⁴ MacNeil., p. 2.

This relatively proportionate increase, however, left other problematic trends unanswered. “During the same period, commitments of white children dropped from 445 in 1930 to 259 in 1942, a decrease of 42 percent which [was] relatively far greater than the decrease of 12 percent in New Jersey’s white child population.”⁸⁵ Thus, while commitments for white children dramatically declined between 1930 and 1942, commitments of black children sharply increased. In 1930, 24 percent of children committed to state homes were black, while during 1942, this number rose to 40 percent!⁸⁶

The problem was further magnified when you compared data for juvenile court appearances with the number of commitments. In 1930, the black *juvenile court referral* rate was 2.7 times greater than for white children⁸⁷ and 5 times greater in 1940. The *institutional commitment rates* for black children were approximately 6 times greater in 1930 and 10 times greater in 1940.⁸⁸ These changes could not be accounted for merely by changes in population, as MacNeil conceded.

Commitment rates for New Jersey children by county were equally alarming (See Table 6.2 below).

⁸⁵ Ibid., p. 2

⁸⁶ Ibid. Please note that I believe that the data referenced here were for 1930 only. In Table 6.2, 1930 refers to a different set of data (namely the mean of commitments from 1929-1931).

⁸⁷ This did not mean more black children were in court than white children. The opposite was true. The rate took the overall population into account and was calculated by MacNeil by examining the number of court referrals per 10,000 children in the population.

⁸⁸ MacNeil., p. 6.

	Commitments to State Homes for Juvenile Delinquents				Year ⁸⁹	Commitments to State Homes per 10,000 Child Population			
	1930	1940	1930	1940		1930	1940	1930	1940
All Counties	445	235	127	158		10.2	6.1	64.4	61.5
Essex	87	51	43	66		10.6	7.1	81.8	87.4
Hudson	62	1	8	2		7.9	0.2	56.3	10.5
Bergen	9	22	2	11		2.2	5.6	23.2	107.8
Union	44	12	7	13		13.1	3.9	40.9	54.6
Passaic	70	30	4	10		20.7	10.4	89.1	128.9
Camden	17	16	9	9		6.1	6.2	48.8	40.8
Middlesex	27	21	6	3		9.2	9.5	93.8	38
Mercer	55	10	13	5		27	8.4	112	29
Monmouth	13	16	6	11		9.4	12.1	45.1	74
Morris	5	9	1	2		4.5	7.7	36.8	60.1
Atlantic	9	5	20	12		8.3	5.2	135.8	69.8
All Other	47	43	8	14		8.4	8.5	24.3	37.2

Table 6.2 NJ Commitments of White and African American Children to State Homes⁹⁰

Commitment data revealed wide variations between counties, but despite the marked differences, the commitment rate of black children was significantly higher than the white commitment rate in all New Jersey counties. Whether located in Southern, Central, or Northern New Jersey, and regardless of whether they were in rural or urban counties, juvenile court judges consistently committed black children to State Homes far more frequently than white children.

The 1930s reduction in state home commitments for white children was due in part to certain counties' increased community efforts to address delinquency without

⁸⁹ Given that the number of children committed was relatively low, MacNeil averaged data for the years 1929, 1930, and 1931 and 1939, 1940, and 1941 to create the figures shown for 1930 and 1940, respectively. Thus, data under the 1930 column were actually the mean number of children committed from 1929-1931, and the date under the 1940 column was the mean number of children committed from 1939-1941.

⁹⁰ Table completed from data found in MacNeil., p. 9.

referring matters to the juvenile court. Hudson and Passaic counties developed facilities for “dealing with delinquents without referral to the juvenile court.”⁹¹ While this led to declines in court referrals for both black children and white children, the “Negro child population in these counties was so small that the effects of these experiments in reducing both “actual” and “visible” delinquency had been felt chiefly by white children.”⁹² Regardless of any county's new social policies regarding more limited use of the juvenile court, the fact remained that in each county, regardless of its individual dynamics, black children faced a much greater chance of being institutionalized anytime they entered the juvenile court.⁹³

Aside from the obvious racial disparities illustrated by this 1942 study, MacNeil's report also was indicative of the shifts that took place in thinking about delinquency in New Jersey. While in the 1920s it was still popular to view the individual child as the problem, whether due to low intelligence, inherited defects in character, or defective mentality, the state publications revealed that views about the causes and solutions to juvenile delinquency were increasingly framed in environmental terms. An important solution to the problem was to ameliorate community conditions that led to delinquency, as opposed to segregating, sterilizing, or otherwise “fixing” the “defective delinquent.”

⁹¹ Ibid., p. 10.

⁹² Ibid., p. 11.

⁹³ Ibid., pp. 11-12. MacNeil did not explicitly mention racial bias of police or judges as a possible explanation for disparity between court referral and commitment rates for black and white children. This important fact aside, MacNeil's report was a pleasure to read. He tried to explain why the racial disparity that existed in 1930 grew even larger in the subsequent 12 years. To his credit, his data were presented in a manner that did not try to “cover up” the stark reality and did not mislead readers. To the contrary, by organizing his data in a wide variety of ways, he made the problems transparent. For example, by examining court referrals and commitment rates per 10,000 children, he illuminated the wide gaps that existed. Another researcher could have presented accurate data that made the problem less apparent.

Even with environment as the new culprit for delinquency, MacNeil could have shifted all blame away from the state and made a claim that environmental conditions in poor black neighborhoods and poor family upbringing led to the increased arrest and commitment rates for African American children. To MacNeil's credit, he implied that the state needed to examine its own practices, almost insinuating that the Garden State, and not a "savage race," was preventing society from advancing. MacNeil's open criticism of the racial inequity in commitment rates was especially impressive because he was a state employee. During the 1920s, a decade in which eugenics and the Ku Klux Klan were at their apex of power and popularity, it was fashionable to point blame everywhere except at the political elite who were hurting thousands of children while attempting to shape society. But even as eugenics, the Klan, and many other horrors of the 1920s began to fade, New Jersey's severely lopsided commitment rates along lines of race revealed that African American children continued to face starker fates in juvenile court because of their darker skin. Forty years of juvenile courts could not erase countless years of racism, even in the judicial leaders who were the supposed models of fairness, equity, and justice.

Final Thoughts for Chapter Six

The juvenile court was designed as a panacea that would efficiently and empathetically discipline and assist children as unique individuals. Despite having great potential, New Jersey's juvenile court of the 1920s was both inefficient and, at times, cruel. Statutes written from 1903 through 1929 continuously expanded the breadth and power of the juvenile court, but this growing power became dangerous for many New Jersey children. Loose and ambiguous juvenile court statutes with puzzling language led

not only to the false labeling of thousands of children as delinquents, but it opened the doors to greater harms.

Some children who awaited trial were intermingled with adult criminals, others never got the help they were promised from the court, and thousands of children were needlessly institutionalized. Promising practices such as probation were poorly developed by the state and rejected by some individual judges. Instead, the juvenile court became a major player in social policy by committing thousands of children to institutions who could have been helped in other ways. Inequities in New Jersey's juvenile courts existed along lines of race and gender, and juvenile courts in one county often had no resemblance to courts in other New Jersey counties. Time proved that the juvenile court was anything but a panacea. It served a limited and important function, but the nearly boundless power of the court in 1920s and the poor sentencing decisions of many juvenile court judges turned the court into a dumping ground for the public school and an incubator for institutions.

CHAPTER SEVEN: New Jersey's Institutions

The gravest danger that can wait on any race or nation is the lowering of the physical, mental, and moral standards of its population. Such a lowering is a present danger to us, and it will come, if it does come, by the propagation and increase of its defective classes.¹

While the public school viewed a difficult child as a burden, the residential institution saw the same child as an opportunity. Put quite simply, if public schools, probation officers, churches, and local doctors could handle all educable students who got into trouble, needed moral guidance, or were sick, there would have been absolutely no need for these institutions. The residential institution could thrive only if plenty of children needed round-the-clock supervision, and the institution could survive only if it employed individuals who were perceived as experts who could reform the unmanageable child.

During the early 1900's and most especially the 1920s, New Jersey institutional leaders portrayed their institutions as progressive, scientific, and highly efficient "homes" that could meet the behavioral, moral, emotional, and intellectual needs of the state's most challenging students. Because the average citizen would not want to pay taxes to build expensive institutions to assist other people's children, reformers cleverly portrayed their inmates and patients as dangers to society. Institutional leaders devised and utilized many weapons in their crusade to sell institutionalization as the essential product: these reformers were active participants in the revolution of scientific management, intelligence testing, and eugenics; they created and used an endless array of labels to vilify the deviant child; they convinced public school educators that specialized

¹ Edward Ransom Johnstone, "The Extension of the Care of the Feeble-Minded," *Journal of Psycho-Asthenics* 19, no. 1 (September, 1914)., p. 16.

institutions were the proper (and easy) place to send poorly behaved children or those with subnormal intelligence; they benefited from loosely worded legislative statutes and juvenile court judges who remanded thousands of children to their expert care; and, finally, they amplified extant fear during an unstable, tumultuous, and dynamic era, convincing an anxious and fearful public that society was facing imminent doom without the isolation of defective children in their institutions.

This chapter will present how these institutional reformers utilized all of these strategies to create and sustain islands of exile that became dumping grounds for thousands of New Jersey children. I will present a brief historical background on the development of juvenile institutions in New Jersey, discuss the expansion, coordination, and specialization of New Jersey facilities during the late 1910s and 1920s, and provide insight into how two institutions, The State Home for Boys in Jamesburg and the Vineland Training School for the Feeble-Minded, operated during the Twenties. Due in large part to the professional, personal, and financial motives of institutional reformers, thousands of New Jersey children were needlessly committed to state institutions during the era.

Background on the Development of New Jersey's Juvenile Institutions

The concept that wayward citizens should be punished through imprisonment but also provided with training and instruction to help them transition back into society upon release was begun in New Jersey during the 1700's. The first known institution of this kind was a workhouse established in Middlesex County in 1749. This became a multi-functional institution which brought up poor children, housed disorderly persons,

vagabonds, and vagrants, and punished runaway slaves.² Over the subsequent decades of the late 1700's, a number of these mixed facilities (which served as jails, orphanages, almshouses, and insane asylums) sprung up across New Jersey.

From the beginning, institutionalization in New Jersey was a way to segregate unwanted human beings from the rest of society. While this was perhaps progress compared to certain previous forms of punishment,³ lumping together a wide array of problematic individuals in institutions was a difficult way to reform inmates with very different needs. Many unique types of inmates continued to be indiscriminately intermingled in New Jersey institutions throughout much of the Nineteenth Century and beyond, but signs of differentiation between institutional facilities slowly began to emerge.

New Jersey built its first state prison in 1797 to segregate the most hardened criminals from other prisoners. The law that created the prison made no distinction between children and adults; consequently, children were placed in adult cells. The prison did little to adapt to meet the unique needs of children; instead, prison officials tried to make the adolescent inmates conform to the institution. In one case, a young teenager had

² Samuel Allinson, *Acts of the General Assembly of the Province of New Jersey, 1702-1776* (Burlington, NJ: 1776), p. 19.

³ See Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1995). One form of punishment focuses on vengeance ("an eye for an eye, a tooth for a tooth"). A second, equally ancient, form of punishment was making a public example of the criminal to deter future crime. Michel Foucault wrote extensively and in graphic detail about this form of punishment as he chronicled the evolution of the prison system in France. In the opening pages to his book, *Discipline and Punish; the Birth of the Prison*, Foucault portrays the scene of a public execution of male criminals whose limbs and flesh were being ripped away from their bodies, piece by piece, in front of several generations of onlookers. The hope, of course, was that the generations of witnesses would have the horrific and gory images permanently etched into their minds to deter them from committing the same crimes.

an iron yolk placed around his neck, with a three foot arm attached, to make sure he could not fit through the prison gates.⁴

A major institutional change took place when a new state prison was completed in 1836. This prison instituted the "Pennsylvania" plan, which placed each prisoner in continuous solitary confinement. Both adult and juvenile prisoners ate, slept, and worked in their solitary cell. This system, though cruel, provided for the automatic segregation of children and adults. Two decades later, the state of New Jersey nixed the experiment of the Pennsylvania plan due to advice from prison doctors who viewed solitary confinement as debilitating to inmates' physical and moral health. In its place, the state adopted the Auburn plan, through which prisoners still ate and slept in individual cells but now worked together with other inmates in prison shops. Ironically, the Auburn plan ended the segregation of children and adults. Juvenile inmates were, once again, being "rehabilitated" in prisons which compelled daily interactions with adult criminals.⁵

Pioneer reformers such as Dorothea Dix saw the intermingling of insane, criminal, poor, and other public charges as a horrific injustice to the inmates. Dix and others rallied public opinion and swayed legislatures (in New Jersey and other states) to understand that specialized institutions could do a better job with handling insane inmates. While acknowledging that hospitals for the insane were initially more expensive than almshouses and similar facilities, Dix proclaimed that creating specialized asylums for the insane would provide long term financial benefits for society, allow for medical

⁴⁴ Turner, Hopkins, and Ellis, *Justice and the Child in New Jersey*., referencing *Votes and Proceedings of the 54th General Assembly of the State of New Jersey; Reprt of the State Prison Committee*, 1830., pp. 164-191.

⁵ Turner, Hopkins, and Ellis, *Justice and the Child in New Jersey*.

doctors to cure the insane, and provide a more compassionate form of assistance and therapy for the mentally ill.⁶ Due in large part to the efforts and talents of Dorothea Dix, the New Jersey State Lunatic Asylum, later called the Trenton State Hospital, was built and began providing services on May 15, 1848.⁷

The creation of the New Jersey State Lunatic Asylum was major progress for a state which was previously lumping together all inmates. Although almshouses, workhouses, and similar dumping grounds continued to flourish, the efforts of reformers such as Dix paved the way for specialized facilities. During the era both reformers and the public sensed the cruelty of sending children to prison. New Jersey citizens shied away from making complaints against children, and court judges found ways of reducing sentences thereby avoiding incarceration. Although the county jails and workhouses were just as bad, both the public and the court system avoided remanding the children to state prisons due to the additional contamination that adult prisoners would provide.⁸

Aided by the successful creation of the lunatic asylum (which did not accept children at that time), reformers continued to plead for a specialized state institution for juvenile offenders. The state legislature voted to establish a state institution for juveniles

⁶ Thomas J. Brown, *Dorothea Dix : New England Reformer*, Harvard Historical Studies (Cambridge, Massachusetts.: Harvard University Press, 1998).

⁷ "Trenton Psychiatric Hospital," *The American Journal of Psychiatry* 156, no. 12 (1982). Although Dix's work to create the lunatic asylum did not directly impact juvenile delinquency at the time, during the 1920s, the highly specialized Trenton State Hospital became perhaps the worst place a juvenile delinquent could land. To gain political alliances in her quest for the creation of the state lunatic asylum, Dix ingratiated herself with medical doctors by joining the camp of Nineteenth Century reformers who advocated that doctors were capable of curing insanity (see Brown). Dix actually wanted the doctors to provide moral treatment, and she was not supportive of the narcotics doctors quickly came to use. Regardless, her support of modern medicine as a reason to build the state hospital indirectly led to the medical horrors exacted under Dr. Cotton in the 1920s. These will be discussed in the next chapter.

⁸ Turner, Hopkins, and Ellis, *Justice and the Child in New Jersey*.

in 1850, but the land and partially completed buildings were then sold just a few short years later due to political controversy over the institution⁹. Despite the setback, the state authorized specific counties and municipalities to build local reform schools. The legislature approved a reform school in Essex County, for example, which permitted that county's magistrates to sentence children under age 15 to the facility provided their sentences were one year or longer.¹⁰ Due to the establishment of local schools and also the successful experience of other states, reformers continued to mount political pressure on the legislature to create a state institution.

In 1865, New Jersey's first state-wide facility for juvenile offenders was approved by the legislature.¹¹ The State Home for Boys, originally named the State Reform School for Juvenile Offenders at Jamesburg, New Jersey, opened two years later in 1867, serving as a state institution for boys from 8 to 16 years of age. Shortly thereafter, the State Home for Girls, originally called the State Industrial School for Girls at Trenton, was established and charged with reforming girls between 7 and 16 years old.¹² The creation of the two state institutions may have provided systemic differentiation between adult and juvenile offenders, but it did not provide any immediate fix for many pressing problems.

⁹ "Acts of the Seventy-Fourth Legislature of the State of New Jersey, Chapter 125," (Trenton, NJ: Phillips & Boswell, 1850); "Acts of the Seventy-Sixth Legislature of the State of New Jersey, Chapter 191," (Somerville, NJ: Donaldson & Brokaw, 1852).

¹⁰ "Acts of the Eighty-First Legislature of the State of New Jersey, Chapter 67," (New Brunswick, NJ: A.R. Speer, 1857). Section one of the act specified that the reform school's charge was to provide for the "instruction, employment, and reformation" of juvenile delinquents in Essex County.

¹¹ "Acts of the Eighty-Ninth Legislature of the State of New Jersey, Chapter 479," (Newark, NJ: Newark Printing and Publishing Company, 1865). Children between the ages of 8 and 16 could be sent to Jamesburg.

¹² "Acts of the Ninety-Fifth Legislature of the State of New Jersey, Chapter 428," (Morristown, NJ: Vanue & Styles, Book and Job Printers, 1871).

Because state facilities received only those children who were sentenced for one year or more, the majority of juvenile offenders continued to be sent to local jails and workhouses. Despite separation in the state institutions, children and adult offenders continued to be dangerously intermingled in the workhouses and local jails. The New Jersey Legislature addressed this problem in an 1888 statute that required "jails, workhouses, penitentiaries, and other places of confinement" to separate children under 16 from those who were over sixteen.¹³ The enactment of this law was far from universal,¹⁴ but the Act of 1888 sent an important message that the state did not condone children being jailed or confined next to adults as matter of practice.

The protection of New Jersey children expanded in other important ways during the era as well: limitations were placed upon working hours in factories;¹⁵ orphanages were given tax exemption;¹⁶ and societies that advocated for and protected children from cruelty were given the ability to be incorporated.¹⁷ These were symbolic of an overall trend in the Garden State, illustrating that the unique needs of children were viewed as a growing priority.

¹³ "Acts of the One Hundred and Twelfth Legislature of the State of New Jersey, Chapter 144," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1888).

¹⁴ As shared in the previous chapter, child offenders awaiting trial, some as young as 7 years old, were occasionally mixed with adult prisoners in county jails as late as the 1920s. Ironically, the 1903 juvenile court act presented in the previous chapter sent children to county jails as they awaited trial.

¹⁵ "Acts of the Eighty-First Legislature of the State of New Jersey," (Trenton, NJ: Phillips & Boswell, 1851), p. 321.

¹⁶ "Acts of the Seventy-Third Legislature of the State of New Jersey," (Trenton, NJ: Phillips & Boswell, 1849), pp. 30 and 150.

¹⁷ "Acts of the One Hundredth Legislature of the State of New Jersey, Chapter 123," (Paterson, NJ: Chiswell & Wurts, Book and Job Printers, 1876).

During the 1880s and 1890s, a major institutional development was the rise of special institutions to care and train feeble-minded children and other special types of children during the 1880s and 1890s. The Vineland Training School officially opened in 1888, an institution that achieved worldwide notoriety over the next half-century.¹⁸ Similar specialized institutions were created throughout the Garden State as the State Institution for the Deaf and Dumb was created in 1882,¹⁹ and the State Village for Epileptics at Skillman was founded in 1898.²⁰

The creation of these state facilities and the movement to provide special institutional care for feeble-minded, deaf, and epileptic children straddled a bridge between a Nineteenth Century notion that the infirm had a need for the "charitable" custodial care of the state and a Twentieth Century belief that the children had a right to an education and training. By 1911, a New Jersey law authorized public school districts which had 10 or more blind or deaf students to establish special classes as part of their programs.²¹ As historian James Leiby observed: "Such was the pattern of progress - from a subsidy for selected indigents in out-of-state charity schools to special day classes in a

¹⁸ Katherine McCaffrey, "Founders of the Training School at Vineland, New Jersey: S. Olin Garrison, Alexander Johnson, Edward R. Johnstone" (Columbia University, 1965). I will provide insight in the development of the Vineland Training School and its role with juvenile delinquency in a subsequent, distinct section of this chapter.

¹⁹ "Acts of the One Hundred and Twelfth Legislature of the State of New Jersey, Chapter 236," (Paterson, NJ: Carleton M. Herrick, 1882). This bill provided for "the instruction and maintenance of indigent deaf mutes." Prior to the creation of the school, New Jersey had been sending some of its indigent deaf students to both New York and Pennsylvania. This actually continued even after the creation of the New Jersey state school if the children lived in closer proximity to the schools in the neighboring states.

²⁰ Michael Nevins, *A Tale of Two "Villages": Vineland and Skillman, N.J.; the Unknown Story of New Jersey's Major Role in Promoting Eugenics Theory Which Indirectly Led to Sterilization of More Than 65,000 Americans and to Mass Murder in Nazi Germany* (Bloomington, IN: iUniverse, 2009).

²¹ "Acts of the One Hundred and Thirty-Fifth Legislature of the State of New Jersey, Chapter 234," (Paterson, NJ: New Printing Co., State Printers, 1911).

public school system. However effective the provision in fact, the transition in thinking showed plainly the change from nineteenth-to twentieth-century notions of need and right."²²

Public opinion shifted from the needs to rights of children between the 1800's and 1900's, but the wording of the 1911 Act and the subsequent poor enforcement of the act in the 1910s and 1920s were steps backwards. The fine details in the statute revealed easy loopholes through which educational leaders could slip: "In each school district in the state where there are ten or more blind or deaf children *who are not now cared for* or *who cannot be cared for in an institution*, a special class or classes shall be organized for their education. ...Such classes shall be discontinued when proper provision is made for the care and education of such blind and deaf children by the state."²³ This wording allowed small public school districts to continue to ignore the needs of blind and deaf children and only required larger districts to pay attention if 10 or more children existed who were not already cared for, capable of institutionalization, or receiving care from the state. The act did not specify whether or not an almshouse or other dumping ground would have counted as an institution. And by exempting districts from providing local classes for blind and deaf students who were under the care of the state, the act limited its potential to spur the speed at which children would be educated within their own towns and local communities. This 1911 act was also the law that required the creation of separate classes for children three or more years subnormal (discussed in Chapter Five), a move that led

²² Leiby., p. 100.

²³ "Acts of the One Hundred and Thirty-Fifth Legislature of the State of New Jersey, Chapter 234.", Section One. Emphasis added.

to the precipitous increase in the number of segregated classroom in New Jersey's public schools during the 1910s and 1920s.

The segregation of less intelligent, feeble-minded, deaf, and epileptic children in special classes and institutions can be viewed as both beneficial and detrimental to children. Segregation in a specialized facility was an improvement over previous New Jersey practices such as locking troubling children away in the basements and attics of almshouses. Secondly, segregation in tailored institutions had the potential to be more useful than the indiscriminate intermingling of a wide variety of inmates in workhouses and county asylums. Third, by focusing solely on one type of child (even if children were frequently mislabeled), more knowledge of particular ailments or handicaps evolved.

Despite the progress achieved by these institutions, the development of special institutions was probably more harmful than helpful for the majority of children committed to them. First, because little was known about epilepsy, the needs of the deaf, the reasons for misbehavior, and the ways to treat "feeble-mindedness," New Jersey's children often became human guinea pigs in specialized institutions, facilities which became giant laboratories for experimentation.

Another problem created by the specialized institutions was their role in heightening the belief that those who were different should be isolated and ostracized from "normal" society. Institutional leaders, specifically those at Vineland, tapped into, manipulated, and amplified this historically pervasive way of thinking.²⁴ These reformers added a monumental new twist to previous perceptions about feeble-mindedness; while Nineteenth century reformers often saw the less intelligent as helpless and deserving of

²⁴ This will be shown in the upcoming section on the Training School at Vineland.

charity and assistance, Vineland and like-minded reformers increasingly publicized faulty but powerful claims that the feeble-minded were a "menace" and a "danger" to society who required institutionalization. Leaders and employees of feeble-minded institutions such as the Training School at Vineland had political ties, personal emotions, individual ambitions, desires for financial prosperity, and professional aspirations, and I will present how these real-life realities marred the rosy exterior image presented to the public. New Jersey's torrid rate of building institutions for the feeble-minded and other "delinquent" individuals was portrayed as a vital measure to protect society.

During the first 90 years as a state New Jersey built only two institution for "deviant" individuals. In the following five decades, the Garden State opened seventeen.²⁵ Many specialized institutions were erected and quickly filled to capacity in New Jersey between 1870 and 1920, but the lack of any cohesive organization and oversight of these institutions left the Garden State's institutionalization policy rudderless and ripe for corruption. Because of increasingly vocal advocate groups, two State Commissions conducted surveys of all New Jersey institutions that were supported by state funds in 1917. One committee studied the prison and correction institutions,²⁶ and the other studied the hospital, charitable, relief, and training institutions.²⁷ The findings and recommendations of these commissions redirected the course of correctional and charitable care in New Jersey for the 1920s and beyond.

²⁵ Leiby.

²⁶ New Jersey Prison Inquiry Commission., Harry Elmer Barnes, and Dwight W. Morrow, *Report of the Prison Inquiry Commission* (Trenton, N.J.: MacCrellish & Quigley Co., State Printers, 1917).

²⁷ New Jersey Commission to Investigate the State Charitable Organizations, *Report to the Honorable the Legislature of the State of New Jersey* (1918).

The Prison Inquiry Commission found ghastly conditions in the New Jersey State Prison and gross inadequacies in other correctional facilities such as the State Home for Boys in Jamesburg. The commission found that pervasive politics in New Jersey had polluted the state prison, Jamesburg, and other facilities during the previous half-century; for example, the administrations of the correctional facilities came under scrutiny for making backroom deals with businesses who vied for the cheap labor provided by New Jersey's criminals and delinquents.²⁸

In addition, the Commissions attacked intake procedures at the Trenton Prison and State Home for Boys at Jamesburg. The Prison Survey Commission revealed that all new inmates at the prison were being placed in solitary confinement for two weeks upon entering the prison, a sign that its administration was improperly focused on control and retribution rather than reformation. The administration of the Jamesburg State Home was cited for repeatedly falling back into mechanized routines that mirrored penitentiary procedures and for failing to adequately distinguish between the "delinquent" and "defective" classes. The Prison Survey Commission stated (in their most damaging recommendation which altered how delinquents were handed in 1920s New Jersey): "Those who were revealed by the highly scientific modern tests as to mentality to be markedly defective should be removed to the proper institutions *for permanent segregation and prevention of propagation*. Of course, before any of these steps can be taken, provision must be made for a *rigid psychiatric classification* of the inmates,

²⁸ New Jersey. Prison Inquiry Commission., Harry Elmer Barnes, and Dwight W. Morrow, *Report of the Prison Inquiry Commission* (Trenton, N.J.: MacCrellish & Quigley Co., State Printers, 1917).

something which is totally lacking at present."²⁹ As shall be momentarily shared, these dangerous recommendations were quickly enacted.

The report of the Charities Inquiry Commission, also commonly referred to as the Earle report, stressed the need for a centralized locus of control for New Jersey's charitable organizations. The Earle report concluded that the law under which the state commission of charities and corrections operated was ineffective and full of loop-holes. While the commissioner of the charitable organizations had been given many duties, he had no true authority; the commissioner needed either the governor's request or the permission of those in charge of the charitable institutions to investigate said institutions. Thus, any commissioner was completely shackled because he or she could learn of problems but was unable to enforce corrective actions upon the institution. The Earle report also found that individual boards for the charitable institutions had little knowledge of what other institutions were doing. The major suggestions of Earle Commission were to create a centralized body that could coordinate the work of the charitable institutions and to put teeth in the Commissioner position to provide him or her with actual power over the facilities he governed.³⁰

By painting a picture of politically corrupt, disjointed, ineffective, disparate, unorganized, and poorly managed institutions, The Prison Survey and Earle Commissions provided the New Jersey Legislature with irrefutable proof that the state institutional system was broken and urgently needed fixing. While they did conclude that these institutions were no worse than the average state, the conditions they found in New

²⁹ Ibid., p. 257. Emphasis added.

³⁰ New Jersey Prison Inquiry Commission., Barnes, and Morrow; Organizations; *Report to the Honorable the Legislature of the State of New Jersey*, 1918.

Jersey were very problematic. Given the massive amount of money that was spent on institutions and the public relations that could be gained, recommendations for change faced little opposition in the New Jersey Legislature. Within two years, sweeping changes created a massive bureaucratic structure that would oversee all institutions supported by public funds.

Ironically, the interconnected network that followed proved that a tightly webbed system on institutions could create its own set of problems. While New Jersey's institutions of the Nineteenth Century may have indiscriminately mixed a heterogeneous group of unwanted individuals together, the disjointed and "pre-professional" nature of early juvenile reformation may have provided a better fate than the one that awaited some 1920s children who came to be "helped" by New Jersey's new coordinated system of institutional care.

The New Jersey Department of Institutions and Agencies

The New Jersey Legislature wasted no time in answering the Commissions' calls for a coordinated system of institutions. In 1918-1919, the New Jersey Legislature approved the creation of the New Jersey Department of Institutions and Agencies.³¹ The new department featured a unique combination of decentralized management at the local, institutional level and centralized oversight at the state level. The new, "New Jersey system" or "New Jersey plan" (as it came to be called in the 1920s) was designed to be as non-political as possible and a showcase of scientific and efficient management. The

³¹ "Acts of the One Hundred and Forty-Second Legislature of the State of New Jersey, Chapter 147," (Trenton, NJ: MacCrellish & Quigley Co., State Printers, 1918); "Acts of the One Hundred and Forty-Third Legislature of the State of New Jersey, Chapter 97," (Trenton, NJ: MacCrellish & Quigley Co., State Printers, 1919). The Act of 1919 amended certain sections of the 1918 Act. The central organizing body was renamed the New Jersey Department of Institutions and Agencies in 1919, amending the name given a year early in 1918 (The New Jersey Department of Charities and Correction).

Department of Institutions and Agencies consisted of the "State Board of Control of Institutions and Agencies" and the "Commissioner of Institutions and Agencies," both of whom had control over the divisions, bureaus, branches, committees, officers, and employees in the newly created bureaucracy.³² The 1918 and 1919 Acts brought all of the state-run charitable, hospital, relief, training, correctional, reformatory, and penal institutions, boards and commissions under the control of the Department.

The Governor appointed the State Board of Control for a 3-year term of office. The Board of Control appointed the Commissioner, who served as the executive of the entire Department. The Board of Control also appointed a local Board of Managers to each New Jersey institution. With advance approval of the Commissioner, the local Boards of Managers named their own Superintendents to run the institutions.

During the entire 1920s, the Department of Institutions and Agencies was also split into multiple divisions. In 1918, the original divisions included the Division of Education,³³ the Division of Medicine and Psychiatry, The Division of Statistics, the Division of Parole, and the Division of Food and Dietetics, each of which employed salaried experts to efficiently carry out the specialized work of the Department. As the 1920s neared an end, the Department altered and amended its divisions to address its

³² "Acts of the One Hundred and Forty-Third Legislature of the State of New Jersey, Chapter 97.", Section Two, amending "Acts of the One Hundred and Forty-Second Legislature of the State of New Jersey, Chapter 147.", Section 101. Please note, as specified in the 1919 Act, that the Department of Institutions and Agencies was frequently referred to as "The Department;" the State Board of Control of Institutions and Agencies was called "The State Board;" and the Commissioner of the Department of Institutions and Agencies was simply referred to as "The Commissioner." For the remainder of this dissertation, exclusive of the conclusion, I will use these shortened titles.

³³ The focus on education in New Jersey's reform of inmates and patients reflected the shifts that had occurred between the Nineteenth and early Twentieth Centuries. Prisons such as San Quentin placed increasing focus on education within the walls of its prison, reflective of new paradigms in prison reform. See Justice. I will present the focus on education in Jamesburg and Vineland later in this chapter.

changing needs. In 1928, the Department was organized into the -Division of Classification and Parole, which included the Bureaus of Children, Parole, and Education and Classification; the Division of Medicine; the Division of Inspection and Legal Settlement; the Division of State Use and Institutional Employment; the Division of Research; the Division of Administration, which included the bureau responsible for the institutional accounting, the supervision of farms and the work of the supervising steward; and the Division of Architecture and Construction.³⁴ By law, each division was headed by an expert Director.

The bureaucratic structure's growth and stability in the first ten years of its existence proved its staying power. Reformers created the Department during World War I, obviously a difficult time, but also an era during which New Jersey society was hungry for order and organization. The Department's platform and means of success was rather simple. During the 1920s, its Board of Control and Commissioners focused on running a "business-like" corporation that focused on efficiency, financial responsibility, and employment of the latest "scientific principles" in correctional and charitable care.

The Department served as a culmination of fifty years of rapid institutional construction, but the building did not cease at the end of the 1910s. To the contrary, New Jersey simply could not build enough institutions to accommodate the number of children and adults it was committing. Department leaders successfully convinced the New Jersey Legislature to increase the stream of money that was already flowing into institutionalization; with the help of a series of taxes and multi-million dollar bonds, institutional construction boomed between 1923 and 1936, costing New Jersey taxpayers

³⁴ New Jersey State Board of Control, *Handbook of State Institutions and Agencies* 1928.

a total of thirty million dollars. During this thirteen year period, five new institutions were added to the state's vast institutional system in the hopes of easing existing overcrowding.³⁵

By end the of the 1920s, the Department of Institutions and Agencies oversaw two State Agencies, the State Board of Children's Guardians and New Jersey Commission for the Blind, and 17 specialized institutions. These institutions included: two facilities for the insane, The Trenton State Hospital and Greystone Park; four public institutions for the feeble-minded, the State Institution for Feeble-Minded (Females) at Vineland, the State Colony for Feeble-Minded Males at New Lisbon, the State Colony for Feeble-Minded Males at Woodbine, and the North Jersey Training School (for Females) in Totowa; one facility for epileptics, The State Village for Epileptics in Skillman; a tuberculosis facility, the Sanatorium for Tuberculosis Diseases in Glen Gardner; two soldiers' homes, the Home for Disabled Soldiers in Kearny and the New Jersey Memorial Home for Disabled Soldiers, Marines, Sailors and Their Wives and Widows; two adult prisons, the New Jersey State Prison in Trenton and the Prison Farm of the State Prison in Leesburg; three reformatories for young adult prisoners, The New Jersey Reformatory in Rahway and the Annandale Reformatory in Annandale (both for males), and the New Jersey Reformatory for Women in Clinton; and two institutions for

³⁵ Irving Seligman, *Prison Industries in New Jersey - a 200-Year Chronicle* (New York: Carlton Press, Inc., 1986). Insert reference at home. The newest New Jersey institutions included The Training School at Totowa, which opened in 1928; The Annandale Reformatory in 1929; Marlboro State Hospital in 1931; the Menlo Park Soldiers' Home in 1932; and the prison farm at Bordentown, which was completed in 1937.

juvenile delinquents, the New Jersey State Home for Boys in Jamesburg and The New Jersey State Home for Girls in Trenton.³⁶

Throughout the 1920s, the New Jersey Legislature instituted what the Department called a “pay-as-you-go” system of taxation to fund each year's institutional building. The New Jersey Legislatures of 1923, 1924, 1925, 1926, 1927, and 1928 all passed “The Half-Mill Tax.” According to the Department, the tax revenues: “made possible the erection of much needed new buildings, the reconditioning and modernizing of older buildings, and the extension of facilities *to take care of the constantly increasing number of dependent and delinquent wards* for whom the State is responsible.” The ever-expanding size and scope of New Jersey's institutions provided additional space for reformers wishing to commit unwanted individuals, and this contributed to profound growth in institutional commitments; according to the Department, the population of New Jersey increased 24 percent between 1918 and 1928 while the number of inmates and “patients” in New Jersey institutions increased 35 percent.³⁷

Despite this sharp increase, institutional reformers remained unsatisfied. Their concerns at the end of the 1920s mirrored those from a decade earlier – there were too many defectives and too few institutions to segregate them.³⁸ The Department and all institutional reformers used the myth of a crime wave, complaints about overcrowding, and the claim that the number of dependent and delinquent wards were constantly increasing to persuade the public and the legislature to fund institutional expansion. Their

³⁶ *Handbook of State Institutions and Agencies*, 1928.

³⁷ *Ibid.*, p. 15. Emphasis added.

³⁸ *Ibid.*

ploy worked, but overcrowding continued and waiting lists never got shorter. (See Image 7.1 below).

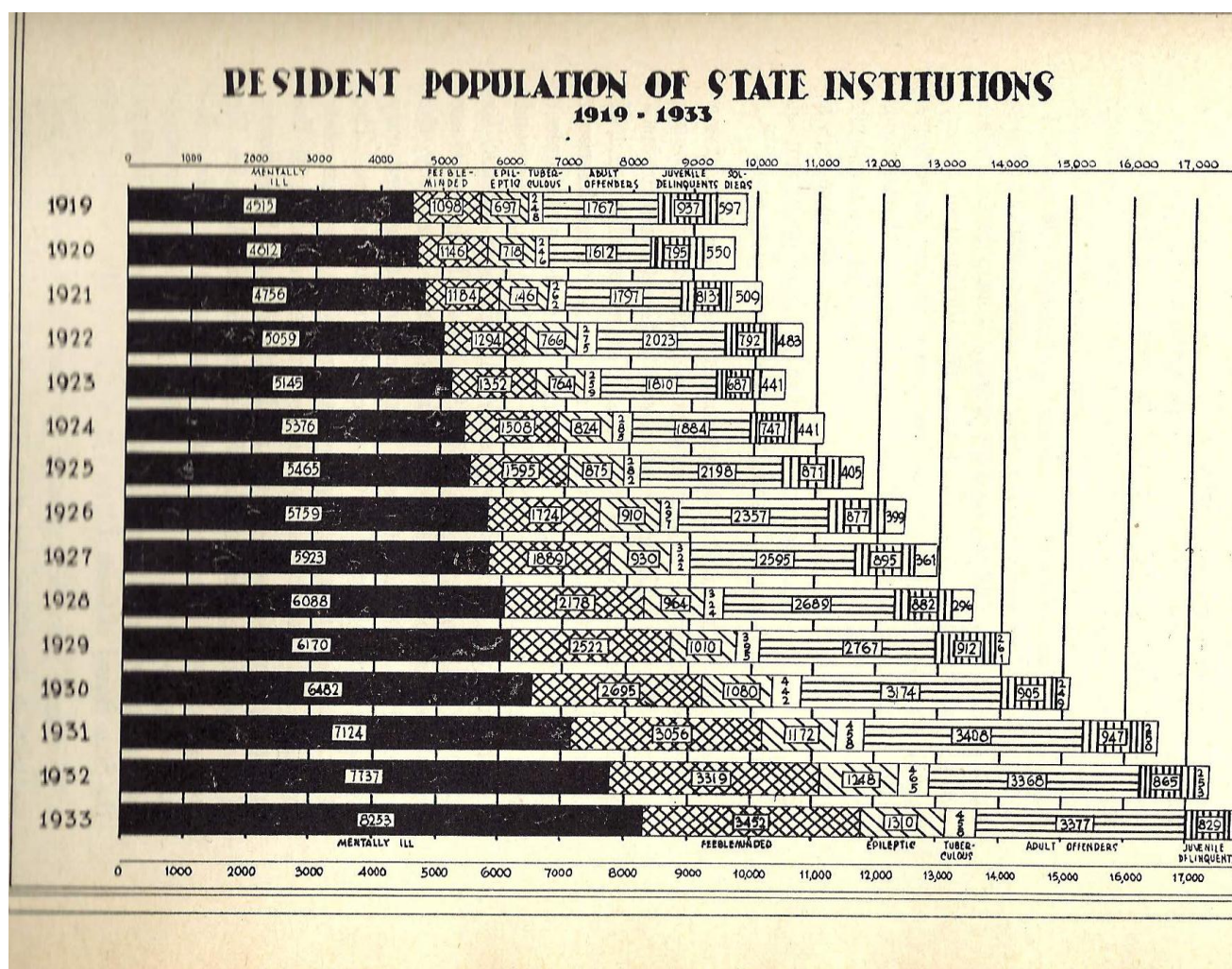


Figure 7.1 - Scanned Image of New Jersey State Institutions' Resident Populations, 1919-1933³⁹

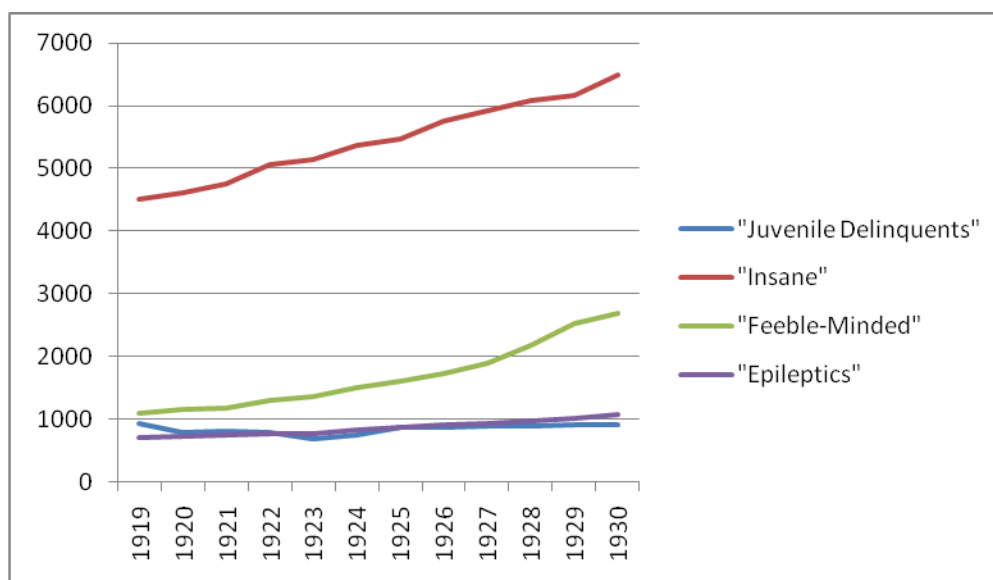
The Department of Institutions and Agencies shaped the lives of juvenile delinquents in a multitude of ways, but two stood out above the others. First, the Department's existence helped spur the creation of new facilities and the expansion of

³⁹ Paul Stafford, *State Welfare Administration in New Jersey* (Trenton, NJ: State of New Jersey Department of Institutions and Agencies, 1934). I found this book in the "Government Documents" stacks at Alexander Library at Rutgers University. This publication provided some invaluable data; ironically, the book appeared to have been "hidden" in the stacks. It was not previously available on the electronic card catalog (called Iris at Rutgers) and had no barcode on the book.

existing ones. Under the leadership of Commissioner Burdette Lewis from 1918-1925 and Commissioner William Ellis from 1925-1945, the Department became a strong, interlocked web of professionals and experts that gained political clout and state and national recognition for their efforts. The Departments' support and advocacy for institutional development directly led to an increased funneling of both children and adults into institutions. Although the number of juvenile delinquents committed to the State Homes remained relatively stable from 1919 through 1930, the number of insane inmates grew from 4,515 to 6,482 during the same period; feeble-minded inmates jumped from 1,098 to 2,695; and the number of epileptics in the state facility climbed from 697 to 1080 (See Table 7.1 and Graph 7.1).

	"Juvenile Delinquents"	"Insane"	"Feeble- Minded"	"Epileptics"
1919	937	4515	1098	697
1920	795	4612	1146	718
1921	813	4756	1184	746
1922	792	5059	1294	766
1923	687	5145	1352	764
1924	747	5376	1508	824
1925	871	5465	1595	875
1926	877	5759	1724	910
1927	895	5923	1889	930
1928	882	6088	2178	964
1929	912	6170	2522	1010
1930	905	6482	2695	1080

Table 7.1 - New Jersey Resident Population at State Institutions for Juvenile Delinquents, Insane, Feeble-Minded, and Epileptic Inmates, 1919-1930⁴⁰



Graph 7.1- Growth in NJ State Institutions' Resident Population for Juvenile Delinquents, Insane, Feeble-Minded, and Epileptic Inmates, 1919-1930⁴¹

The 1920s were an unforgiving decade for the unfortunate New Jersey children who were railroaded into one of the state's many institutions. As described throughout this dissertation, public schools, juvenile courts, and the general public had little tolerance for inefficiency and especially any hint of deviance. Consequently, the Department of Institutions and Agencies encountered little resistance when it pushed for more state institutions to keep society efficient and safe.

Accompanying the institutional growth in state facilities, other types of private, public, county, local, religious, and sectarian institutions sprung up all over the Garden State during the era. These reform schools, mental hospitals, colonies and training schools for the feeble-minded, and other institutions segregated thousands of additional

⁴⁰ I created this table using data from Ibid., p. 69.

⁴¹ Ibid.

unwanted children beyond the ones already exiled in State institutions. New Jersey reformers sponsored hundreds of local, county, and private institutions, many of which were specialized facilities;⁴² these included a staggering number of institutions for children. “Child advocates” established and maintained 92 specialized institutions for “blind, crippled, convalescent, or delinquent children, and babies with unmarried mothers.”⁴³ New Jersey children were also confined in 25 county and municipal welfare houses and almshouses; 81 general and specialized community hospitals; 9 state and county institutions for the mentally diseased; 57 hospitals for contagious diseases; and an unspecified number of private institutions for the mentally diseased and the feeble-minded.⁴⁴

The Department of Institutions and Agencies governed not only the state institutions but also jurisdiction over the hundreds of other facilities which confined thousands of children and adults. This tremendous power placed the Department in a unique and profoundly important position. Had the New Jersey Department of Institutions and Agencies dictated policy changes to minimize institutional commitments, it would have undoubtedly altered the fate of a countless number of children. Instead, the

⁴² *Directory of Social Welfare Institutions and Agencies in New Jersey*, (Trenton, NJ: State of New Jersey Department of Institutions and Agencies, 1934)., pp. 23-102. Atlantic County reformers, for example, sponsored 26 different institutions

⁴³ *Ibid.*, pp. 106-107. This total was based upon my tallying of the individual institutions listed on pages 106-107.

⁴⁴ *Ibid.* For a listing of almshouses and welfare houses, see p. 103; for general and specialized hospitals, see pp. 111-112; for institutions for the mentally diseases, see p. 115; and for a list of hospital for contagious diseases, see pp. 112-113. The New Jersey Department of Institutions and Agencies annually licensed the unspecified number of private institutions for the feeble-minded and mentally diseases. This list was unpublished, and information was available only by contacting the Department. See p. 115.

Department blessed and expanded institutionalization as a preferred practice used to treat, reform, or isolate children.

The New Jersey Legislature created the Department to organize, coordinate, supervise, and reduce corruption in previously autonomous institutions; paradoxically, the intricate and tightly woven web unified diverse reformers who benefited from institutionalization. There was no conflict of interest, only a common and publicly supported mission to segregate unwanted children from mainstream society. The Department birthed and fostered the growth of a powerful coalition of institutional reformers who could snuff out or dissuade any opponent. The political, professional, and social enmeshment of Department leaders (such as Commissioners Lewis and Ellis) with the leaders of individual institutions proved dangerous and deadly for New Jersey children during the 1920s.

Classification; the Department's Most Dangerous Accomplishment

While the Department's expansion of institutionalization was tragic, the Department indirectly inflicted deeper wounds upon some New Jersey children when it created its Division of Education and Classification in 1919.⁴⁵ Through the classification system, the Department set in motion a *systemic and scientific* study of all of its inmates to inform decisions regarding the *treatment, training, and placement* of its charges. Officials isolated children immediately upon arrival in institutions and subjected them to a barrage of tests that frequently lasted several weeks. During this "quarantine" period, experts in psychiatry, psychology, medicine, and education thoroughly examined each

⁴⁵ The New Jersey Legislature sanctioned classification through "Acts of the One Hundred and Forty-Third Legislature of the State of New Jersey, Chapter 139," (Trenton, NJ: MacCrellish and Quigley Co., State Printers, 1919).

child. The experts then collaborated at a meeting held for each child to determine how to place, treat, and (if possible) train each inmate.⁴⁶

The Department claimed that the New Jersey plan for classifying delinquents was the first comprehensive program of its type in the United States, and they were extraordinarily proud of their scientific innovation in penal reform.⁴⁷ During the first few years it employed classification in New Jersey institutions, the Department realized that individual institutions did not have a sufficient number of experts who were properly trained in classification procedures. Consequently, the Department developed a "psychiatric clinic" with headquarters at the Trenton State Hospital. In deciding on whom should head the psychiatric clinic, the Department turned to a man they deemed to be innovative- Henry Cotton, then Medical Director of the State Hospital at Trenton and acting Director of the Department's Division of Medicine and Psychiatry. Cotton and his subordinates in the clinic studied and classified thousands of juvenile and adult offenders during the 1920s; the clinic thoroughly examined nearly 3,000 inmates between 1921 and 1922 alone. During each of these examinations, the clinic's goal was to determine the "abilities and disabilities" of inmates to direct the appropriate medical, psychological, vocational, and institutional "treatment."

In 1922, Commissioner Burdette Lewis proclaimed that the Department's early work with classification was a resounding success. Lewis stated that the clinic's studies enabled certain groups of inmates to receive "*special medical attention* for diseases,

⁴⁶Burdette Lewis, "The Quarterly, Volume 1, Issue 1," in *The Quarterly, Volumes 1-3, 1923-1925*, ed. New Jersey Department of Institutions and Agencies(Trenton, NJ: The State Department of Institutions and Agencies, 1925)., pp. 28-29.

⁴⁷ *A Report 1934-1943 and Handbook*, (Trenton, NJ: State of New Jersey Department of Institutions and Agencies, 1943).

toxemias, organic defects, and the like;" Other groups were provided with "special educational training" or "special vocational and industrial training;" Institutional officials *helped* yet another group with "disciplinary training" or "training along special moral lines."⁴⁸ Commissioner Lewis made these comments in a four year summary of the Department's work, a report he submitted on June 30, 1922 to Ellis Earle, President of the State Board of Control of Institutions and Agencies. The report illuminated both Lewis' endorsement of Cotton's work and the manner in which inmates were sorted based upon classification.

Both Lewis' belief in Cotton and the clinic's sorting of children proved problematic for the Commissioner and children alike. Henry Cotton's theory that focal infections (which Lewis referred to above as "toxemia") led to mental instability and crime was false; nonetheless, Cotton operated with the blessing and endorsement of the State of New Jersey. Commissioner Lewis hung (and ultimately lost) his hat on Cotton's visions and raised him up as a hero and pioneer. For example, Lewis proclaimed: "The work of the New Jersey State Hospital at Trenton, under Dr. Cotton is a striking example of the changes and improvements that are being brought about in all the New Jersey Institutions."⁴⁹

In a separate publication written by the Commissioner, *The Winning Fight Against Mental Disease*, Lewis offered similar praise, stating: "inanity had been robbed of many of its terrors" and "may be conquered if attacked during its incipient stages.

⁴⁸ Lewis., p. 29.

⁴⁹ Burdette Lewis, "The Quarterly, Volume 1," in *The Quarterly, Volumes 1-3, 1923-1925*, ed. New Jersey Department of Institutions and Agencies(Trenton, NJ: The State Department of Institutions and Agencies, 1923), p. 34.

Even more advanced cases may be arrested if vigorous effective measures are adopted."⁵⁰ The Commissioner shared that Dr. Cotton surprised the medical profession when "epoch-making recoveries of insane patients" occurred due to Cotton's treatment, and Lewis boasted that Cotton had purportedly treated and discharged 1,000 patients previously thought to be incurable.

By the mid 1920s, Cotton's treatments came under intense scrutiny, and critics realized that his medical cures were needlessly injuring and killing patients. An extraordinarily scathing report about Cotton's work was mysteriously suppressed,⁵¹ yet Commissioner Lewis suddenly found himself in an unenviable position. Lewis was the figure head of the Department that sanctioned Cotton's work; worse yet, Lewis provided glowing praise of Cotton and gambled much of his political capital on Cotton's theories. Burdette Lewis' gamble resulted in a premature end to both his career and the lives of some New Jersey inmates. Lewis "suddenly resigned" in December of 1925, leaving the Department's chief executive position vacant until it was filled by his successor, William Ellis.⁵²

The Department of Institutions and Agencies' most shameful mistake may have been its support of Cotton's detoxification theory, but the classification system also wreaked other havoc on New Jersey children during the era. Using testing to identify strengths and weakness was not inherently bad; however, the Department misused

⁵⁰ Burdette Lewis, "The Winning Fight against Mental Disease," *The American Review of Reviews* 66, no. 4 (1922). I found this article at the New Jersey State Archives in Trenton, New Jersey. One of the boxes held at the archives contains publications by the staff of the State Hospital at Trenton. Ironically, no doubt because of Lewis' praise of the Trenton Hospital, Commissioner Lewis' article was inside this box.

⁵¹ This report, completed by Phyllis Greenace, will be presented in detail in Chapter Eight.

⁵² "Resignation a Surprise; Many Are Expected to Succeed Commissioner Lewis in Jersey," *New York Times*, December 21, 1925.

"classification" to overzealously sort children in unfair and harmful ways. To the clinic's credit, experts tested new inmates for weeks, as opposed to the life-altering, thirty-minute intelligence test employed elsewhere during the 1920s. But in an age where a quick and invalid intelligence test could redirect the path of a child's life, children found few advocates who could challenge a diagnosis made by the clinic's team of experts. It is easy to envision how the clinic could have misclassified a docile child as "feeble-minded," a child voicing displeasure as "a defective delinquent," and countless other children with some other "scientific" term. By misapplying damaging labels based upon pseudoscientific examinations, the clinic underestimated and therefore shackled young offenders' moral, social, vocational, intellectual, and spiritual potential.

In the early to mid 1920s, the Department of Institutions and Agencies thrived on their fallacy that classification had "completely changed institutions frommere places of custody ...into real institutions for training and treatment."⁵³ The Department of Institutions and Agencies employed some novel approaches in penal reform, but behind a facade of benevolence, the Department had hidden agendas. The Department cleverly used its power in attempts to reshape the soil, the social landscape, of the Garden State.

One example of the Department's ulterior motives was their embrace of Cotton's work. Without question, Commissioner Lewis may have had several reasons for his glowing endorsement of detoxification surgery. Lewis may have draped himself on Henry Cotton's back because he was enamored with the exciting notion that surgeries of the body could cure diseases of the mind. After seeing Cotton's exciting raw data, Lewis may have also jumped on Cotton's bandwagon to enhance his own professional notoriety

⁵³ Lewis, "The Quarterly, Volume 1.", p. 29.

and to distinguish himself as a cutting-edge leader of the nation's finest example of scientific management.

But the Department's enmeshment with Cotton was also financially motivated. Institutionalization was an expensive endeavor; "curing" inmates through detoxification and releasing them on probation was far cheaper. Commissioner Lewis exuded pride over detoxification's potential savings to the tax payers of New Jersey. Citing that the Trenton State Hospital had 379 fewer patients than expected in 1921 due to Cotton's curing of inmates,⁵⁴ Lewis proclaimed that detoxification surgery had saved the State \$116,000 in "maintenance charges" during 1921. (Heading off a potential punch-line to a cynical joke), Lewis added: "This savings is, of course, in no way related to the negligible surgical mortality which rules in the conduct of this work."⁵⁵ The Commissioner explained that the new course of direction being taken in New Jersey was a tremendous savings over committing patients for life. Lewis stated:

Taxpayers should be brought to realize that they pay the staggering sum of \$10,000 for each indigent case committed for life. Under the old conditions, *two-thirds* of all commitments are for life, and insanity has quadrupled while the general population has doubled! Simple arithmetic shows what the future has in store unless insanity can be cured or prevented.⁵⁶

Just two years later, Commissioner Lewis claimed that Trenton Hospital had cut the average hospital stay from nine months down to three months had had saved New Jersey taxpayers \$1,532,437 after five years of Cotton's detoxification surgery. Lewis shared that the cost of treatment at Trenton State Hospital "never exceeded \$700," a

⁵⁴ Lewis stated that there were 55 fewer non-paying patients in the Hospital on July 1, 1921 than on July 1, 1918, down from a normal increase of 324 inmates during a three year period.

⁵⁵ Lewis, "The Winning Fight against Mental Disease.", p. 417.

⁵⁶ Ibid., p. 418.

profound savings over the cost of committing an inmate for life.⁵⁷ Regardless of the accuracy or inaccuracy of Lewis' claims, he used this powerful political language to garner support for detoxification. Although utterly false, Lewis' approach was ingenious - announce to the world that your Department has found a cure for insanity and proclaim to the public and legislature that you have saved them millions of dollars.

In addition to the inmates whose mental instability made them excellent candidates for detoxification, classification also permitted The Department of Institutions and Agencies to identify other inmates who the state could reform while concurrently saving taxpayers money. The classification process was not only used on inmates upon their admission to an institution, it was also frequently used as a condition for their release. Reclassification resulted in parole for some inmates. Commissioner Lewis reported in 1922 that over 3,000 inmates were under the supervision of 15 field parole officers assigned to the Department's Central Parole Bureau. He explained that if these parolees were still confined in institutions, their maintenance would have cost the state \$1,265,000 annually. Lewis contrasted this with the aggregate salary of parole field agents and parole directors, a mere \$49,210. In addition to these staggering savings, Lewis claimed that parole work had minimized recidivism. He stated that only 20% of boys from the State Home for Boys, 40% of women and girls at Clinton and the State Home for Girls, and 10% of young men at the Rahway Reformatory had violated parole and returned to the institutions during the previous year.⁵⁸

⁵⁷ Burdette Lewis, "The Quarterly, Volume 1, Issue 4," in *The Quarterly, Volumes 1-3, 1923-1925*, ed. New Jersey Department of Institutions and Agencies (Trenton, NJ: The State Department of Institutions and Agencies, 1925), p. 6.

⁵⁸ Lewis, "The Quarterly, Volume 1, Issue 1.", pp. 31-32.

Lewis was probably on the right track with his financial analysis of the potential savings offered through prisoner parole. But while financial savings are always welcomed news, parole was not the sort of treatment society wanted for juvenile and adult offenders during the 1920s. Reformers and the public wanted delinquents to be locked up and kept away. The Department resorted to parole out of sheer necessity - the institutions simply could not hold all of the charges being committed to them. Given that hundreds of parolees were assigned to parole officers, it is unlikely that the work of the officers served any valuable reformatory function for offenders. Parole merely served as a pressure release valve for the burgeoning institutions. The State of New Jersey could have appropriated more money to hire and train probation and parole officers, but this would not have been a popular course of action.

Because the public would not support parole and due to the fact that the state's classification clinic was overwhelmed with the number of defectives it had been requested to cure, Lewis and his Department of Institutions and Agencies had to find other ways to sort inmates in a politically acceptable and fiscally responsible manner. Department officials recommended rehabilitation in juvenile and adult correctional institutions for some inmates who were classified as "trainable." But for another set of children, the Department of Institutions and Agencies' classification experts deemed them hopeless scraps of humanity who could not be reformed or trained.

The Department perceived and often portrayed its inmates as human commodities, as material possessions whose financial and social liability to the State had to be minimized through classification and scientific management. Commissioner Lewis stated: "Our institutions through modern scientific processes are salvaging much of the

human material committed to their care."⁵⁹ Lewis explained that rehabilitation was the aim whenever possible, but added:

On the other hand, the *residue* of cases that are discovered to be of the *permanently custodial type* are not permitted to drag along in the correctional institutions where they *impede the progress* of others. The properly custodial type are promptly recognized and sent to the special institutions such as the Hospitals for the Insane, the Feeble Minded Colonies or the Epileptic Village, as the case may be.⁶⁰

Classification provided the Department with scientific justification to permanently exile thousands of unwanted children during the 1920s. Segregating children and adults in colonies, hospitals, village, and training schools resembled the (much maligned) Nineteenth Century practice of locking miscreants away in workhouses and almshouses; however, the Department and like-minded reformers were ironically able to portray segregation as not only scientific and efficient but also kind and compassionate. The feeble-minded and other unsalvageable classes were being committed for life, but this was to "protect" them from the pain they would endure as odd creatures in normal society. The Department's classification clinic promptly removed children deemed to be feeble-minded or otherwise "materially defective" from correctional facilities and placed them in "villages of happiness."⁶¹

Permanently segregating these unwanted children from society may have pleased both reformers and the public, but it left the Department with a financial dilemma. The problem created by the exorbitant cost of life commitments was compounded by the

⁵⁹Ibid., pp. 29-30. Emphasis added.

⁶⁰ Ibid., p. 30. Emphasis added.

⁶¹ James Eadline, *Training School at Vineland, New Jersey; the Village of Happiness to Which Faith Leads and Where Hope Abides* (Vineland, NJ: Training School at Vineland, 1963). This publication can be found in the Alexander Library archives at Rutgers University.

steadily increasing number of children classified as defective. This mirrored the financial challenges posed by the precipitous increase in the resident population of the State's institutions as a whole. In addition to raising taxes, the Department ameliorated some of these financial crises by tapping into their human commodities, the inmates; in 1918, the Department organized and quickly implemented a "state use" system which utilized prison labor to produce resources for the institutions and generate revenue.⁶²

The Department called the State Use system "the most practical and most progressive system of employing convict labor that has yet been found."⁶³ Under this system, the State outfitted institutions and institutional land with the necessary equipment for inmates to produce goods. The products produced, whether food or other materials, were then sold for the consumption of the State's Departments and Institutions. Profits generated paid for the instruction and supervision of the inmates assigned to each particular trade, and surplus revenue was returned to the State Treasury after the deduction of overhead costs such as wages of prisoners, supervision, and manufacturing costs.⁶⁴

The Department's oversight of the "State Use" system generated significant income for the State. State institution farms produced \$1,508,293 worth of products

⁶² Seligman. Prior to the State Use system, New Jersey prisons utilized a "contract system" of prison labor. Under the contract system, contractors engaged with the state for the labor of the convict. The contractor supplied his own raw materials, supervised the work, controlled the inmates' employment, and handled all sales of the products produced. The New Jersey Legislature approved "State Use" in 1911, but political pressure from contractors was one of several factors that slowed the actual transition from a Contract to State Use system. Labor unions, who knew that cheap prison labor deleteriously impacted the free market, helped to pressure New Jersey and other states into abolishing the Contract system.

⁶³ Lewis, "The Quarterly, Volume 1, Issue 1.", p. 24.

⁶⁴ Ibid; Seligman.

between 1918 and 1922; the profit generated from farming and also industrial work in the State's institutions helped to produce \$699,374 in surplus funds for State institutions during the 1921-1922 fiscal year.⁶⁵ As efficient leaders, Superintendents of individual institutions kept a watchful eye on their facilities' gross production. Additionally, institutional leaders viewed prison labor as vital reformation of the inmate. Developing a good work ethic in prisoners was vital to the physical, mental, and moral growth of offenders.

The idea that prison labor could be both punitive and restorative was a heavily subscribed philosophy of Nineteenth Century penology.⁶⁶ But what was relatively new during the 1910s and 1920s was the increasing emphasis on differentiating prison labor based upon the perceived strengths of child and adult inmates.⁶⁷ In theory, New Jersey was training its prisoners with industrial skills that could be useful upon their release and return to society.

But during the early 1920s, Commissioner Lewis believed that New Jersey was failing both inmates and public school students because leaders overestimated children's abilities assumed that all children were "verbally minded." Lewis claimed that many children who ended up at Jamesburg (State Home for Boys) were the victims of being manual minded children in a verbally oriented public school system. While Lewis accurately assessed that many delinquent children were victims of systemic practices, he

⁶⁵ Lewis, "The Quarterly, Volume 1, Issue 1.", pp. 23-24.

⁶⁶Freedman, *Their Sister's Keepers; Women's Prison Reform in America, 1830-1930*.

⁶⁷ For example, classification experts made suggestions as to which of the 36 different industries the 296 new prisoners at the NJ State Prison were placed in the first half of 1921. See Table 3 in Burdette Lewis, "The Quarterly, Volume 3, Issue 2," in *The Quarterly, Volumes 1-3, 1923-1925*, ed. New Jersey Department of Institutions and Agencies(Trenton, NJ: The State Department of Institutions and Agencies, 1925), p. 19.

did a great disservice to young offenders in both Jamesburg and The Reformatory at Rahway when he suggested that the facilities downgrade their educational and vocational training. Commissioner Lewis stated that the boys at Jamesburg were too young to be taught a definite vocation and should instead be instructed how to use various sorts of tools and how to handle them. Lewis stressed that the young men at Rahway could be taught vocational work but that it had to be "very simple and concrete;" Lewis claimed that studies proved that the vast majority of these boys could never become foremen, rarely could progress beyond the third or fourth grade, and could at best become common laborers. Sadly, Commissioner Lewis lowered the bar at both Jamesburg and Rahway, attempting to direct the path of young inmates toward menial positions that would serve society but not the young men.⁶⁸

The worst fate, aside from those who died from Cotton's surgeries, awaited those children who were permanently committed to one of the specialized industrial colonies, feeble-minded institutions, or other facilities of exile. Institutional labor solved the economical challenge in these facilities as well. When I first began my investigation into New Jersey's shocking practice of permanently segregating feeble-minded children, I had difficulty comprehending how a "life commitment" could not quickly become a financial liability for a state or private institution. The answer was that all colonies and training schools for the feeble-minded had ample land which the feeble-minded children cultivated and transformed into prosperous farms. Children "earned their keep" through farm work; in this way, they could be permanently removed from mainstream society for the entirety of their natural lives.

⁶⁸ Burdette Lewis, *Addresses on Public Questions* (Trenton, NJ: New Jersey State Board of Control of Institutions and Agencies, 1922)., pp. 5-6.

While the Civil War abolished slavery, New Jersey's classification system allowed certain institutional leaders to essentially "own" children that were classified and committed as feeble-minded inmates. Reformers portrayed the permanent exile as compassionate for the children and vital for a healthy society, but this rhetoric was political language that benefited the politically elite. Similar to how white slave owners justified slavery because of beliefs that African Americans were racially inferior, eugenicists, institutional reformers, and the New Jersey Department of Institutions and Agencies justified life commitment because of beliefs that the feeble-minded were mentally inferior. Slave owners employed "old-fashioned" racism based upon the color of skin, and New Jersey reformers executed scientific racism based upon pseudoscientific aptitude tests.

During the 1920s, the Department of Institutions and Agencies was a national model of scientific management, and the accomplishments of the Department in integrating and supervising multiple institutions and agencies were impressive, despite its many shortcomings. The Department's State Board of Control provided a powerful governing body that could investigate alleged abuse and direct corrective action in any institution; this alone was a vitally needed improvement because of the historically pervasive abuse and neglect in almshouses and similar dumping grounds.⁶⁹ The State Board also had supervisory power over the Commissioner. The "resignation" of Burdette Lewis suggested that the Department's design truly did have a system of checks and balances. While Lewis may have been the scapegoat for a cast of employees in the

⁶⁹ As will be shared in the next section, I found evidence that the Board of Control, under the leadership of the new Commissioner, William Ellis, launched an extensive investigation into abusive practices taking place at the State Home for Boys in 1927

Department who were equally misguided, his "unexpected" departure signified that powerful experts, including the Commissioner himself, were not untouchable.

While the centralization of power and creation of bureaucratic divisions proved useful,⁷⁰ "over-centralization" was one of the greatest flaws of the Department of Institutions and Agencies during the 1920s. The Department did not end politics in institutional management; to the contrary, the creation of the Department of Institutions and Agencies propagated personal, professional, and philosophical alliances that became extraordinarily powerful and politically impenetrable. Fear in society helped to fuel the institutionalization craze of the 1920s, but it was the Department who answered the calls of an intolerant public, overcrowded public schools, and hungry institutional reformers by expanding the size, scope, and function of New Jersey's institutional system. The Department offered society what is most valued - efficient, economical, and scientific management, and it delivered what society most wanted - the removal of unwanted children from society.

The Department expanded specialized institutions and built new ones, advocated for detoxification surgery, and doled out life commitments. These were part of New Jersey's lauded scientific system that "treated" each individual child according to his or her needs. These may have been rational and welcomed measures to the intolerant public and the educated and politically elite who benefited from them, but they were juvenile injustice for thousands of children in 1920s New Jersey.

The remainder of this chapter will explore aspects of institutionalization on the micro-level. Delinquents encountered a different set of experiences in each of New

⁷⁰ For example, centralization allowed for more equitable distribution of State Use materials and funding, while the Divisions allowed for focused work in distinct areas of need.

Jersey's vast array of institutions during the 1920s. The two most well-known of these institutions, the State Home for Boys at Jamesburg and the Training School at Vineland, will be examined. While they were entirely different facilities catering to supposedly different populations, I found that the stories of both institutions were filled with triumph and tragedy.

The State Home for Boys in Jamesburg

The State Home for Boys in Jamesburg, New Jersey was the first juvenile institution created in New Jersey and remains the most well-known to this day. The State Home for Boys, originally named the State Reform School for Juvenile Delinquents, opened in 1867. Set on 490 acres of elevated, country land two miles east of the village of Jamesburg, the rural setting was a stark departure from the Houses of Refuge that were built in the nearby industrial cities of Philadelphia and New York. Reflecting the belief that delinquency occurred because of parental neglect, the State Home separated its inmates into groups called "families and classes," splitting boys into groups of 30 to 50, and hired a "judicious man and his wife" to act as parental figures to each family. The founders believed that the different families should then be "united in chapel and in a common graded school."⁷¹

Approximately 300 boys attended Jamesburg. Unlike the large, crowded dormitories in the Houses of Refuge, the State Home housed its inmates in "cottage,"

⁷¹ "Report of the Commissioners on the Reform of Juvenile Offenders, Leg. Docs., 1865, Doc. 13," in *Report of the [N.J.] Prison Inquiry Commission, Volume II. A History of the Penal, Reformatory, and Correctional Institutions of the State of New Jersey, Analytical and Documentary* (Trenton, NJ: MacCrellish & Quigley Co., State Printers, 1917), pp. 584-587. I am unsure if "chapel" referred to Protestant services or some other religion. Catholics were not supportive of Jamesburg in the late 1800's and into the early 1900's. During the 1920s, Jamesburg offered religious services for Catholics, Protestants, and two other religions, as will be shown.

three story buildings that housed 30-50 children. The cottage basement contained dining rooms, play rooms, and a bath; the first floor served as a school room; and the second floor functioned as a congregate sleeping room. An officer and his wife headed each cottage family, who lived together day and night. The adult staff provided the boys with both academic schooling, chores, labor, recreation, meals, and time for "devotions."⁷²

From the beginning, Jamesburg was created to be a "farm school," based upon reformers' beliefs that farm life developed the mind and body in a wholesome, natural, and healthy manner. In 1875, trustees contracted with shirt makers, and a new factory created on the institution's grounds marked the beginning of industrial work at Jamesburg.

Yet a New Jersey Legislative committee was not enamored with Jamesburg when it examined the school in 1886. The committee found that Jamesburg officials were not properly focused on reforming the boys into productive citizens. Boys' lives were "hard, routine, and monotonous." The agricultural and industrial work was improperly scheduled in the morning, detracting from children's ability to learn later in the day; the work was also not profitable for the institution. The committee concluded that Jamesburg did not resemble a family nor a reformatory; instead, children were locked up at night, fifty at a time, in an institution that was functioning as a boys' prison.⁷³

Twelve years prior to this report, the state's first compulsory education and truancy statutes were enacted, leading to overcrowding at Jamesburg. Jamesburg had to

⁷² Leiby.

⁷³ "Report to the Legislature of the Joint Committee on the Reform School, Leg. Docs. 1886, Doc. 42," in *Report of the [N.J.] Prison Inquiry Commission, Volume II. A History of the Penal, Reformatory, and Correctional Institutions of the State of New Jersey, Analytical and Documentary* (Trenton, NJ: MacCrellish and Quigley, State Printers, 1917).

find creative ways to release some of its burgeoning inmate population. Most offenders at Jamesburg were between 8 and 16 years of age, but Jamesburg had custody of its inmates until they were 21 years of age. To ease overcrowding and to avoid placing older teenagers with children, older inmates were frequently "bound out" to private citizens and companies. "Binding out" became a form of conditional release; while Jamesburg authorities maintained custody of inmates who were "bound out," their conditional release was a predecessor to the system of parole that would follow decades later.⁷⁴

Catholic reformers in New Jersey were generally hostile toward Jamesburg throughout the late Nineteenth and into the Twentieth Century. The Catholic perception was that Jamesburg was a boys' prison being run by Protestant leaders who would proselytize Catholic children. An assemblyman from Hudson County stated "that there were 300,000 Catholics in the State, and that they would not submit to having their children sent to an institution [Jamesburg] where the love for their religion was likely to be crushed out." Catholic leaders did also not like their children bound out, fearful that they would be placed in Protestant homes. Catholic reformers during the era attempted to have the state subsidize a large Catholic reform school in Northern New Jersey; despite the growing Catholic population and political influence, their efforts were unsuccessful at the time.⁷⁵

Despite the opposition to Jamesburg, much of the early structures of the State Home for Boys remained unchanged into the early Twentieth Century. During the 1920s, Jamesburg retained some of the "prison mentality" that legislators attacked in 1886, but it

⁷⁴ Turner, Hopkins, and Ellis, *Justice and the Child in New Jersey*.

⁷⁵ Leiby., p. 83.

also showed signs of progress. It catered to children who practiced different religions, offered recreation and sports to children, and attempted to develop and reform the children under its care. Leaders of the State Home for Boys also prided themselves on scientific management, an unfortunate fact for many children who were swept into the Department of Institutions and Agencies' psychiatric clinic.

The State Home for Boys Circa the 1920s

The State Home for Boys at Jamesburg presumably created annual reports throughout the decade, but nearly all reports from the Twenties were mysteriously missing from searched libraries.⁷⁶ Thankfully other materials that were found allowed for some enhanced insight into life at Jamesburg during the 1920s. The materials found and utilized included the following: annual reports from 1921, 1932, and 1934 housed in Alexander Library at Rutgers University; a 1927 State Board of Control investigation file pertaining to Jamesburg which was hidden in the archives at the New Jersey State Archives in Trenton; the papers of Jamesburg employee Francis Ambuhl which were in storage in the Alexander Library archives; and other anecdotal evidence found in the New Jersey Department of Institutions and Agencies' publications from the era.

The State Home for Boys experienced a plethora of profound changes between the late 1910s and early 1930s. Children continued to be segregated into cottages, just as they had since 1867; By 1934, 37 cottages were spread out across the vast campus.

“Fathers” and “Mothers: continued to lead boys in the cottage. Yet organizational and

⁷⁶ According to the WorldCat search engine, only five libraries worldwide hold the Annual Reports from The New Jersey State Home for Boys for the era of interest. These libraries include Alexander Library at Rutgers University, the New Jersey State Library, the University of Illinois library, The Ohio State University library, and the archives (reserves) of the New York State public library. In all libraries, Annual Reports are missing for the years 1922-1930. It remains unclear to me whether Jamesburg never produced annual reports for these years, or if there is some other explanation as to why no copies appear to exist in any library.

procedural changes between 1918 and 1921 typified the scientific management movement taking place throughout the Garden State during the era. During the same year that the New Jersey Department of Institutions and Agencies was formed, a new Board of Managers assumed control of Jamesburg for a three year term.⁷⁷ Calvin Derrick became the new Superintendent of the State Home in October of 1920, and he remained in this position throughout the 1920s and 1930s. Superintendent Derrick “departmentalized” the institution in his first year at the helm, creating eight departments: Staff, Health, Education, Discipline, Accounting, Buildings and Grounds, Farm and Food, and Housekeeping. The heads of these divisions constituted a cabinet and represented a board of advisors for the Superintendent.⁷⁸

In their efforts to “transform the institution from a thinly disguised penal reformatory into a real school,” leaders at Jamesburg focused on coordinating improved academic instruction with expanded vocational offerings. Educational leaders at Jamesburg coordinated with the Department’s of Institutions and Agencies’ Bureau of Education and Parole to analyze the tasks throughout the institution and coordinate them with the educational work in classrooms. Educational and psychological “experts” such as Elizabeth Hill from the Vineland Training School, Edgar Doll from the Department, and Carl Brigham of Princeton University studied the strengths and weaknesses of individual Jamesburg boys using intelligence tests, employed a battery of other tests as part of the classification process, and used the results to sort children into specific school

⁷⁷ These included Maxwell Rockhill from Trenton, Sigmund Eisner from Red Bank, Caroline Colgate from Orange, Professor Frank Fetter from Princeton, and Bessie Pope from Jersey City.

⁷⁸ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921, 1922.*, pp. 9-17.

and vocational work.⁷⁹ Hill, Doll, and Brigham were staunch eugenicists and consistent abusers of the intelligence test.⁸⁰ Although they did not have daily interaction with the employees and children in the State Home for Boys, their expert guidance added to a contagious mindset that pervaded most Jamesburg leaders throughout the 1920s. Hill, Doll, Brigham and other Jamesburg reformers believed that extensive testing would illuminate the appropriate path to reform each delinquent. Jamesburg's leaders did not mince words about their belief that the State Home for Boys had quickly become a model of efficiency. In the 1921 Annual Report, the Board of Managers proclaimed that the “psychological, education, and vocational work” had become “as thoroughly and scientifically organized as in any institution in the country.”⁸¹

The classification work that took place at the State Home for Boys was certainly thorough. First, a team of experts segregated all new inmates and conducted a thorough study that lasted several weeks. These experts included the resident physician; a psychiatrist from the State Hospital at Trenton; a State Psychologist; and the institution’s Educational Director, Cottage and Discipline Supervisor, and Academic School Principal. During this quarantine and study period, officials also secured information about the

⁷⁹ Merchant.

⁸⁰ Carl Brigham was an Assistant Professor of Psychology at Princeton University during the era. Brigham wrote one of the most influential racist interpretations of the IQ test at the time. Brigham believed that intelligence in the United States was declining due, in large part, to the number of African Americans in the country. Brigham stated: “The decline of American intelligence will be more rapid than the decline of the intelligence of European groups, owing to the presence here of the negro. These are the plain, if somewhat ugly, facts that our study shows.” See Carl C. Brigham, *A Study of American Intelligence* (Princeton, NJ: Princeton University Press, 1923), p. 210. Brigham later became Dean at Princeton and developed the Scholastic Aptitude Test (SAT).

⁸¹ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921*, p. 12.

ward's earlier history, his home and community relations, and other facts from the Central Parole Bureau, Probation officers, and other sources.

Second, these helping professionals convened weekly for a "Classification Meeting." During this meeting, the experts compared reports and collaboratively discussed the best way to promote the welfare of the inmate. As a result of the Classification Meeting, experts prescribed a definite plan for the development and training of each boy, parts of which were discussed openly with the child. This plan was then put into place, and each case was periodically revisited.

Finally, as time for parole approached, boys' cases were reviewed through a "pre-parole" investigation via the Central Parole Bureau. Officials investigated the child's home, employment options for the parolee, and attempted to secure a counselor. On some occasions, the Central Parole Bureau had "to prepare the neighborhood or move the family to a new locality, in order to further the interest of the boy."⁸²

Throughout the 1920s, the classification arrived at by the team of experts in the psychiatric clinic shaped and frequently redirected the lives of Jamesburg's inmates. Data produced from the testing were used to group children in the most suitable cottages, ascertain the appropriate level of academic and manual training, determine which religious services should be offered, and to place children in the most appropriate vocational and agricultural work. In some respects, classification and testing were proof of progress as the state institution for male juvenile delinquents was attempting to tailor

⁸² Ibid., pp. 19-20. I found no additional data to explain how frequently or in what manner officials "prepared the neighborhood" or moved the parolee's family.

its services to the unique needs, preferences, and abilities of its diverse inmate population.

But the overzealous testing and inflated, misguided beliefs about how to “assist” and “treat” certain types of offenders greatly harmed many Jamesburg delinquents. If the psychiatric clinic’s intelligence test indicated that a boy had subnormal intelligence, he was promptly shipped to an institution for the feeble-minded, whenever possible. In 1921, 20 percent of the boys examined were found to be “mentally deficient,” and close cooperation between State Psychologist Doll and Superintendent Derrick allowed for the majority of these boys to be transferred to Vineland.⁸³

The significant proportion of Jamesburg inmates who were transferred to Vineland in 1921 could not be perpetually entertained. Classification testing results from April 1925 revealed the extent of the problem: of 49 inmates tested during the month, only 7 were of “normal” intelligence. The other 42 delinquents tested during intake were classified as either *dull normal* (21); *borderline* (4); *feeble-minded* (16); or *diagnosis deferred* (1).⁸⁴ Just as the Army Tests of 1918 “proved” that about one-half of the United States Army was feeble-minded, Jamesburg’s “scientific” intelligence testing indicated that the vast majority of its inmates were of subnormal intelligence. The State Home for Boys did not transfer all boys whose IQ tests were subpar. Two reasons accounted for this: First, the perpetual overcrowding at New Jersey’s state and private colonies and training schools for the feeble-minded created restrictions on the number of children that

⁸³ Ibid., p. 30.

⁸⁴ Psychological Report, “April 1925,” Records, 1925-1962, State Home for Boys, New Brunswick, NJ.

could be transferred. Second, the State Home for Boys needed to retain most inmates in order to remain a viable and functioning institution.

Regardless of these facts, State Home leaders used intelligence testing and the classification process to transfer hundreds of inmates to colonies and specialized institutions for the feeble-minded throughout the 1920s and early 1930s.⁸⁵ Just as probation officers were talent scouts for the reform schools, psychologists conducting intelligence tests were drumming up business for the feeble-minded schools and colonies. The symbiotic relationship between correctional institution officials, experts in the helping professions, and leaders of specialized facilities was undeniable.⁸⁶ While correctional institutions were able to appear altruistic as they transferred the feeble-minded to specialized facilities, the schools and the colonies were pleased because they were attaining both tuition and laborers. For children transferred for a correctional to "charitable" institution, the arrangement was not so agreeable.

Given that eighty percent of juvenile delinquents who were paroled for the first time were confined to New Jersey's juvenile correctional facilities for less than two years,⁸⁷ a recommendation for transfer to a training school for the feeble-minded was a daunting prospect for the supposedly feeble-minded delinquent. An intelligence test that purportedly revealed an inferior mentality did, in essence, turn a short sentence, most

⁸⁵ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921; Seventieth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1934; Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.* Frenkel and Heyer.

⁸⁶ I will continue to provide numerous examples illustrating that the enmeshed personal, professional, and financial lives of New Jersey reformers harmed thousands of children.

⁸⁷ Frenkel and Heyer.

often less than two years, into an indefinite or possibly permanent sentence. This fact was not completely lost on juvenile delinquents in New Jersey during the 1920s.

The State Home for Boys at Jamesburg had a significant and perpetual problem with “runaways” throughout the era, and the life sentences handed out in charitable institutions added to children's distrust of any institution. In every State Home for Boys report containing monthly or annual data, the extent of the runaway problem was revealed: 42 inmates escaped for the fiscal year ending June 30, 1921; 2 escaped during the month of April 1925; 121 escaped during the fiscal year ending June 30, 1932; and 99 children escaped for the fiscal year ending June 30, 1934.⁸⁸ While many of these children were found and returned to the State Home, the runaway problem was an ongoing black-eye for the institution.

High ranking State officials took notice. William Ellis, then Director of the Division of Classification and Education of the New Jersey Department of Institutions and Agencies, discussed the state’s runaway problem at the Annual Session of the American Association for the Study of the Feeble-Minded in Washington, D.C. in 1924. Despite lauding New Jersey's classification and transfer system, Director Ellis acknowledged that many young delinquents attempted to run away after being labeled as feeble-minded and transferred from a correctional facility to other types of facilities. Ellis (1924) wrote: “One disturbing and upsetting condition proved to be the fact that the patients sent from a correctional to a charitable institution are oppressed with the thought

⁸⁸ *Annual Report of the State Board of Education and of the Commissioner of Education of New Jersey with Accompanying Documents for the Year Ending June 30, 1920.*, p. 45; Calvin Derrick, "Superintendent's Report, April 1925," Records, 1925-1962, State Home for Boys, New Brunswick, NJ.; *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*, p. 100; *Seventieth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1934.*, p. 35.

that they will not be released or paroled.”⁸⁹ Ellis added: “The delinquent group when transferred to the charitable institutions are prone to display delinquent tendencies through unruly conduct, sex offences, and attempts to run away in nearly half of the cases studies.”⁹⁰

Ellis, who was named Commissioner of the entire Department two years later, was politically astute enough not to overtly blame New Jersey's flawed institutional system for its problem with runaways. Instead, the delinquent was blamed, and assigned the increasingly popular label, “defective delinquent.” Ellis noted that the “principal modification indicated” was a “need for a special institution for defective delinquents for the persistently delinquent and unruly types.”⁹¹

Director Ellis and other reformers believed that creating new institutions with enhanced security and restrictions for the state’s “unruly” inmates was the solution to end the runaway problems and the way to curb (or at least bury) the dastardly deeds of “defective delinquents.”⁹² While pleas from Ellis and other reformers to build special institutions for the feeble-minded were unsuccessful when tried and never fully came to

⁸⁹Ellis., p. 322.

⁹⁰ Ibid., p. 322. It is a painful image to imagine a young boy or girl, possibly labeled a delinquent for a reason that was no fault of his or her own, being subjected first to a battery of tests upon admission to the State Home for Boys or Girls. An intelligence test may have inaccurately labeled the child as feeble-minded. The child may have then been deemed for whatever reason to be unstable. He/she may have then been subjected to an unnecessary, possibly life threatening surgery. After supposedly being cured, he/she was then transferred from the State Home, where parole was highly unlikely, to a “charitable” organization, where indefinite or permanent institutionalization was the norm. It is no wonder the young “delinquent” tried to escape. Even for the many children who were not subjected to surgery, the oppressive nature of a life-sentence must have been horrifying.

⁹¹ Ibid., p. 322.

⁹² Similar to the notion of “solitary confinement” in prisons, Ellis suggested amplifying the isolation of children who were already locked away from society for life. The Training School at Vineland tried this approach with defective delinquents, but its leaders acknowledged that this attempt was a failure.

fruition, existing institutions found additional ways to further isolate its most challenging inmates. At the State Home for Boys in Jamesburg, “segregation cottages” were used to punish and separate the unruly boys from other offenders. State Home officials also created an experimental “Hamlet,” a strip of land on its expansive property where “psychopathic” inmates were exiled.⁹³

The 1920s was an age of institutionalization, and the predominant reaction to aberrant behavior was simply to segregate and isolate the offender from society; as shown, a solution for problems within institutions was to isolate the offender from the rest of the inmate population. However, even as classification or reclassification was providing scientific justification for the transfer of inmates between cottages, to the Hamlet in the remote woods, or to a school or colony for the feeble-minded, Jamesburg officials were realizing that segregation had its limitations.

State Home reformers believed that an extraordinary alternative existed, one that was less expensive than segregation and one that would prove that Jamesburg’s leaders were on the cutting edge of scientific experimentation. State Home officials subscribed heavily to the state’s philosophy that delinquency could be cured by treating physical and psychological ailments. Rudolph Nemser (1922), Resident Physician at the State Home for Boys, explained this contagious philosophy: “The ultimate scope of this [medical] department is much larger than the treatment of incidental disease. It is along the lines of scientific study that the road lies toward the cure of delinquency. Delinquency is an effect. It can be eradicated only by removal or counteraction of cause.” The chief physician added that only complete and scientific study of the boy’s mental, psychiatric,

⁹³ The Hamlet will be discussed momentarily.

hereditary, environmental, and physical deficiencies could allow for “proper corrective therapy” to be instituted. Medical, psychological, and psychiatric experts who worked with State Home inmates argued that they were doing more than curing mundane ailments. They portrayed themselves as cutting edge scientists who could cure delinquency.⁹⁴

This belief "in contagion" contributed to an almost overnight "medicalization" of the State Home. During its fifty-five years of existence, the State Home for Boys had no resident physician. This changed in 1918-1919 when Jamesburg's hired both a Resident Physician and two full-time nurses. While the psychiatric clinic leaders such as Henry Cotton and Edgar Doll made frequent visits to the State Home to lead, conduct, and guide the classification work, children did not have to travel to distant hospitals if experts recommended surgical treatment. The helping professional crusaders secured approval for an expensive new surgical wing to be built at Jamesburg's on-site hospital. The reformers also spurred an explosion in hospital renovations and on-site "expert care." including remodeling of the dispensary; the outfitting of the hospital with new equipment; the beginning of a system of record-keeping; the creation of a dentist's office in the basement; and the addition of examination rooms for psychologists and psychiatrists.⁹⁵

Jamesburg officials celebrated these major developments, but for the boys who were incarcerated, this was no blessing. The expanded hospital surely proved useful for

⁹⁴ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921.*, p. 27.

⁹⁵ *Ibid.*, p. 26.

cuts and scrapes, bouts of pneumonia, fractured limbs, appendicitis, and other run-of-the-mill ailments and injuries. But tragically these medical enhancements at Jamesburg were procured largely because of the "focal infection" fever that had seized the Department of Institutions and Agencies.

Frank Ebaugh, a psychiatrist working at Jamesburg in 1921, stated that his study of the etiology of Jamesburg delinquency revealed that "focal infections" had "played a very definite role." He added that "75 percent of the cases examined have found to have infected tonsils and bad teeth." The theory of focal infection held that infected teeth and tonsils had to be promptly removed, and all recommendations of the Psychiatric Clinic in regard to "cleaning up foci infection of teeth and tonsils" were "acted upon immediately."⁹⁶

The man behind the "focal infection" theory, who was concurrently the statewide Director of the Department's psychiatric clinic was, of course, Dr. Henry Cotton. Cotton was the general of the army of helping professionals who set out to revolutionize care in the State Home for Boys in Jamesburg and the State's other correctional institutions. Cotton secured state funding for both bacteriological and X-ray laboratories at the State Home. X-rays were used to find multiple sources of focal infection and were invaluable in diagnosing infected teeth.⁹⁷

Even before the X-ray and bacterial study labs were installed in Jamesburg, Cotton's team of medical, dental, psychiatric, and psychological experts from the state clinic were hard at work removing focal infection to treat the institution's delinquents.

⁹⁶ Ibid., pp. 29-32.

⁹⁷ Henry Andrews Cotton, *Annual Report of the New Jersey State Hospital at Trenton* (1921).

The first tonsillectomy at Jamesburg's on-site hospital was performed on November 11, 1920. During the next year at the State Home, several tonsillectomies were conducted each week under the guidance of Resident Physician Dr. Nemser, and Drs. Fischer and Scott completed 66 tonsillectomies in just a two-month span (March 3 to May 5, 1921).⁹⁸ By 1934, officials at the State Home had begun to shift their thinking, stating "the criteria for the removal of tonsils and adenoids" were "changing towards more conservatism."⁹⁹

For juvenile delinquents sentenced to Jamesburg during the 1920s, this change in policy came too late. From 1920 to 1934, Dr. Cotton's subordinates performed countless teeth extractions and tonsillectomies on Jamesburg children due to the fallacy that removing these purportedly infected teeth would cure instability or delinquency. Unfortunately, Cotton believed that if these surgeries did not cure the delinquent's moral and behavioral defects, more aggressive surgery was necessary. The failure of teeth extractions and tonsillectomies to change delinquent behavior was not, to Cotton, an indication that his theory was false; it was instead a clear signal that the focal infections had spread deeper into the body. Jamesburg children, along with hundreds of other juvenile and adult offenders in New Jersey, were either subjected to life-threatening surgeries on-site or were transferred to the State Hospital at Trenton. Countless Jamesburg inmates needlessly lost their teeth, others had organs senselessly removed, and a few of them lost their lives due to New Jersey's classification work and blind application of Cotton's theory of focal infection.

⁹⁸ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921.*, pp. 22, 31.

⁹⁹ *Seventieth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1934.*, p. 14.

Other Forms of Incentive, Control, and Reform in 1920s Jamesburg

The focal infection movement was not universally embraced by all employees at Jamesburg. Helping professionals in the blossoming medical fields and Jamesburg's management core profited financially and/or professionally from detoxification, but all other employees who were players in the reformation process did not reap the same benefits. These employees probably cared very little about the fact that doctors, psychiatrists, and psychologists were employing a radical new therapy that was going to cure delinquency. "Non-professional" agents of reform (like the experts themselves) needed a sufficient inmate population to retain their jobs; they also believed that traditional remedies, new methods of reward and punishment, and old-fashioned common sense could whip the children into shape.

Jamesburg officials in the 1920s viewed religion as one such vital method to reform its delinquents. Superintendent Calvin Derrick summed up the institution's enthusiastic support of religion, stating that as the years went by Jamesburg officials were more convinced that there was "no substitute for the sound, old fashioned religious training as a suitable foundation upon which to build permanently, that type of character which results in our firm conviction of a faith in things eternal."¹⁰⁰ Unlike the unitary focus on Protestantism fifty years early, religious and moral instruction in 1920s and 1930s Jamesburg catered to children of different religions. In the early 1920s, separate religious services were offered for white Protestant boys, African American Protestant Boys, and white Catholic boys.

¹⁰⁰ *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*

The Protestant Chaplain provided Bible study and services for Protestant boys on Sundays, and he and other Protestant pastors visited the boys in their cottages. The "Colored Protestant Chaplain" provided weekly religious instruction to the African American boys of cottages 2 and 6, and cottage fathers and mothers provided weekly Sunday school services in these cottages. The Catholic Chaplain held weekly mass for Catholic boys on Sunday mornings and led the Sacramental System - Confession and the Holy Eucharist - on Saturday afternoons; the Catholic Chaplain believed that the sacraments "supplied remedies for moral defects in individual cases."¹⁰¹

A decade later, officials still believed that "religious training formed a necessary and vital part of a boy's life" and offered this training as "an essential part" of their "program of rehabilitation." By 1932, religious offerings for Protestant African American boys, White Protestants, and White Catholics was augmented with bi-monthly services for Episcopal boys and weekly religious training for a handful of Jewish boys. Other improvements included the choir (which became a popular form of religious expression and training for Protestant and Catholic boys) and Princeton University's affiliation with Jamesburg, through which two dozen Princeton students led Sunday school services for Protestant boys. While moral reformation through religion was, in theory, an intrinsic transformation, religious leaders seemed compelled to quantify their worth. For example, the Catholic Chaplain reported he performed 1,783 Confessions, 54 First Communions, 6 sick calls, and 223 Confirmations during 1931-1932.¹⁰²

¹⁰¹ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921.*, pp. 33-37.

¹⁰² *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*, pp. 13, 21-25.

The era of scientific management coerced religious leaders into feeling the need to frame the positive influence of religion quantitatively; but numbers aside, religion was undoubtedly one of Jamesburg's favored tools to reform the delinquent. Other sectarian solutions also thrived during the era. Trying to shed its image as a prison-like institution, Superintendent Derrick and his staff implemented an experimental form of student government between 1918 and 1921. Boys' committees assisted with athletics and recreation; boy counselors "aided the teachers and relieved them of the burden of discipline;" a boy in each cottage served as a leader of calisthenics; boy lieutenants, elected by each cottage, supervised the conduct and service at the dining tables; and, in 1921, cottages elected jurors and a judge who tried minor cases of discipline in "cottage courts."¹⁰³

While it appears that the experimental "cottage courts" did not last, student leadership opportunities continued into the early 1930s; these were augmented with other new methods of control and reward. Students earned points for good conduct, which provided them with special privileges; cottages elected three to five boys from each cabin to attend a week-long camping trip each summer at the beach in Bayhead; Princeton University students lead a similar camping experience on State Home grounds as a reward for good behavior; an honor cottage was created for the best behaved boys; and young offenders (recommended through the Classification Conference) had the opportunity to join the band, orchestra, and dramatics.¹⁰⁴

¹⁰³ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921.*, pp. 13-14.

¹⁰⁴ Ibid.

The Boy Scouts partnered with the State Home for Boys to provide additional opportunities for Jamesburg's young offenders to strengthen their morals and character through service, action, and leadership. By the early 1930s, the majority of boys at the State Home engaged in scout work at "Camp Derrick," named after Superintendent Calvin Derrick. In 1931, 540 boys entered the boys scout program as "Tenderfoots;" of these, 463 became "Second Class" scouts and 267 advanced to "First Class." The boys seized the opportunities for study and craft work availed to them: boys earned 372 merit badges, ten boys advanced to Life Scouts, 40 boys became Star Scouts, and 1 attained the ultimate honor of being named an Eagle Scout. The scouts who excelled most were granted opportunities to attend off-site leadership training, and a group of "sea scouts" took part in a four-day cruise on the a Coast Guard cutter.¹⁰⁵

The Boy Scout movement, religious instruction, student government, and the multiple other experiments with reward and control implemented at Jamesburg were a dramatic departure from traditional forms of reformation and punishment. Many institutional reformers recognized that allowing children to earn privileges and attain leadership positions created a micro-society within the institution. Good behavior, morality, respect, and hard work led to advancement in social status and privilege; misbehavior, disrespect, immorality, and inefficiency resulted in social demotion through a loss of privileges and potential isolation from others. Applying a maxim "moral

¹⁰⁵ *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*, pp. 44-45.

strength through moral activity,”¹⁰⁶ State Home leaders used its new forms of reward and punishment in an aggressive campaign to reshape the morals, behavior, character, and work ethic of its delinquents.

Despite these new approaches, some Jamesburg employees failed to buy into the notion that inmates could be redeemed through a reward system. Many workers continued to view Jamesburg’s inmates as young criminals who deserved little sympathy or privilege. These employees believed that the inmates needed an iron rod instead of a helping hand. On paper, the State Home for Boys at Jamesburg prohibited any form of corporal punishment. In the 1922 Annual Report, the Board of Managers said that the Jamesburg’s new discipline plan called for discipline that was “positive rather than negative,” which “should not have as a purpose to break the will, but to train it in the right channel.” In the same report, Superintendent Derrick explicitly stated that Jamesburg officials “were prohibited from the use of corporal punishment in any form.”¹⁰⁷

Unfortunately for the Jamesburg boys committed during the 1920s, the “no corporal punishment” policy looked good on paper but was frequently ignored. I discovered this fact by finding a 1927 State Board of Control investigation report that was hidden away the New Jersey State Archives.¹⁰⁸ William Ellis, Commissioner of the

¹⁰⁶ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921.*, p. 15.

¹⁰⁷ *Ibid.*, pp. 13, 17.

¹⁰⁸ To the best of my knowledge, no other copies of this investigation report exist in any other library. I found the report by chance during one of his many visits to the New Jersey State Archives. The primary function of all archives visits was to research the State Hospital in Trenton and Henry Cotton’s theory of focal infection.

Department of Institutions and Agencies, interviewed multiple Jamesburg employees and inmates on August 2 and August 4, 1927, investigating allegations that State Home officials were injuring inmates through unsanctioned use of corporal punishment. Subsequent to his thorough interrogation of numerous Jamesburg employees, Commissioner Ellis went to the Club Room and addressed 80 Jamesburg employees he had summoned there. His address to the employees served as an excellent summary of his findings – corporal punishment was a widespread and longstanding practice. He reminded all employees that they all had copies of the rules and regulations of the institution, which specifically prohibited their “using any corporation punishment whatsoever,” whether it be with their “hands, fists, a hose, paddle, or any instrument whatsoever.”¹⁰⁹

Ellis’ props for his speech – a mound of paddles, hoses, sticks, and other makeshift weapons – were piled on a table near where he stood to reprimand the crowd. Ellis and his staff confiscated these instruments from Jamesburg employees prior to his speech; the workers had used all of these weapons to hit, whip, or beat Jamesburg inmates. While Ellis empathized with the challenging nature of working with Jamesburg inmates, he used scathing words to condemn their abuse and manner of disciplining the juvenile offenders. Ellis (1927) stated: “Some of you very frankly admitted you did not know what else to do. Some of you very frankly admitted you had been using it [corporal punishment] for years. I have no doubt it is true. Some of you ...resorted to methods used

¹⁰⁹ Report of Investigation of Disciplinary Situation at State Home for Boys at Jamesburg, "August 4, 1927," State Board of Control Investigation Files, 1920-1952, Trenton, NJ., p. 9.

by high school kids and college boys – hazing the kids in order to get them to behave.”¹¹⁰

During both his speech to the congregate audience and his interrogations of individual employees, Ellis made it clear that men should not need to bully and beat young boys in order to maintain order and control in the institution.¹¹¹

The transcripts of Ellis’ individual interviews revealed the full extent of the horrors taking place at Jamesburg. Boys had been asked to bend over and were kicked in the ribs by employees. They were frequently slapped in the face; incessantly paddled, often by instruments with holes in them to increase the pain; punched in the face; beaten with sticks or clubs; and whipped with rubber hoses. Ellis found black-and-blue marks “the size of two fists” on one boy he examined during his investigation. Injury did not always result directly from the immediate use of a fist or weapon. One instance of hazing in the dining hall revealed the nature of more torturous methods used by some employees to teach the children a lesson. A female employee who supervised children in the dining hall lined up numerous stools. The employee required the inmate being punished to repeatedly jump over the row of stools. The child continued this hazing stunt until he was physically exhausted or until he failed to clear the row and fell to the ground.¹¹²

¹¹⁰ Ibid, p. 9.

¹¹¹ Ibid.

¹¹² “Commissioner Ellis interviewed Mr. and Mrs. Fischer,” “Commissioner Ellis interview Kenneth Steele, Relief Officer,” “Investigation conducted by Commissioner Ellis, at the State Home for Boys Regarding Corporate Punishment in General, and the Case of [Name redacted by NJ State Archives] in Particular,” “Commissioner Ellis interview with Mrs. Fischer,” “Commissioner Ellis and Mrs. Morton,” Commissioner to Clayton,” “Report of Investigation by Dr. Jones Regarding the Case of [Name redacted by NJ State Archives] # [State Home Identification Number redacted by this Researcher],” “Second Interview with Riker,” “Interview with Colored Inmate, [Name redacted by NJ State Archives], Age Fifteen,” “Interview of Mr. C.J. Merchant, Director of School and Vocational Subject,” contained in Ibid.

This horrific abuse identified in the State Board of Control File documented the physical abuse at the State Home. A file found by me in the Special Collections/University Archives at Rutgers University's Alexander Library raised suspicion that Jamesburg employees had been physically abusing the inmates.¹¹³ One document in this file contained data of Jamesburg hospital admissions for the month of April 1925. The hospital records detailed numerous infections and serious injuries for one thirty-day period. The hospital performed teeth extractions on six patients, obviously part of Jamesburg's ongoing campaign against "focal infection." But this scientifically misguided form of abuse seemed to pale in comparison to the more serious injuries noted in the April hospital records. These injuries included: an infected wound on the anterior right leg for inmate #9573; a re-fracture of the left forearm for inmate #10228; a deep laceration of the scalp and periosteum for inmate #10122; contusions of the face and mouth for inmate #9861; transverse fracture of the *right femur*, located in its lower third, for inmate #9848; an infected burn for inmate #8989; compound backward dislocation of distal phalanx of the right thumb for inmate #9769. The recorded reasons for these injuries were troubling: the "History" listed for the re-fracture of the arm was "Fall while running;" for the deep scalp laceration: "Boy states another boy struck him with a hay fork;" for the contusions of the face and mouth: "Boy states he was hit by baseball;" for the femur fracture: "Boy states that he ran in front of a truck which knocked him down

¹¹³ According to IRIS, Rutgers' electronic card catalog, the assorted 1925 records I reviewed were "miscellaneous data probably presented as evidence in court litigation." See www.iris.rutgers.edu.proxy.libraries.rutgers.edu/uhtbin/cgiirsi/t83vybLEOB/ALCOHOL/145870248/9. This assessment appeared accurate because a number of the documents were marked "Exhibit G, Exhibit H," etc.

and passed over his leg;" for the infected burn: "Hot water scald in the kitchen;" and for the compound finger dislocation: "Injured by a baseball."¹¹⁴

While it is likely that some of the explanations provided for these injuries were accurate, the number and severity of injuries that occurred in one month was highly suspicious. The "history" assigned to the infection wound on the right leg of inmate #9573 was different: "Boy states that he was kicked in the leg by Mr. Kreuger." To the credit of the administrative staff at Jamesburg, Mr. Kreuger was suspended on March 15, 1925 and terminated.¹¹⁵ While it can be inferred that the Jamesburg management fired Mr. Kreuger for his abuse of inmate #9573, it is unclear if the other boys treated in the hospital were truly run over by a truck or injured from falling, by baseballs, by other boys using pitchforks, etc. Given the extent of the abuse outlined above, it is plausible that children may have been very reluctant to report the abuse committed by the adults who controlled their every move.

Two years later, the State Board of Control investigation proved that corporal punishment was not an isolated but instead a widespread practice. Commissioner Ellis had to make difficult decisions about how he would handle the gross abuse he had unearthed through his investigation. Working in conjunction with Jamesburg Superintendent Calvin Derrick and Administrators C.T. Jones and William Mills, Commissioner Ellis suspended one employee without pay pending further investigation

¹¹⁴ Superintendent's Report to the Board of Managers for April, 1925, "1925," State Home for Boys, Records 1925-1962, New Brunswick, NJ. Although it appears from the title of these archives materials that Alexander Library's holdings may contain extensive data, documents only include the years 1925 and 1962.

¹¹⁵ Unnumbered page in *Ibid.*, "". Seven other employees resigned during the same month. There were no additional details provided about the suspension of Mr. D.F. Kruger (note: His name was spelled differently in the hospital records and statement about his termination. It is assumed it is the same man). While the reasons for Mr. Kruger's termination were not provided, I suspect it was because of his abuse of inmate #9573 (and possibly other boys).

and placed numerous others on probation. Ellis warned all employees who had abused the inmates that corporal punishment was not only against Jamesburg's policies but was an indictable offense in the State of New Jersey. He claimed that the Attorney General had directed him to indict those who injured children. It appeared that no criminal prosecution actually took place, but Ellis used the threat of indictment to drive his point home with employees who were occasionally obstinate during Ellis' questioning.¹¹⁶

Most employees were tight-lipped during Ellis' interviews, usually taking responsibility for their own actions but refusing to implicate their colleagues. Ellis probed rather deeply in trying to determine if other employees or their bosses knew of or condoned the abuse. While some caved under Ellis' intense questioning, most refused to acknowledge that scores of other employees were abusing children and that some supervisors were aware of these practices. In the end, Ellis recognized that he could not afford to fire everyone who knew of or practiced corporal punishment at Jamesburg because it was a rampant and prevalent practice.¹¹⁷

Ellis promised Jamesburg employees that his investigation report would not be published and also gave his word that he and his staff would never mention a word of it to the boys in the institution. Ellis was aware that doing so would compromise the authority of the men and women he left in charge and would lead to unrest in the inmate population. He also believed that it was better to retain the current employees who had been reprimanded than it was to bring in an entire new staff, due to the possibility that the new staff would commit corporal punishment themselves. It is also possible that

¹¹⁶ Report of Investigation of Disciplinary Situation at State Home for Boys at Jamesburg,

¹¹⁷ Ibid.

Commissioner Ellis did not want information about the brutality at Jamesburg to leak out to the press. Regardless of the true reasons he did not terminate more employees, Commissioner Ellis left the staff at the State Home with a very clear message: he and the Board of Control held the biggest sticks and those who did not heed his warning would be terminated and indicted.¹¹⁸

Yet, this 1927 Board of Control investigation headed by Commissioner Ellis did not end corporal punishment. In subsequent years, cottage mothers and fathers, more aware than ever of expectations that they could not use their own hands or a weapon to punish the children, turned to child "monitors" to carry out the beatings on their behalf. While whips, sticks, and holed paddles were no longer at the disposal of the Jamesburg employees, the cottage "monitors", child lieutenants of each cottage, were readily available. Adults could not inflict pain with their own hands, but they continued to dole out beatings and commit de-facto corporal punishment by directing the monitors to physically discipline the other children. Prior to Ellis' investigation, adult employees in the "discipline cottage" inflicted beatings which were so brutal that employees and children throughout the surrounding area could hear "the cries of the flogged;" when Ellis put a stop to it, the older officers cried, "What the hell can we do with this dirty rats if we cant hit them anymore [sic.]" Their solution was the monitor, "who was usually more cruel than the officer." The monitors inflicted "unofficial" beatings that left children throughout the institution as fearful as they had ever been.¹¹⁹

¹¹⁸ Ibid.

¹¹⁹ Frederick Ambuhl, "The Hamlet, Undated," Papers of Frederick Ambuhl, 1919-1939, New Brunswick, NJ , p. 4.

This insight came through research of Frederick Ambuhl, the aforementioned psychiatrist whose prolific writing is stored away in the archives of Alexander Library at Rutgers University. Ambuhl's papers indicated that Jamesburg had a visionary among their staff. Ambuhl's genuine interest in the psychopathic children which came under his charge shined through in all of his letters and intellectual diatribes. As shall now be shown, Ambuhl was an unappreciated man at Jamesburg, but a man who stood out as a rare hero in this story of juvenile delinquency in 1920s New Jersey.

Frederick Ambuhl's Hamlet at the State Home for Boys

Frederick Ambuhl did not condone the widespread corporal punishment at the State Home. While venting about numerous frustrations over administrative decisions at Jamesburg, Ambuhl stated that what angered him most was the "brutality [he] saw exercised by some officers." Ambuhl stated that he "could not stomach" walking by the discipline cottage, a "little prison" where, Ambuhl explained, the whip ruled. He said that the viciousness of the floggings and beatings made him "nervous" and "irritated." Ambuhl recalled that when he suddenly ended his employment with the State Home for Boys and was driving away, the boys he had under his care came running alongside the car, crying in disbelief and fearfully asking if they were now going to get a monitor.¹²⁰ Ambuhl's vehement rejection of physical punishment as a method to reform delinquents was one of Ambuhl's many views that differed from the majority of other reformers during the era.

Frederick Ambuhl was a native of Switzerland who studied for the Ministry early in his life. He became a social worker and traveled through Germany, France, Austria,

¹²⁰ Ibid.

Italy, and England studying prison reform and other institutions for offenders. He founded two homes for first offenders in Switzerland where he intensely studied problem children and methods of treatment for juveniles. During World War I, Ambuhl worked in Germany and assisted in organizing a "medical examination station," a child clinic. He moved on to found a Day Home for psychopathic children in Germany, a successful institution that was taken over by German government. Ambuhl then traveled to the United States in February of 1921 and, throughout the 1920s and 1930s, observed American practices with juvenile delinquents.¹²¹

Calvin Derrick met Ambuhl in Dobbs's Ferry, New York, while Derrick was directing a school for the training of institutional officers. The State Home Superintendent recognized the excellent work Ambuhl was doing at the Children's Village of Dobb's Ferry and recruited him to come to Jamesburg to work with "psychopathic" inmates.¹²² Ambuhl worked at the State Home for Boys in Jamesburg for only three years, 1926 through 1929, but in that short time he challenged the status quo and ruffled many feathers in his altruistic quest to assist some of Jamesburg's toughest inmates.¹²³

Ambuhl's believed that helping professionals, institution officials, and other 1920s reformers were grossly deluded in how to help delinquent and, particularly, psychopathic children. Ambuhl's thoughts and fresh perspective were revealed in his

¹²¹ Training School News: Frederick William Ambuhl, European Expert, Student at Training School, "Undated," Papers of Frederick Ambuhl, 1919-1939, New Brunswick, NJ

¹²² "Boys Constructing Village from Junk; Lads Once Classified as Incurable Are Now Developing Character in Unique Experiments Conducted in Jamesburg Reformatory Woods," *Trenton Sunday Times*.

¹²³ Calvin Derrick, "Letter to Mr. Frederick Ambuhl Accepting His Resignation, Dated May 7, 1929," Papers of Frederick Ambuhl, 1919-1939, New Brunswick, NJ

private writing. Ambuhl believed that truants were not necessarily criminally inclined and viewed truancy was “a natural act of escaping a hurtful milieu;”¹²⁴ Ambuhl stated that “million dollar plants” and “the vast army of investigators, social workers, patrol officers, and bureaucracies” were not what was needed to save truants, psychopaths, and other types of delinquent children.

Ambuhl thought that any child, particularly the psychopathic child, needed someone to listen to him, to attempt to understand the inner workings of his mind and soul, and to care about him. Ambuhl was deeply angered by the popular notion that the defective delinquent was innately evil and born with defects that made him “incurable” and “unchangeable.” While Ambuhl readily acknowledged that a psychopathic child could become potentially violent, he felt that an oppressive and unforgiving society was to blame. He argued that psychopathic children were not bad at birth, and he believed that if there was to be any hope for their reformation, they needed caring adults who would nurture their soul, channel their energies, and cleanse their spirits.

Ambuhl also believed that Christianity, nature, and small groups were essential for delinquent children. Although he claimed to have no particular affiliation with any organized religion, Ambuhl was a passionate Christian who praised “the sermon on the mount;” Christianity, in Ambuhl’s eyes, was as an important guiding force in children’s lives. Ambuhl also articulated that nature was a spiritual cleanser, a naturally therapeutic environment which had superior healing power compared to large edifices that typically housed delinquents. Ambuhl also believed that smaller was better, arguing that progress could only be made with psychopathic children if the right adult was assigned a relatively

¹²⁴ From My Notebook (Undated), “”, Frederick Ambuhl Papers, 1919-1939, New Brunswick, NJ.

low number of children. While many of Ambuhl's beliefs were not novel or revolutionary, approaches utilized by Ambuhl to help the psychopathic child markedly differed from other New Jersey reformers during the era.

In 1926, Frederick Ambuhl began his admirable efforts to construct "A Hamlet" on the grounds of the State Home for Boys. Ambuhl proclaimed that he was "an incorrigible believer in the good of every delinquent boy,"¹²⁵ and he set out on an improbable mission into the woods with a group that others saw as evil. Ambuhl's boys were 8 to 15 years old, "psychopathically inclined," and boys who "could not adjust themselves to the institutional routine of the State Home." On a strip of land one-half mile away from the State Home and miles away from any roads, Ambuhl created a little colony. Without "any expert or professional help or advice," Ambuhl and his boys sought to create a miniature village, a *Hamlet*, where they could be self-sufficient and thrive.

Probably due in part to the maverick nature of Ambuhl's endeavor, the State of New Jersey initially provided no money for the Hamlet. Ambuhl was given no new lumber or any kind of new building material. He and his boys remained committed to their vision, and they found their solution not in the New Jersey Legislature but in Jamesburg's on-site dump. Ambuhl and his boys used short pieces of used lumber, old nails, dull saws, yardsticks, axes, picks, and shovels to build their village entirely from the scraps and the waste of the large institution. Ambuhl said that he and his boys saw

¹²⁵ Frederick Ambuhl, "Think It over (Undated)," Frederick Ambuhl Papers, 1919-1939, New Brunswick, NJ.

themselves as “pioneers,” and that overcoming many challenges “had a great psychological effect on the boys;” the boys felt “free and happy.”¹²⁶

Ambuhl was winning over the boys assigned to him. He placed trust in them and listened to what they had to say. His previous experience studying and running homes for psychopathic boys helped him arrive at the conclusion that “running away” was not the sign of a “defective delinquent” but instead the byproduct of oppressive institutional buildings, leaders, and routines. Ambuhl believed that boys needed “a more natural milieu so fundamental for reconstruction” and saw the Hamlet as a vehicle that could allow the boys to express themselves and heal. He believed that the right adults with the proper philosophy would create an environment from which boys would not want to run. Ambuhl stated that despite the fact that he had no guards or walls to prevent the children from escaping, he never had a child run away. The children appeared to love him, and the delinquents and adults at Jamesburg and elsewhere called Frederick Ambuhl by the nickname “Daddy.”

It was probably very clear to his boys that Daddy was willing to do anything to help them and make their Hamlet become a reality. For the first few months of the project, Ambuhl lived in a tent; the State then started to erect a “low range building” that could house Daddy and approximately 20 boys. Late in the fall of 1928, they moved into the half-completed building. There were no sanitary installations, water, light, or heat. The State Home furnished the boys with cots and some discarded tables and benches. Ambuhl furnished the remainder of the house at his own expense. He bought stoves, Kerosene lamps, washing and cooking utensils, and more. Ambuhl also used his money

¹²⁶ Ambuhl, “The Hamlet. ”, p. 1.

to pay for a female employee to assist him; after tapping into his own funds for six months, the State Home put the woman on their payroll.¹²⁷

With their unwavering conviction, Ambuhl and his boys made their dreams a reality. After hauling boards, metal, brick, old furniture, pianos, boxes, pounds of rusty nails, screws, discarded tools, and “God knows what,” within several months Daddy and his boys truly had “constructed a village from junk.”¹²⁸ The Hamlet included a chapel, school, post office, library, print shop, bank, theater, workshops, and a barn garage. The boys had also dug a pond, built a bridge, made a sunken garden, and placed a monument of Abraham Lincoln to beautify and landscape the surrounding land.

Ambuhl fostered responsibility in his boys and made them leaders of various projects and buildings in the village. Throughout and subsequent to the building, Daddy saw it as essential to keep his boys busy, believing that activity and a sense of purpose was one key to reforming them. Ambuhl’s belief that industry and labor were keys to reformation was certainly not a new penal philosophy, but his ability to place trust in his boys and to allow them to express themselves was rather unique. In the theater, for example, Ambuhl allowed his boys to create and act out plays without censorship. Daddy saw this as an important way for the boys to express themselves and for him to gain insight into their souls and inner workings of their minds.¹²⁹

¹²⁷Ibid., pp. 1-2.

¹²⁸Ibid., p. 2; “Boys Constructing Village from Junk; Lads Once Classified as Incurable Are Now Developing Character in Unique Experiments Conducted in Jamesburg Reformatory Woods.”

¹²⁹ Frederick Ambuhl, “The Hamlet Theatre (Undated),” Frederick Ambuhl Papers, 1919-1939, New Brunswick, NJ.

Daddy “fought like a lion” in the interest of his wards and added that “in their midst,” he “almost felt as if they were [his] superiors” and that he was their servant. He admitted to being a demanding task-master, but said at the same time he listened to and learned from the boys, believing that “humility is a great educator.”¹³⁰ In an unpublished, undated journal entry entitled “Think It Over,” Ambuhl more fully expressed his views about the types of boys he dedicated years of his life to help:

We know the fundamental reason for juvenile delinquency. Its [sic] always the same darn mixture of heredity and environment. ...Perhaps I could never believe in the badness of any juvenile wrongdoer. I have come in contact with thousands of those “brothers in destiny” and found no evil. Only miserable neglected constitutions, confusing imagination, shattered nerves, and emotion on the verge of colaps [sic]. Boys sick in body and mind. ...*When will we stop hunting for the evil in man, instead hunting for the good in him*, believe in it? Our wayfaring errant boys are not bad. They might be ailing in body and mind, but they are not bad by nature. Good and bad are overdue, outgrown terms. Either we are normal and behave according to it or are abnormal and behave according to it. There is nothing between being healthy and unhealthy, sane and insane. Our behavior is a product of our imagination, nerves, and emotion.¹³¹

Ambuhl’s creation of the Hamlet and his own personality drew both positive and negative attention. While he had the general support of the Superintendent who hired him, other staff of the State Home “showed a rather antagonistic sentiment” toward the Hamlet idea and Ambuhl in particular. Staff knew of Ambuhl’s distaste for traditional routines of correctional institutions;¹³² they were probably threatened by Ambuhl and also unsympathetic towards his empathy for supposed psychopaths. Daddy claimed that a member of the State Home Board of Managers stated that anyone who wanted to help

¹³⁰ Ambuhl, “The Hamlet. ”, p. 3.

¹³¹ Ambuhl, “Think It over (Undated). ” Emphasis added.

¹³² Ambuhl, “The Hamlet. ”

psychopathic boys must be psychopathic himself.¹³³ Ambuhl also shared that he unknowingly “hit the business management of the State Home.” Ely, a “state boss,” visited the Hamlet and interrogated Ambuhl about where he had obtained the resources and money to construct his village. Ambuhl replied that the shingles of the roof to the chapel were the only cost to the state – approximately \$80; Daddy added that everything else came from the State Home dump and from a little help here and there. Consequently, “the great man went straight up to the State Home and cut the repair fund down \$900.”¹³⁴

Ambuhl explained that there was some fallout from this interaction and the financial impact on the State Home. “All this created bad blood. Bitter arguments were unavoidable.” Although Daddy stated that he stood his ground, he was no stranger to arguments over financial matters. William Ellis, Commissioner of the Department of Institutions and Agencies, criticized Ambuhl because his boys ate twice as much food as other boys in the institution. Although it appeared that Ellis was proud of Ambuhl’s work, Ellis was also an efficient business manager of the nation’s largest bureaucracy dealing with juvenile delinquents; money was therefore an important consideration and a matter that Ellis would have to justify to the legislature and the State Board of Control. During one conversation between Ambuhl and Commissioner Ellis, Ambuhl tried to convince the Commissioner of the worth of Ambuhl’s plan to cut the size of cottage units in half to provide the child with a more natural home environment to respect his individuality. Ambuhl explained: “When I argued with Commissioner Ellis about such a

¹³³ Frederick Ambuhl, "The "Scientific" Experiment (Undated), " Frederick Ambuhl Papers, 1919-1939, New Brunswick, NJ.

¹³⁴ Ambuhl, "The Hamlet. ", p. 4.

plan, he said Daddy, you know it is much cheaper to build dormitories and central living quarters.” Ambuhl replied, “That might be ...but in the long run it does not pay. Prisons and insane asylums are a rather costly after effect of your calculations.”¹³⁵

Despite this insightful comment made to the Commissioner and his talent for witty comebacks, Frederick Ambuhl was fully aware of his own shortcomings. He acknowledged that he was accused of being unreasonable, impatient, and uncompromising. Ambuhl admitted, “All that might be true. And more of it. I was no diplomat.” Ambuhl perceived that despite being an American citizen, he was “nevertheless looked at as a damn foreigner.” If Ambuhl was “worth a shithouse,” his critics allegedly argued, he would have stayed in Europe.¹³⁶ Ambuhl saw his “absolute self sacrifice” as a sign of his Christian evolution and his commitment to helping delinquent children. He believed that the time was “not ripe yet for heroic souls, but not so far off either.” Daddy shared that he was too often “reminded from above”¹³⁷ that he was “not a salesman” who could sell his ideas and work for the benefit of all. He concluded, “This too is the truth. I loathe it. Let others sell the goods. I am a doer. Not a talker.”¹³⁸

Although the exact cause of the severing of his relationship with Jamesburg is unknown, Frederick Ambuhl’s resignation from the State Home for Boys became effective on May 15, 1929. The resignation appeared to have been prompted by the long-

¹³⁵ Ibid, p. 2.

¹³⁶ Ibid., p. 4.

¹³⁷ Although this could be a reference to God, it was probably a reference to his superiors and Commissioner Ellis.

¹³⁸ Ambuhl, "The Hamlet. ", pp. 4-5.

standing tension between Ambuhl's fiery passion and unconventional beliefs and the scientific, rigid, money-conscious bureaucrats who were more inclined to stick to the status quo (a status quo they had already invested millions of dollars to create and foster). In his response to Ambuhl's resignation, Superintendent Calvin Derrick acknowledged that he and Ambuhl had their differences of opinion but that only feelings of friendship and mutual respect would linger. Derrick stated that he learned from Ambuhl and believed the general theory underlying his work was sound.¹³⁹

Derrick's predictions that the Hamlet would continue on but lose much of the "Ambuhl character" came to fruition. The Hamlet strengthened its academic offerings for students during the 1930s, probably an important step because Ambuhl underemphasized academic work in his Hamlet. But despite scientific advancement, the pinnacle of its spiritual development was probably during the late 1920s when a tireless man devoted all of his energy to the growth of the village and his boys. Frederick Ambuhl stayed in New Jersey and continued to sacrifice himself and his resources as he campaigned and attempted to create similar hamlets in Bergen County, Passaic County, and the village of Hackettstown.¹⁴⁰ Although his efforts in Bergen and Passaic counties never came to fruition and were a failure, the Mayor of Hackettstown offered Ambuhl 20 acres of land free of charge to begin a "camp" of his own. As of August 1935, Ambuhl's Hackettstown camp was reforming three needy children given to Ambuhl by poor families, and Daddy

¹³⁹ Derrick, "Letter to Mr. Frederick Ambuhl Accepting His Resignation, Dated May 7, 1929. "

¹⁴⁰ Frederick Ambuhl, "Bergen County (Undated), " Frederick Ambuhl Papers, 1919-1939, New Brunswick, NJ.

had used his own finances and private donations to rebuild a barn that had the potential to house 20 to 30 boys.¹⁴¹

Frederick Ambuhl's story remains to this day largely unknown. Although Ambuhl had solicited New York City printers to edit, refine, and publish his "Story of the Hamlet," Ambuhl's story was never printed, to the best of my knowledge. Ambuhl's full story remains locked away in the archives at Rutgers University. While Frederick Ambuhl's political skills were unpolished and some of his views can rightfully be called impractical, unrealistic, or misguided, he was an unsung hero during an age when most other New Jersey reformers were powerfully joined together in a cult-like network that valued only science, efficiency, the financial bottom line, and their own personal and professional notoriety. While Ambuhl had his own ego, there was no question that he cared deeply about the boys under his care. Ambuhl left Jamesburg convinced more than ever that psychopathic boys were curable and could be improved with the help of a caring adult; the "psychopathic" boys from Ambuhl's Hamlet left the State Home knowing that an adult had truly cared about them, as evidenced by the fact that some boys continued to write nostalgic letters to Ambuhl years after he resigned from Jamesburg.¹⁴²

¹⁴¹ Frederick Ambuhl, "Letter from Frederick Ambuhl to Grace Russel, Dated August 18, 1935, " Frederick Ambuhl Papers, 1919-1939, New Brunswick, NJ; Ambuhl, "The "Scientific" Experiment (Undated). "

¹⁴² See, for example, Letter from Alfred [Last Name Unknown] to Frederick Ambuhl, Dated January 4, 1935, "", Frederick Ambuhl Papers, 1919-1939, New Brunswick, NJ. Alfred was 22 years old when he wrote this letter and stated that he was 13 or 14 years old when he was with Ambuhl in Jamesburg. In the letter, Alfred informed Ambuhl of the positive difference he had made in his life. Alfred was excited to share with Ambuhl that he was about to marry "a nice German girl," but he reminisced about the Hamlet. Alfred wrote: "Our Hamlet, our chapel, our animals, our sunken gardens, and our "Road to the Loving Heart." – Remember – Don't you cry a little Daddy? O that we could have stayed there for ever in our World! But it was not to be." This touching letter validated Ambuhl's claims that his children enjoyed being at and thrived in the Hamlet. Alfred's home address in January 1935 was 402 S. Centre St. in Pottsville, Pennsylvania. Coincidentally, I grew up approximately 10 miles away near Tamaqua, Pennsylvania. Both Pottsville and Tamaqua are in the Anthracite Coal Region of PA.

The Hamlet was another powerful example that the State Home for Boys was conducting multiple experiments with its juvenile delinquents during the 1920s. Many possible fates awaited children who were remanded to the State Home. All were studied, classified, and sorted, but the ultimate destination and method of treatment varied wildly. Some children thrived under new student leadership roles; most received an academic and vocational education tailored to their perceived abilities; hundreds ran away; others were isolated in colonies, segregation cottages, and discipline cottages; many were labeled “feeble-minded” and transferred for a life-commitment in a “charitable” institution or training school; a handful were labeled “psychopathic” and excommunicated to a Hamlet village; scores were beaten and battered through corporal punishment; and still more were maimed or killed by unnecessary surgery being portrayed as a potential cure for delinquency. The State Home for Boys in Jamesburg was at once a microcosm of the institutional ills of the State and its own shop of horrors.

The Training School at Vineland

Experimentation at The State Home for Boys in Jamesburg made it a rather "scientific" and progressive public correctional institution, but the Training School at Vineland, a private institution, was the driving force which shaped a great deal of the institutional, educational, and social reform in New Jersey during the era. The Training School was New Jersey's first institution for the feeble-minded, and it became an epicenter for a movement that radiated outward throughout New Jersey, the United States, and many other parts of the world. The administrative staff and scientists who came to be employed at Vineland gained intrastate, national, and international notoriety, an unfortunate fact for New Jersey children of subnormal intelligence and youngsters

elsewhere. Vineland reformers' prolific publications and aggressive networking organized a tsunami of support for the Vineland agenda. Consequently, thousands of innocent children were swept away from their families, schools, and neighborhoods, and became stranded, frequently for life, in a "Village of Happiness."

Founded in 1888, The Training School at Vineland was a private institution for the care and training of children and adults of subnormal intelligence.¹⁴³ The institution actually began a year earlier in a different location; Stephen Garrison, a highly educated minister, and his wife opened a private school in Millville, New Jersey in the fall of 1887 which housed seven feeble-minded children. Garrison quickly realized that he needed more space; aided by private donations from wealthy citizens who lived in the Vineland area, he moved the school to a mansion and large plot of land in Vineland on March 1, 1888. The school quickly grew in size and scope.¹⁴⁴

In 1898, Garrison recruited Edward Johnstone, formerly a Principal of a feeble-minded institution in Fort Wayne, Indiana, to come to Vineland to serve as a Vice-Principal; this was one of many moves Garrison made to transform the institution from a purely charitable organization to a more scientific facility. Garrison enlarged the medical staff by partnering with scores of physicians in the Philadelphia and Southern New Jersey region. By 1900, these included a surgeon, gynecologists, a pathologist, an otologist, a laryngologist, specialists in chest diseases, child specialists, speech pathologists, and

¹⁴³ Edgar A. Doll, "Research Opportunities at Vineland," in *Twenty-Five Years; a Memorial Volume in Commemoration of the Twenty-Fifth Anniversary of the Vineland Laboratory, 1906-1931*, ed. Edgar A. Doll (Vineland, NJ: The Training School at Vineland New Jersey Department of Research, 1932). This book is available in the Special Collections/University Archives of Alexander Library.

¹⁴⁴ McCaffrey., pp. 57-60. For anyone interested in the evolution of the Training School at Vineland from 1888 to 1915, McCaffrey's 1965 book presents the most complete history.

local dentists. Garrison and his staff set out to make Vineland a first-class institution that would furnish scientific, medical, and other original data to advance the understanding of feeble-mindedness. Stephen Garrison did not define Vineland's success by the number of children residing at the institution; while he needed a sufficient number to operate, he intentionally limited the number committed. Garrison did not want Vineland to be known for its size but instead for its equipment, personnel, quality of care, and its status as the premier facility driving knowledge about the feeble-minded.¹⁴⁵

Stephen Garrison's health began to rapidly decline between 1898 and 1899, and he died in 1900. As they pondered who would replace Garrison, Vineland's Board of Managers saw tremendous potential in Vice Principal Johnstone. Within a very short time, the board agreed that Johnstone was the most capable man to lead The New Jersey Training School for Feeble-Minded Girls and Boys, as the Training School at Vineland was still called then. Edward Johnstone was promoted to Principal in 1901, and the new title of Superintendent was created for him in 1903, providing Johnstone with increased authority over the entire institution. Under Johnstone's leadership, the study of children by classroom teachers and other professional experts on the staff increased, carving out a vision that the child's individual needs should help to drive instruction and assistance.

While attending a New Jersey Child Study Association meeting in Newark in 1901, Edward Johnstone met with Professor Earl Barnes of Philadelphia and Professor Henry Goddard, a Psychologist who worked at the Pennsylvania State Normal School in West Chester. On the train ride home, the three men discussed their views on the proper

¹⁴⁵ Ibid., pp. 17-179.

training and education of feeble-minded children. As Henry Goddard reminisced decades later, one of Edward Johnstone's biggest ideas was born on that train - The Feeble-Minded Club - whose original six members included Johnstone, Henry Goddard, Burnham, Earl Barnes, Maurice Fels, and Edward Allen.¹⁴⁶ In March, 1902, The Feeble-Minded Club was officially formed, and this group of educators, physicians, sociologists, and psychologists continued to meet twice per year from that date forward. Edgar Doll, who later became Director of Research at Vineland, recalled: "Out of these [Feeble-Minded Club] meetings, stimulated by Professor Johnstone's infectious enthusiasm for investigational work, grew the idea that *public institutions are human laboratories where problems of human growth and development can be scientifically studied under controlled conditions.*"¹⁴⁷

The concept of studying human growth and development was expanding exponentially during the first decade at Vineland. In 1902, Vineland began offering "summer school" courses for public school teachers around the State of New Jersey. During these courses, Johnstone and his staff gave and received: they provided "expert" guidance in how to best educate challenging students and simultaneously gathered data

¹⁴⁶ Henry Goddard, "Anniversary Address," in *Twenty-Five Years; a Memorial Volume in Commemoration of the Twenty-Fifth Anniversary of the Vineland Laboratory, 1906-1931*, ed. Edgar A. Doll (Doll, Edgar A.: The Training School at Vineland New Jersey Department of Research, 1932), pp. 55-56. Goddard explained in his 1931 address at Vineland that he actually met Edward Johnstone during the previous year; Goddard was apparently enamored with a speech given by Johnstone at the New Jersey Association for the Study of Childhood and Youth during the winter of 1900.

¹⁴⁷ Edgar A. Doll, "Foreword," in *Twenty-Five Years; a Memorial Volume in Commemoration of the Twenty-Fifth Anniversary of the Vineland Laboratory, 1906-1931*, ed. Edgar A. Doll (Vineland, NJ: The Training School at Vineland New Jersey Department of Research, 1932), p. xix. While criminal anthropologists such as Cesare Lombroso "scientifically" studied institutionalized criminals during the Nineteenth Century and other institutions in other parts of the country and world were also studying inmates, few institutions, if any, were as comprehensive of a "laboratory" as Vineland. Doll was cheerleading, but he was not completely off base with his comment. Emphasis added.

from the state's teachers. Johnstone asked public school teachers about the strengths and weaknesses of their teaching methods and solicited input regarding observations they made about the physical, moral, or mental characteristics of their most challenging pupils. Johnstone believed it was vitally important for this data to be recorded and shared. He also believed the wave of the future was to concurrently focus on instructional methods and the intense study of individual children (child study).¹⁴⁸ As discussions between psychologists, public school teachers, and other helping professionals continued to expand, difficult questions were asked which, Johnstone believed, required intensive study to find the answers.¹⁴⁹

Professor Earn Barnes, of the Feeble-Minded Club, saw Vineland as an institution that was doing just that - scientifically studying children to find answers to puzzling questions. At the 1903 annual meeting of the Training School, Barnes said, "To me Vineland is a human laboratory and a garden where unfortunate children are to be cared for, protected and loved while they unconsciously whisper to us syllable by syllable the secrets of the soul's growth. It may very well be that the most ignorant shall teach us most."¹⁵⁰ Just four years after the formation of the Feeble-Minded Club, Edward Johnstone recommended to the Board of Trustees of the Training School that a scientific laboratory be established. Three months later, in September, 1906, the Vineland

¹⁴⁸ McCaffrey.

¹⁴⁹ During the 1920s, Rutgers University in New Brunswick offered eight credit hours for students who successfully completed Vineland's Summer School program. See Edward Ransom Johnstone, "Report of the Director," in *Thirty-Ninth Annual Report of the Training School at Vineland New Jersey* (Vineland, NJ: The Training School at Vineland, 1927), p. 32.

¹⁵⁰ Doll, "Foreword.", p. xix.

Laboratory was officially created. Johnstone wasted no time in appointing Dr. Henry Goddard as its Director.¹⁵¹

Henry Goddard served as Director of the Laboratory from 1906 until 1918, when he resigned to assume a new position as Director of the Ohio Bureau of Juvenile Research; Stanley Porteus became Director of the Laboratory from 1919 through 1925, the year he left to become professor of clinical psychology at the University of Hawaii; Edgar Doll took over the Director position in 1925, leaving his high public post as the Director of Research for the New Jersey Department of Institutions and Agencies.

During the first twenty-five years of its existence under the leadership of these three men, the Vineland Laboratory conducted extensive scientific investigations of children, provided professional training to university graduates throughout the region, and hosted countless aspiring experts in the budding helping professions from around the country and world. By 1931, the Vineland Laboratory had hired a total of 110 research scientists, research assistants, research fellows, and professional guests. Upon leaving Vineland, many of these experts left Vineland to assume important professional posts in universities, in institutions, in public school systems, and in various fields of social welfare activity.¹⁵² The army of helping professionals and administrative staff from Vineland's Laboratory had, by 1931, published 311 titles; these included 20 books and monographs, 133 research articles, and 158 general articles and case studies.¹⁵³

¹⁵¹ Ibid., pp. xix.

¹⁵² Doll, "Research Opportunities at Vineland.", p. 87.

¹⁵³ Myra Kuenzel, "Personnel and Publications of the Vineland Laboratory, 1906-1931," in *Twenty-Five Years; a Memorial Volume in Commemoration of the Twenty-Fifth Anniversary of the Vineland Laboratory, 1906-1931*, ed. Edgar A. Doll (Vineland, NJ: The Training School at Vineland New Jersey Department of Research, 1932).

Regarding the treatment of juvenile delinquents in 1920s New Jersey, the most publically influential of all these publications came not during the Twenties but the preceding decade. The growth of institutionalization in 1920s New Jersey was caused by many factors, as this chapter and dissertation have shown, and one major factor were Henry Goddard's prolific writing during the 1910s. Behind the scenes, Goddard was ramping up the scientific experimentation in the Laboratory. He developed the Divisions of biochemistry, neuropathology, and clinical psychology in 1912. In subsequent years, the Laboratory began comparing the development growth of its inmates and children elsewhere using such comparisons as the Wasserman survey, brain histology, pineal gland, sensory discrimination, metabolism, blood chemistry, photomicroscopy, physical growth, and mental growth.¹⁵⁴ It remains uncertain to me if children suffered as a result of being guinea pigs in the Vineland Laboratory.¹⁵⁵ In Vineland's many laboratory rooms, Goddard and his staff had free reign to use these and other tests to determine if they could “objectively” find developmental differences between feeble-minded infants and children and normal children of the same ages. Results that Goddard liked, he was free to publish. Results that he did not advance his eugenic agenda could be put aside.

As the chief and executive “scientist” at Vineland, Goddard’s findings were crucial to the successful expansion of Vineland as a political and scientific force. With Binet’s IQ test primed and supposedly calibrated and a vast array of scientific test results

¹⁵⁴ Edgar A. Doll, "Chronology," in *Twenty-Five Years; a Memorial Volume in Commemoration of the Twenty-Fifth Anniversary of the Vineland Laboratory, 1906-1931*, ed. Edgar A. Doll (Vineland, NJ: The Training School at Vineland New Jersey Department of Research, 1932).

¹⁵⁵ As shall be momentarily discussed, Vineland's status as a private institution allowed the Laboratory to be free from any significant public scrutiny; as a result, it is unclear if experiments during the 1910s were caused great harm or little harm to New Jersey children.

at his disposal, Goddard had many measurement instruments that could be either used objectively or turned into weapons of scientific racism. The latter repeatedly occurred as Goddard barraged the public with repeated claims that feeble-minded adults and their children were a danger to themselves and to society. Henry Goddard's eugenically drenched conclusions marred any real scientific progress he could have made in his laboratory.

Goddard's prolific publications during the 1910s rarely contained highly detailed data but always contained clear eugenic language and conclusions. Goddard issued the following findings and warnings to his readers: feeble-mindedness was inherited and incurable;¹⁵⁶ Jersey's pinelands and other regions in the Garden State were overrun with people who had been tainted by feeble-minded blood;¹⁵⁷ and feeble-mindedness leads to criminal behavior,¹⁵⁸ juvenile delinquency,¹⁵⁹ promiscuity, immorality, and inefficiency.¹⁶⁰

With each publication, the political capital of Goddard and Vineland rose.

Although Goddard's publications were poor science, they were perceived as scientific

¹⁵⁶ Henry Herbert Goddard, *Heredity of Feeble-Mindedness*, Eugenics Record Office. Bulletin (Cold Spring Harbor, N.Y.,: 1911); Henry Herbert Goddard, *Mental Deficiency from the Standpoint of Heredity* (Boston: Massachusetts society for mental hygiene, 1916).

¹⁵⁷ Henry Herbert Goddard, *The Kallikak Family; a Study in the Heredity of Feeble-Mindedness* (New York,: The Macmillan company, 1912). This sent the message that even a wholesome Quaker could not evade natural laws if he mistakenly mated with a "feeble-minded tavern wench." Goddard's field agents claimed that they traced the ancestry of Deborah Kallikak, a 22-year old inmate in Vineland with a mentality of 9 years of age, to the mating of Martin Kallikak and a feeble-minded tavern wench in 1776. The 480 offspring who followed were mostly feeble-minded, criminal, or otherwise defective.

¹⁵⁸ Henry Herbert Goddard, *The Criminal Imbecile* (New York: The Macmillan Company, 1915).

¹⁵⁹ Goddard, *School Training of Defective Children*; Goddard, *Juvenile Delinquency*.

¹⁶⁰ Goddard, *Feeble-Mindedness; Its Causes and Consequences*; Henry Herbert Goddard, *Psychology of the Normal and Subnormal* (New York,: Dodd, Mead and Co., 1919); Goddard, *Human Efficiency and Levels of Intelligence, Lectures Delivered at Princeton University April 7,8,10,11, 1919*.

proof of the inferiority of feeble-minded and other defective classes. Mental testing at Vineland, most certainly including the Army Tests of 1918, was viewed as valid because of the increasingly strong reputation of the institution and its experts. Henry Goddard's book about the family was based on suspect, unverifiable field work and included photographs that may have been doctored.¹⁶¹



Image 7.1 - Kallikak Family Photographs¹⁶²

But the book took on a life of its own "under the facile pen of Dr. Goddard." Readers believed what they were being sold, and by 1928 the book had been translated into no less than five languages. During the same year, a publication of the New Jersey Department of Institutions and Agencies called the Kallikak story a "careful scientific study." The state-endorsed publication added that the "scientifically and historically authentic" characters in the Kallikak story had "living progeny" who were continuing to

¹⁶¹ See Gould.

¹⁶² Pictures obtained from http://commons.wikimedia.org/wiki/File:Kallikaks_guss-big.

"populate New Jersey and to complicate our social organization."¹⁶³ As evidenced by the Kallikak story, Goddard's other publications, and the Department of Institutions and Agencies enthusiastic endorsement of Goddard, Vineland was not a school which was mimicking the practices of others; it was the trend-setter, and between 1900 and 1930, reformers who signed on with Vineland joined an ever-expanding web whose influence reached far beyond the borders of New Jersey.

Growth of the Vineland Political Machine

From the inception of both the Laboratory and the Training School itself, one prerequisite was absolutely essential - money. Generous donations from numerous "friends" of the institution enabled The Laboratory to be created and opened in 1906; these wealthy contributors included Samuel S. Fels,¹⁶⁴ Bleeker Van Wagenan, and Bayard Cutting, who were said to have given generously of their time and money and to have shown "sympathetic interest toward promoting this pioneer work in the study and causes of feeble-mindedness, the methods of its detection, and the principles of education and training."¹⁶⁵ The training school received tuition from both public wards, whose tuition was partially financed by the state, and private patients, whose costs were paid by families or agencies who could afford it. The significant money raised from tuition allowed the private school to survive, but donations from wealthy supporters permitted The Training School at Vineland to thrive.

¹⁶³ Doll, *The Problem of the Feeble-minded in New Jersey: A Study of Mental Deficiencies in Typical Degenerate Families; a Practical State Program for the Prevention or Control of Certain Types of Mental Deficiency.*, p. 11.

¹⁶⁴ Note that Fels was one of the original six men who comprised The Feeble-Minded Club.

¹⁶⁵ Doll, "Foreword.", p. xix.

The Training School's status as a private school was both a blessing and a challenge for the institution. The status was advantageous because it allowed Vineland to remain largely immune from the scrutiny of the state; The Training School had almost unlimited autonomy to set the rules for both the laboratory and the entire institution. At the twenty-five year commemoration of the Vineland Laboratory, New Jersey Department of Institutions and Agencies Commissioner William Ellis spoke candidly about this reality, saying that public institutions "either have not had the vision of what could be done or have not been able to "sell" their vision and ideal and purposes to the people who supply the money." Ellis believed research needed to be "clothed" with "some isolation" to insulate the researcher from the "hasty scrutiny" that often befell investigations which were open to public inspection. Ellis added, "One of the real reasons why it has been possible here to develop this Laboratory is that the institution has been under private control. I do not believe that Dr. Goddard would have been given the opportunity or that Professor Johnstone could have done with public funds what they did with private support."¹⁶⁶ Commissioner Ellis' comments were significant for two reasons. First, his comments suggested that the Training School at Vineland operated under a cloak of protection from the chief executive of the New Jersey Department of Institutions and Agencies during the era. Second, his comments revealed the almost boundless freedom Vineland enjoyed in conducting experiments on human patients during the first three decades of the Twentieth Century.

¹⁶⁶ William Ellis, "Research in Public Welfare," in *Twenty-Five Years; a Memorial Volume in Commemoration of the Twenty-Fifth Anniversary of the Vineland Laboratory, 1906-1931*, ed. Edgar A. Doll (Vineland, NJ: The Training School at Vineland New Jersey Department of Research, 1932), p. 20.

The Training School's status as a private institution provided it insulation from public scrutiny, but the challenge of being a private "school" was that it needed a steady stream of money to stay afloat. While there was no shortage of New Jersey families, agencies, or juvenile courts that needed another place to dump unwanted children, Vineland leaders knew they would thrive most if they could attain financial and/or political support from wealthy citizens, policy makers, and helping professionals.

In terms of institutional growth, Johnstone's decision to hire Henry Goddard proved ingenious. Goddard demonstrated in his twelve years as Director of The Laboratory that he was a tireless leader and prolific writer who rallied unprecedented support for Vineland's multiple agendas. In terms of the consequences for New Jersey children, placing Goddard as the leader of a group of scientists hungry to find "the causes" of feeble-minded led to catastrophic outcomes. Similar to stationing an alcoholic behind a bar to serve as a bartender, hiring an intolerant Quaker eugenicist to use science to find the root cause of feeble-mindedness was a recipe that was bound for disaster.

From the beginning, Goddard and Johnstone knew that they needed to perpetually stress their status as experts to attract money, prestige, and power. One of Goddard's first moves to promote his status as an expert, and perhaps his most significant, was to bring Alfred Binet's IQ test to the United States. As explained in Chapters Three and Four, Goddard and his team translated Binet's test from French into English at the Training School at Vineland in 1908.¹⁶⁷ During an era that increasingly valued measurement and

¹⁶⁷ Historian Leila Zenderland argued that although Goddard is traditionally given credit for translating the IQ test into English, it was actually his assistant, Elizabeth Kite, who made the translation. See Leila Zenderland, *Measuring Minds : Henry Herbert Goddard and the Origins of American Intelligence Testing*, Cambridge Studies in the History of Psychology (Cambridge, U.K. ; New York: Cambridge University Press, 1998).

efficiency, Vineland leaders such as Goddard and Johnstone saw its leadership role with mental testing as essential. They blazed the path accordingly. After translating and beginning to experiment with the Binet test in 1908, Goddard and his team surveyed the Vineland institutional population in 1909; Goddard created the term “moron,” institutionally validated the Binet scale, and began industrial classification by mental age in 1910; and the Binet Scale was standardized on 2,000 Vineland public school children in 1911.¹⁶⁸

In just four years, Goddard and his team catapulted mental testing into a position where it was ready to be a tool that could shape and alter the path of education in the Garden State and the United States. But from the beginning, Johnstone and Goddard knew that the majority of the public would not care about less intelligent children any more than Nineteenth Century society cared about destitute and delinquent children. Moreover, Johnstone and Goddard had more in mind than reshaping public and private education. Goddard and Johnstone were both eugenicists, and they desired to shape not only education but the social landscape. The two men, and their army of followers, quickly shed their interest in pedagogy and replaced it with an obsession – a quest to prove that feeble-minded children were genetically inferior, morally bankrupt, and criminally inclined.

Edward Johnstone and Henry Goddard believed that the societal solutions to feeble-mindedness – institutionalization, colonization, and sterilization – were vital to the public welfare but difficult to sell. Even to maintain the institutional segregation of feeble-minded children which they had already established, Johnstone and Goddard knew

¹⁶⁸ Doll, "Chronology.", p. 7.

that they would need ongoing financial support from the state and the public. Consequently, they realized they had to aggressively lobby both the New Jersey legislature and the public. The Vineland leaders knew the public would not come knocking on the doors to the Training School; instead, it was incumbent upon Johnstone, Goddard, and other Vineland reformers to educate both powerful politicians and the lay public of the dangers that loomed for society if their eugenic solutions were not implemented.

With efforts beginning in 1909 and taking form in January of 1910, Edward Johnstone created an important vehicle for his public relations campaign called the “Committee on Provision for the Feeble-Minded.” Joseph Byers, who eventually headed the committee, explained that “the time had come for the instruction of the public and its legislatures.”¹⁶⁹ Johnstone allocated \$500 of Vineland’s philanthropic funds to create the committee, and they immediately set out on an aggressive campaign to lobby the legislature to increase New Jersey’s institutional expenditures. The Committee on Provision for the Feeble-Minded placed articles in local newspapers, urged families who had children on waiting lists to contact legislative representatives, and asked influential business leaders who knew affected families to increase legislative pressure as well.

The Committee on Provision’s efforts led to “large and immediate” results. During the previous twenty-two *years*, New Jersey had spent a total of \$350,000 on institutions for the feeble-minded and epileptics; in its first twenty-two *weeks* of aggressive campaigning, The Committee on Provision generated an additional

¹⁶⁹ Joseph Byers, *The Village of Happiness* (Vineland, NJ: The Smith Printing House, 1934)., p. 76.

\$211,000.¹⁷⁰ Vineland's immediate success in effecting political change did not go unnoticed. Institutions around the country flooded the Committee and the Training School with letters containing "cries of 'come over and help us.'" According to Vineland's Joseph Byers, the Training School had a "missionary spirit" and attempted to answer each and every letter.¹⁷¹ The Training School leaders were now experts not only with feeble-minded children but were also seen as experts in mobilizing political and financial support.

The early efforts of the Committee on Provision succeeded beyond the institution's wildest hopes. Superintendent Johnstone knew he needed more help to sustain and expand Vineland's massive "educational" campaign. Johnstone created a new Extension Department, an entity that would spearhead and focus entirely on local, state, and national efforts to spread propaganda about the proper care of the feeble-minded. In choosing a leader for the Extension Department, Johnstone turned to Alexander Johnson, a man with impressive credentials. Johnson had been a successful social worker, former Superintendent of the Indiana School for Feeble-Minded Youth, and was previous Secretary of the National Conference of Charities and Correction.¹⁷² Unknown to the public and even leaders at Vineland's Board of Managers at the time, Alexander Johnson was also Superintendent Johnstone's brother-in-law.¹⁷³

¹⁷⁰ Ibid., p. 77.

¹⁷¹ Ibid., pp. 76-80.

¹⁷² Alexander Johnson, *Adventures in Social Welfare* (Fort Wayne, IN: Alexander Johnson, 1923).

¹⁷³ Assorted Letters between Edward Johnstone and Alexander Johnson, "", Edward Johnstone Papers, 1897-1958, New Brunswick, NJ.

Alexander Johnson's leadership propelled Vineland's Extension Department to new levels of success in winning over the public, legislatures, donors, and committees to see the importance of taking care of the feeble-minded. Johnson utilized local newspapers, conferences, and public speaking engagements to "preach the gospel of the feeble-minded."¹⁷⁴ The gospel of the feeble-minded, it turned out, was helping to spread eugenic thought. While speaking with a group of 100 educators at an annual dinner in Philadelphia, Johnson stressed that teaching all children basic subjects was archaic and ill-advised. He told the educators that the "3 R's of writing, reading, and arithmetic" were merely fads and shared his opinion that "the doctrine that all are created equal is the rankest piece of folly ever perpetuated upon mankind." Johnson cleverly inflated the egos of the public school teachers, calling them "pioneers" in a new movement, and he stressed that schools were vital. Teachers had to identify delinquents "before they commit crimes."¹⁷⁵ As Johnson warned a Trenton audience in an address on "The Mother State and Her Weaker Children," special institutions for the feeble-minded were vital to save society; they had to be financially supported by the public and the State, and because twice as many defectives existed as estimated, public school teachers had to send the institutions their feeble-minded and defective children.¹⁷⁶ Eugenicists, in turn, would do their part – they would not only segregate the feeble-minded but "prevent them from being born." Eugenicists would also influence legislatures to restrict marriage of feeble-

¹⁷⁴ Byers., p. 84.

¹⁷⁵"Three R's Fads, Says Educator. Training of Children Still Primitive, Declares Dr. Alexander Johnson.", p. 12. I found this 1914 *Philadelphia Inquirer* article using American's Historical Newspaper search engine while visiting Princeton's University's Firestone Library.

¹⁷⁶"Educator Tells of State's Defectives.", p. 20.

minded persons. While eugenicists were not to be omnipotent – they were not going to “command who shall marry,” but they would “say who shall not.”¹⁷⁷

Alexander Johnson carried similar messages to audiences well beyond the (NJ/NY/PA) tri-state area. In May of 1912 he informed the Southern Sociological Congress in Nashville, Tennessee that the “feeble-minded” and “epileptic” could be trained but not cured. These defectives could never be educated to the point of functioning independently in society, but they could be trained to do simple tasks (and made happy if praised for their efforts). After being educated in training schools, these “trained” and “controlled” defectives could then be placed in colonies as adults; in the colonies, the defectives could earn their keep by completing agriculture work on the colonies’ farms. Johnson warned, “They [the defectives] are a large class and becoming larger. If they could be deported to an island in the Pacific and kept to themselves they would die out.”¹⁷⁸ Although “degeneracy tends to extinction,” Johnson stated, American society was decaying because the feeble-minded and other degenerates were perpetuating their kind. He pointed out that the feeble-minded comprised a disproportionate and staggering percentage of criminals, juvenile delinquents, poor-house residents, paupers, and prostitutes.

Johnson shared with the Southern conference that the “misery they [the defectives] suffer” was due to society’s failure to care for them in special institutions and colonies; consequently, he added, they “revenge themselves by increasing, each

¹⁷⁷ “Three R’s Fads, Says Educator. Training of Children Still Primitive, Declares Dr. Alexander Johnson.”

¹⁷⁸ Alexander Johnson, “The Call of the New South; Addresses Delivered at the Southern Sociological Congress, Nashville Tennessee, May 7 to 10, 1912,” in *The Call of the New South*, ed. James E. McCulloch (Nashville, TN: Southern Sociological Congress, 1912), p. 70. Google Books has digitalized this document.

generation, our burden and our shame of insanity, idiocy, crime, vice, pauperism, and degradation.” Johnson said this picture he painted was not “too black,” it was in fact much blacker. While 85 percent of the insane were finally in institutions, he lamented, only 15 percent of the feeble-minded were segregated. Johnson concluded: “the remedy to me seems to me to be plain enough. Let every State have schools for the children and colonies for the adults, not for a few, but for all. Train them, teach them, employ them, control them.”¹⁷⁹

In addition to his speeches in front of large audiences, Alexander Johnson engaged in private correspondence with distant policy makers. In 1914, for example, he wrote to Robert McCord, a Georgia Legislator, who sought Vineland’s expertise in how to craft legislation and shape social policy with regard to the feeble-minded. Johnson first tried to educate McCord in his letter. Johnson explained that half of the blind and all deaf individuals could be educated to be self-supported but that time had proven that feeble-minded children had no potential for self control or self direction. Johnson warned McCord that they only recently had his team of experts recognized “the tremendous importance of permanent segregation” due to the “full effects of heredity.” The industrial colonies for adults, which would effectuate permanent segregation of adults, would only be successful if training schools (such as the one at Vineland) were created to properly train and control the feeble-minded children from an early age.¹⁸⁰

Given the astonishingly high numbers of these children being “detected” in society, Johnson’s advice to permanently segregate all defectives could have seemed

¹⁷⁹ Ibid., pp. 170-171.

¹⁸⁰ Alexander Johnson, "Letter from Alexander Johnson to Robert Mccord Dated March 4, 1914, " Edward Johnstone Papers, 1897-1958, New Brunswick, NJ., p. 2.

impractical and expensive. But Johnson preemptively defeated this plausible criticism, stating that the wrecks of the society are even more of a financial burden because they supposedly fornicated and reproduced more than normal individuals (due to a lack of self-control), committed crimes, and easily fell victim to bad people. Johnstone advised McCord to make sure officials in Georgia bought a large body of cheap land and to use the feeble-minded laborers “to subdue and cultivate it.” This could remedy the economic challenge of mass segregation and might actually turn a profit. In terms of recruiting the feeble-minded laborers (slaves), Johnson instructed McCord to ensure that the law “be devised as to secure full control of the inmates.” This was best accomplished by making sure there were “no hard and fast lines for admission” and “no age of discharge;” instead, admissions, retention, and (any occasional discharge) should be at the full power and discretion of the Board of Trustees. Admissions could be voluntary commitments from parents or involuntary sentences issued by the juvenile court. Johnson suggested beginning with the simpler form of admission (parents) and “strengthening the law” later to include court commitment.

Johnson and his associates in the Vineland Extension Department delivered “gospel” speeches to large audiences and provided private advice to influential policy makers at a torrid pace between 1913 and 1914. In its first year, the Extension Department had visited 57 cities and 18 states, all the more impressive given that they purportedly only went where they were invited. Alexander Johnson and his team made over 125 lectures in 365 days.¹⁸¹ By 1914, Superintendent Johnstone knew that his

¹⁸¹ Johnstone, “The Extension of the Care of the Feeble-Minded.” The *Journal of Psycho-Asthenics* was published under the auspices of the American Association for the Study of the Feeble-Minded. I noted that

institution's Extension Department had become a prominent force in shaping not only New Jersey policy but also social reform throughout the nation. Johnstone believed the role of the Extension Department was "to assist in any movement looking toward adequate care for all feeble-minded." Trying to downplay the direct nature of Vineland's role, Johnstone (1914) stated: "The Department wishes to give information and advice, not to undertake the task of directing the establishment of [other states'] institutions, colonies, etc." He explained that experimentation led to tremendous results at Vineland and in New Jersey, but he wanted these examples of progress to stand only as "demonstrations of what may be done."¹⁸²

In *The Extension of the Care of the Feeble-Minded*, Superintendent Johnstone revealed in explicit detail Vineland's formula for success in shaping social reform. He welcomed and encouraged other states to follow the blueprint laid out in painstaking detail. Although Johnstone failed to elaborate on it, one of the most fascinating and significant details revealed in his article was the list of individuals who served on the original Committee on the Provision for the Feeble-Minded. These members included Mrs. Caroline Alexander, President of the State Charities Aid Association; Mr. Bleeker Van Wagenen, member of the Board of Directors of the Training School; Hon. Joseph Byers, Commissioner of Charities; Hon. Calvin Kendall, Commissioner of Education; Madeleine Hallowell, Superintendent of the New Jersey State-Institution for Feeble-Minded Women; David Weeks, Superintendent of the State Village for Epileptics at

as of September 1914, the President of this association was Henry Goddard. Vineland's political machine was truly a run-away train.

¹⁸² Ibid., p. 3. Note that Google Books has digitalized this document. This document is the "hidden treasure" for those wishing to understand how Vineland pulled off its almost incomprehensible public relations feat.

Skillman; and Superintendent Johnstone.¹⁸³ Johnstone's political brilliance was evident and his plan of attack was clear; by organizing a committee with key leaders in education, charity work, and major New Jersey institutions, Johnstone could steer and direct social reform.

By creating a committee that united diverse leaders in a spirit of cooperation, Johnstone carved out a common vision which reached more policy makers and stakeholders. Educators, social workers, institutional reformers, and the public heard their leaders speak with a common voice about the universal "menace" of the feeble-minded. The "solutions" of how to care for the feeble-minded were thus enabled to be "win-win" solutions that were mutually beneficial to disparate interest groups (For example, Commissioner of Education Kendall needed to rid the public schools of feeble-minded children and New Jersey institutional leaders needed them to survive).

Edward Johnstone explained that any state wishing to replicate New Jersey's success should institute not only local or county committees but also a state committee. It was essential, he argued, for the personnel of the state committee to include representatives from the state departments of Charities and Correction, Education, Forestry Reserve, Agricultural Experiment Station, and Public Highways (in addition to training school leaders and heads of community committees). Each of these leaders would lobby to attain approval and appropriations to maintain inmates, cut trees, build roads, create classes, and perform other tasks to make the vision into a reality. Johnstone knew that interdependence and enmeshment would create the cooperation, power, and

¹⁸³ Ibid., p. 5.

influence to make visions for trainings schools and colonies a reality for other states, just as it was doing for New Jersey.¹⁸⁴

A year after Johnstone shared his blueprint in a prominent journal for reformers interested in feeble-mindedness; the Vineland Board of Directors recognized that demands on their staff's time and energy were mounting. With the support and recommendation of Superintendent Johnstone, the Board merged the Extension Department and moved it into an expanded "Committee on Provision for the Feeble-Minded." The campaign machine begun in 1909 never ended, but in 1915 it once again in name was the official lobbying force of Vineland. With this shift in name came administrative changes. Joseph Byers was named "Executive Secretary;" Alexander Johnson was (in many respects) demoted to "Field Secretary;" and Elizabeth Kite was a field worker.¹⁸⁵

Alexander Johnson's ego was badly bruised by his brother-in-law's support of this change in title. Although Johnstone portrayed it as a way to free Johnson from the administrative minutia of Central Office work to allow him to do what he did best – sell the Vineland vision – Johnson viewed it as a demotion. On the last Tuesday of December, 1914, Johnson informed his relative and boss that he was so upset that he could not sleep and was "almost sick about it." Johnson explained, "For thirty years,

¹⁸⁴ While Johnstone accomplished most of his visions by delegating and orchestrating work, he also inserted himself on diverse committees to enhance his influence beyond strictly feeble-minded circles; for example, in 1910, Johnstone was named and served as the American Association for the Study of the Feeble-Minded delegate to the Washington, D.C. meeting of the International Prison Congress. See A.R. Wylie, "Letter from A.R. Wylie to Amos Butler Dated September 21, 1910," Edward Johnstone Papers, 1897-1958, New Brunswick, NJ. (Wylie was President of the Association and Butler was Chair of the Prison Congress).

¹⁸⁵ Byers., pp. 80-90.

much more than half of a long working life, I have been chief executive of each organization with which I have been connected, and I have been spoiled for a subordinate job.” The position Johnson found himself in was all too ironic. He was once Johnstone’s boss; back in Indiana in the 1890s, Johnson was Superintendent and Johnstone was Principal. Johnson reminded his brother-in-law of this, saying, “When I gave up the hat to come to you, I did not feel that way [spoiled by being a subordinate] ...because it was you – and I could work with you – or for you in any capacity. Terms of chief and subordinate lost their earning in our mutual affection, confidence, and respect.” But Johnson explained he could never feel that way about Byers and did not see Byers as a supervisor. Johnson lamented that he had “passed the deadline of age” and feared that Johnstone had lost confidence in his abilities.¹⁸⁶

Two days later on New Year’s Eve, while his angry letter was still en route to Johnstone, Johnson fired off a second letter, this one apologetic in tone. Johnson began: “I wrote a letter to you on Tuesday I wish I could recall. I feel now that I was extremely foolish ...to worry as I did and say what I did about my relations to the Extension Department.” Johnson admitted that it was his “angry pride” which was hurt and added that the most foolish thing he did in his first letter was to express his “resentment” against Johnstone’s “proposal to pay Joe [Byers] more” than Johnson. Johnson tried to quail the duress his first letter may have caused and said that his pay was more than sufficient. He

¹⁸⁶ Alexander Johnson, "Letter from Alexander Johnson to Edward Johnstone Dated December 29, 1914, " Edward Johnstone Papers, 1897-1958, New Brunswick, NJ., pp. 1-4. At the end of this letter, Johnson provided his temporary address in Chicago. I presume he was traveling as part of his lecture circuit, although given that it was the holiday season, it is possible he was also visiting family or friends in Chicago.

also acquiesced to the fact that his new role as “Field Secretary” would indeed offer him more time to spread the Vineland agenda from the road.¹⁸⁷

As the dust settled from the changes, Alexander Johnson, Byers, and others continued Vineland’s aggressive lobbying to convince society of the eugenic solutions to feeble-mindedness. Edward Johnstone steered Johnson to optimize the potential impact of all of his lectures. He knew that newspapers were interested in publishing information about Johnson’s speeches, and newspaper publicity would exponentially increase the results attained from lectures at conferences and auditoriums throughout the country. Johnstone directed Johnson to hit as many locations in one state as possible without reaching the point of saturation in any one area – which Johnstone defined as “the point at which there are no *profitable* fresh audiences left.”¹⁸⁸ Alexander Johnson did just that, speaking to an average of 11 cities or towns in each of the states he visited during his crusade. By the time the Committee on Provision was dissolved in 1919, Alexander Johnson estimated that he alone had provided 1,100 lectures in 350 cities and towns spread across 33 states. Approximately 250,000 men and women heard the Vineland gospel and the eugenic agenda directly from Alexander Johnson’s mouth.¹⁸⁹

The Fruit of Vineland's Political and Pseudoscientific Labor

The Committee on Provision for the Feeble-Minded, the Extension Department, and publications by Henry Goddard and others propelled The Training School at Vineland to powerhouse political status. Consequently, Vineland reformers' overt and

¹⁸⁷ Alexander Johnson, "Letter from Alexander Johnson to Edward Johnstone Dated December 31, 1914, " Edward Johnstone Papers, 1897-1958, New Brunswick, NJ.

¹⁸⁸ Johnstone, "The Extension of the Care of the Feeble-Minded.", p. 19.

¹⁸⁹ Johnson, *Adventures in Social Welfare*.

covert goals - to promote institutionalization, colonization, sterilization, themselves, their professions, and eugenics - were all very successful. In 1914, Superintendent Johnstone bragged that his Committee on Provision for the Feeble-Minded had successfully prodded the New Jersey legislature into passing important acts governing "defective" children. Johnstone stated that his committee had gathered "all available facts" related "to the feeble-minded and epileptic of New Jersey, and "presented its findings through the citizens of the various counties and to their legislators." Johnstone claimed the Committee on Provision had been successful in lobbying for the following statutes:

- a. Medical inspection in the public schools (Laws 1909, Chap. 92)
- b. Establishing special classes in the public schools (Laws 1911, Chap 234)
- c. The retention of cases admitted to institutions for the feeble-minded (Laws 1909, Chap. 134)
- d. Parole for feeble-minded males (Laws 1919, Chap. 212)
- e. Sterilization (Laws 1911, Chap 190. Since declared unconstitutional for epileptics).
- f. Prohibition of marriage of feeble-minded or insane (Laws 1912, Chap. 199).¹⁹⁰

Vineland's role in promoting this legislation demonstrated the extent of the institution's power and its ability to steer educational, correctional, legislative, and social reform. Educationally, medical inspection in the public school created a scientific vehicle for feeble-minded children to be identified and institutionalized, and the special classes in the

¹⁹⁰ Johnstone, "The Extension of the Care of the Feeble-Minded.", p. 5. I examined Johnstone's accuracy, and statutes c and d (retention of cases and parole) were inaccurate. Assuming that Johnstone was correct that these statutes were passed, I am unsure of the correct chapter and legislative session. While Rutgers Law maintains an online collection of all statutes, this collection is not searchable by topic or chapter, only by page number.

public school strengthened the mindset that subnormal and difficult children did not belong with normal and well-behaved children.¹⁹¹

The passage of a sterilization law was a dark moment in New Jersey legislative history. The official title of the 1911 law revealed its horror: *An Act to Authorize and Provide for the Sterilization of Feeble-minded (Including Idiots, Imbeciles, and Morons), Epileptics, Rapists, Certain Criminals and Other Defectives*.¹⁹² New Jersey's sterilization law predated the United States Supreme Court's sanctioning of sterilization by sixteen years, and the New Jersey law could have resulted in the sterilization of thousands of New Jersey children and adults. Fortunately, in 1912, a state appointed lawyer came to the defense of an epileptic woman, Alice Smith. On May 31, 1912, the Skillman Board of Examiners recommended that Ms. Smith, an epileptic patient who had not had a seizure in five years, be sterilized to prevent her from procreating. The state appointed attorney appealed the institution's decision to perform the salpingectomy,¹⁹³ and after two lower court reviews, the matter was taken up with the New Jersey Supreme Court. On November 18, 1913, the state's Supreme Court unanimously agreed that New Jersey's sterilization law constituted a cruel and unusual violation of the equal protection clause of the Fourteenth Amendment.¹⁹⁴

¹⁹¹ For more on special classes in the public school, see Chapters 3 and 5, but specifically pages 144-146 of this dissertation.

¹⁹² "Acts of the One Hundred and Thirty-Fifth Legislature of the State of New Jersey, Chapter 190," (Paterson, NJ: News Printing Co., State Printers, 1911). The law directed the Governor of New Jersey to appoint a surgeon and a neurologist, who, in conjunction with the Commissioner of the Department of Charities and Correction, constituted a "Board of Examiners of the Feeble-minded, Epileptics, Criminal, and other Defectives." This Board of Examiners

¹⁹³ Salpingectomy is the surgical removal of one or both of a woman's fallopian tubes.

¹⁹⁴ *Smith V. Board of Examiners*, (Supreme Court of NJ 1913). Justice Charles Garrison worried that New Jersey's law could be taken to extremes and have no limits. In his decision, he stated, "If the enforced

Forced sterilizations may not have occurred in New Jersey, but the passage of the sterilization law was a victory for eugenicists and symbolized the hostile attitude held toward feeble-minded, epileptic, criminal, and other defective children during the 1910s and 1920s. Vineland reformers' arguments that defectiveness was hereditary and incurable infected the thinking of not only laymen but also the New Jersey legislature.¹⁹⁵ While the New Jersey Supreme Court prevented further nightmare from befalling the Garden State, Vineland reformers' entanglement¹⁹⁶ with the Legislature and State Committees continued to prove dangerous for New Jersey children.

Despite the fact that both Vineland and state officials continued to portray sterilization as a potential remedy to the problems posed by defectives,¹⁹⁷ the solutions of

sterility of this [epileptic] class be a legitimate exercise of government power, a wide field of legislative activity and duty is thrown open to which it would be difficult to assign a legal limit." Justice Garrison feared that "racial differences, for instance, might afford a basis for such an opinion in communities where that question" was "unfortunately a permanent and paramount issue." Garrison's foresight could not have been more prudent given that racial tensions continued to intensify due to not only eugenics but the rise of the Ku Klux Klan in 1920s New Jersey.

¹⁹⁵ The introductory paragraph of the 1911 sterilization law read: "Heredity plays a most important part in the transmission of feeble-mindedness, epilepsy, criminal tendencies, and other defects." See "Acts of the One Hundred and Thirty-Fifth Legislature of the State of New Jersey, Chapter 190.", p. 353.

¹⁹⁶ The "Board of Examiners" was another example of this entanglement. Johnstone bragged that the early work of his Committee on Provision for the Feeble-Minded led to the sterilization law. As mentioned in a previous footnote, The Board of Examiners created through the sterilization law included a surgeon, neurologist, and the Commissioner of the Department of Charities and Correction. The Commissioner happened to be Joseph Byers, who left the state department in 1914 when Johnstone made Byers the "Executive Secretary" of Vineland's merged Extension Department and (enlarged) Committee on Provision near the end of that year. While forced sterilization was struck down under Byers' watch as Commissioner for the state, Byers continued Vineland's mission to spread eugenic warnings about the danger of the feeble-minded in his new role as Executive Secretary. For more on Byers' work as Commissioner of the Department of Charities and Correction during this era, see *Ninth Annual Report of the New Jersey Department of Charities and Correction 1913*, (Union Hill, NJ: Dispatch Printing Company, 1914).

¹⁹⁷ See, for example, *Eleventh Annual Report of the New Jersey Department of Charities and Correction 1915*, (Union Hill, NJ: Hudson Printing Company, 1916)., p. 23. Richard Stockton, who replaced Byers as Commissioner of the NJ Department of Charities and Correction when Byers when he went to Vineland, called for an "exhaustive study" of the pros and cons of sterilization. He stated that the "subject of sterilization "had not yet been finally disposed of," and said the overcrowded institutions and the growing

institutionalization and colonization proved to be more politically acceptable in New Jersey. The death of the option of sterilization actually gave increased impetus to permanent custodial care of defectives. After all, if sterilization was not an option, defective children and adults needed to be locked away from society to avoid propagation of "their kind." New Jersey built new institutions at a furious pace during the late 1910s and 1920s, but these were not enough to keep up with the number of defectives being identified.

As previously explained, Vineland reformers became New Jersey's most vocal advocates of a stopgap measure to alleviate this problem - colonization. Edward Johnstone's goal was to keep the Training School itself a laboratory and institution for only the chronologically termed "children." The men, who were forever called "boys" due to their purported mental ages, became a political and financial liability for Johnstone because their lifelong care was expensive. In 1913, Vineland put its cost-effective colonization solution into effect by acquiring 523 acres of uncleared land approximately four miles from the main property. Johnstone called this vast acreage of exile the Colony at Menantico, and within months transferred Vineland's middle-school aged boys and older men to cut down trees and cultivate the land.¹⁹⁸

By the 1920s, the Menantico Colony was one of Vineland's greatest sources of pride. Wealthy individuals and corporations liked what was taking place at the Menantico

number of defectives the state had "to control" warranted further consideration of sterilization as a means to control the spread of defectives.

¹⁹⁸ McCaffrey., pp. 246-248.

Colony and continually donated more land to allow Vineland to expand its colony.¹⁹⁹ By the mid 1920s, Vineland's private Menantico Colony had expanded to 1,300 acres, and the "one hundred boy-men" who lived there were purportedly "busy, contented, and happy."²⁰⁰ The one hundred boys and men were who transferred to the Menantico Colony not only cleared and cultivated the land but helped erect the edifices of the colony, plant flowers and vines around the cottages, build stables and hog pens, and prepared a camp on the upper part of the Colony stream - the Menantico Creek.

Johnstone believed the success of Vineland's Menantico colony was proof of what could be done and envisioned future projects in which feeble-minded "boys" might beautify the barren lands of central and south Jersey with spruce, fir, white, red pine, and hardwoods. Johnstone stated, "who better to do it than the feeble-minded boys now growing to manhood, for they love to work in the woods. Put to such use this so-called *waste of humanity* will make this so-called *waste land* bloom and blossom for the good of all."²⁰¹ Vineland's feeble-minded boys proved to be anything but wasteful. The children and adults who purportedly could never be productive in society were somehow quite productive at Vineland: during 1924, the fruits of feeble-minded labor yielded 39,742 pounds of pork, 235,550 pounds of clover and alfalfa, 526,300 pounds of corn, 14,808

¹⁹⁹"Menantico," in *Thirty-Seventh Annual Report of the Training School at Vineland New Jersey* (Vineland, NJ: The Training School at Vineland, 1925)., p. 20.

²⁰⁰ Johnstone, "Report of the Director.", p. 31.

²⁰¹ *Ibid.*, p. 32.

heads of cabbage, 2,201 pounds of grapes, 357,914 pounds of milk, and tens of thousands of pounds of dozens of other types of produce.²⁰²

Vineland's Menantico Colony served as a model for New Jersey, demonstrating that "defective" human beings could be removed from mainstream society and made into "happy," cost-efficient laborers. Concurrently, Vineland was incessantly warning society that it could not afford to ignore the menace of the feeble-minded. A year prior to Vineland establishing its Menantico Colony, Goddard published *The Kallikak Family* in 1912.²⁰³ The notion that feeble-minded blood could pollute New Jersey society just as it had tainted multiple generations of the Kallikaks alarmed the public and government leaders. This concern, coupled with Vineland's early success with its colony, prompted Burlington County officials to create a county colony of their own in 1913. The State of New Jersey, in dire need of more space to alleviate institutional overcrowding, quickly took over Burlington County's colony and renamed it the State Colony for Feeble-Minded Males at New Lisbon. This colony, located directly in the heart of the pinelands vilified by Vineland's research, received mentally defective men and boys "of imbecile and moron grade" who were over 14 years of age.²⁰⁴ The Colony at New Lisbon became the state's second public colony for the feeble-minded; the other was created in Red Bank as an off-site colony of the *State* Institution for the Mentally Defective at Vineland, a

²⁰² "Farm Produce for the Year 1924," in *Thirty-Seventh Annual Report of the Training School at Vineland New Jersey* (Vineland, NJ: The Training School at Vineland, 1925), p. 32.

²⁰³ Goddard, *The Kallikak Family; a Study in the Heredity of Feeble-Mindedness*.

²⁰⁴ William Ellis, "Foreword," in *The Problem of the Feeble-Minded in New Jersey*, ed. Edgar A. Doll (Trenton, NJ: State of New Jersey Department of Institutions and Agencies, 1928).

public institution which confined feeble-minded, "dead, dumb, blind, or otherwise" defective women and female children over 5 years of age.²⁰⁵

Aided by the development of the powerful New Jersey Department of Institutions and Agencies in 1918, the Vineland political machine promoted the creation of two more state facilities for the feeble-minded in the Garden State during the 1920s. The State Colony for Feeble-Minded Males at Woodbine opened on May 16, 1921 and cared for mentally defective men and boys over five years of age of "idiot" grade; The North Jersey Training School at Totowa opened on January 9, 1928 and provided institutional care for girls between the ages of 12 and 21 whose mental development was "not conducive to fit into public school work."²⁰⁶

By the end of 1920s, Vineland's stranglehold over the policy makers in the state was as strong as ever. Commissioner of the Department of Institutions and Agencies William Ellis praised Johnstone in 1928, stating that Johnstone's decades of leadership at Vineland had produced scientific results in the study of feeble-mindedness that were invaluable to the state. Ellis revealed, "On the results of these studies many progressive measures for the care of the feeble-minded have been based." The Commissioner subscribed to the philosophy that "community control of the weaker members of society as a part of a comprehensive program for the care of the feeble-minded" was vital.²⁰⁷ Ellis bought into Vineland's thinking that "half of the world must take care of the other half."

²⁰⁵ *Handbook of State Institutions and Agencies.*, pp. 31-32.

²⁰⁶ *Ibid.*

²⁰⁷ Goddard, "Anniversary Address.", p. 59.

Ellis acknowledged Vineland's influence over state policy decisions in the foreword to a Department publication. The Research Department at Vineland actually prepared this report, proving once again that Vineland was fully enmeshed with state leaders. The 1928 report, entitled "The Problem of the Feeble-Minded in New Jersey," was a fascinating follow up report to the Kallikak study published sixteen years earlier in 1912. Commissioner Ellis' charge to the Research Department at Vineland was to send field agents back into the Pine Barrens to determine how the defective families had evolved over time. Miss Kite, the original social worker who studied the Kallikak family, conducted this follow-up research, and Edgar Doll, Director of Research, published her findings.

The Vineland team discovered that the feeble-minded posed a greater danger than ever before. Kite studied three families and dramatized her findings in the same manner that she had 16 years prior; for instance, Kite explained that the life of imbecile Mag Lackey was a "drab record of a forlorn child-woman of low-grade mentality whose reproductive instincts alone were unimpaired." Lackey's daughter had run away from an upstanding and "normal young man of good family" who was set to marry her; the reputable young man found Mag Lackey, his run-away bride's mother, in the State-Institution for Feeble-Minded at Vineland; after meeting her, he derived "no new comfort ...except the assurance that the young girl he had been so unfortunate as to marry was *hopelessly irreclaimable*."²⁰⁸ This story closely paralleled the tale of Deborah Kallikak,

²⁰⁸ Elizabeth S. Kite, "A Study of Mental Deficiency in Typical Degenerate Families," in *The Problem of the Feeble-Minded in New Jersey*, ed. Edgar A. Doll (Trenton, NJ: New Jersey Department of Institutions and Agencies, 1928), pp. 19 and 25.

and illustrated that Vineland thought it best to revisit what worked so well with the original publication.

Vineland reformers used this report to exacerbate extant fear in 1920s society, a topic covered in Chapter Two of this dissertation. Realizing that their old tale needed a modern twist, Doll explained that Kite's findings were more perilous given societal changes that had taken place since 1912. Doll (1928) stated: "The vital changes brought about by improved economic conditions, improved highways, and improved transportation facilities are scattering the members of these degenerate families from their former centers to all communities of the State."²⁰⁹ Nativists, Ku Klux Klan members, and many other New Jersey residents who valued "tradition" found the dynamism of the 1920s very threatening, and Doll tapped into these fears. The feeble-minded were still despicable germs,²¹⁰ spread throughout the state by the 1920s sneeze of technology, automobiles, and modern highways.

Doll, Kite, and Johnstone utilized the opportunity provided by Ellis and the Department of Institutions to inject some new eugenic blood into a society that was increasingly viewing environment, and not the individual, as the cause of delinquency and subnormal intelligence. Kite suggested to her audience that feeble-minded blood was

²⁰⁹ Edgar A. Doll, "The Problem of the Feeble-Minded in the Community under Changing Social Conditions," in *The Problem of the Feeble-Minded in New Jersey*, ed. Edgar A. Doll (Trenton, NJ: The New Jersey Department of Institutions and Agencies, 1928), p. 14.

²¹⁰ Doll stated: "The modern "Piney" has an automobile and can earn as much as six or even eight dollars a day in legitimate occupations *and even more in questionable pursuits*. Expensive victrolas are evidence of a new level of prosperity rather than a new level of culture. The youth are scattering to cities. There are opportunities for economic success formerly undreamed of. *But human nature and biological laws still prevail, and living conditions among the mentally deficient members of the community are as improvident and slovenly as ever.*" Ibid., p. 14. Emphasis added. Questionable pursuits was most likely a reference to prostitution, implicitly reinforcing the eugenic notion that feeble-minded females were promiscuous and needed segregation or sterilization.

still bad blood, and that societal changes could not reverse Mendelian laws. Doll blamed the environment for making delinquency and defectiveness all the more dangerous.

Doll made similar arguments in another of his publications during the same year, warning that crime could be controlled only if the innate tendencies of the criminal were scientifically studied and attacked. He accepted that environment was important in understanding criminality, but said that criminals adapt to environments to commit crime in any setting. By espousing such arguments, Doll kept the need for institutions such as Vineland alive. After all, Vineland was not an institution that was designed to help children adapt to society; it was instead a "village of happiness" that served as a penal colony for exiled individuals who were supposedly not intelligent enough to function in society. Vineland's success was dependent on the notion that its inmates needed institutional care and that they, and not society, were to blame.²¹¹

The Lord of Vineland, Edward Johnstone, made a reference to God as he discussed societal changes in the 1928 publication. Before doing so, Johnstone praised Commissioner Ellis (returning the favor) by sharing that New Jersey was experiencing an unprecedented *coordination* of "the diverse interests in the social betterment of the state" due to the work of Ellis and his department. He added: "As we see the vision of Dr. Ellis, our Commissioner of Institutions and Agencies, we may look forward to a better understanding of the fact that dependency, defectiveness, and delinquency are all parts of one great problem, and all of our institutions are but parts of a big institution devoted to

²¹¹ Edgar A. Doll, "The Control of Crime," *The Scientific Monthly* 26, no. 6 (1928). Doll further explained his view that "biological forces are relatively permanent, although the form of their social expression is extremely variable.." He added: "Certainly the scientific study of the criminal himself is to-day the most tangible means of dealing with the prevention of crime. ...This is evident in the fact that most social legislation intended to reduce crime is directed more toward the human factor than toward the social factor."

the welfare of those who are in need." Johnstone concluded: "The kindly hand of the Mother State will lead her weaker children past the rough places in life, teaching them usefulness and happiness until such time as their Heavenly Father shall call them to that place which He has prepared for such as these."²¹² Johnstone once again portrayed Vineland as a benevolent institution that was helping weak individuals by providing permanent custodial care. Sadly, however, Johnstone implied that even upon death the feeble-minded would not deserve to be with the rest of society.

Vineland's permanent institutionalization of defective and delinquent children was of paramount importance to this dissertation, but its role as an institution paled in comparison to its role as a change agent. Vineland was a driving force that effectuated many of the educational, legal, institutional, and social reforms presented in this dissertation. I intentionally placed the section on Vineland at the end of this comprehensive chapter and at the tail end of this dissertation. Many diverse sets of reformers had vested interests in defining, portraying, and addressing delinquency, and each set of reformers viewed delinquency with different lenses and agendas. Each lens and each agenda was its own reality. The Training School at Vineland, and its army of administrators, scientists, and propaganda specialists, steered developments in 1920s New Jersey from both the spotlight and behind the scenes; this reality was not always evident. Through an ingenious public relations campaign, strong financial contributions, a state-of-the-art Laboratory, a private status that made it immune from public scrutiny, and a staff with ties to all key players in the State of New Jersey, Vineland was able to brainwash the New Jersey legislature, mislead the public, and garner whatever support it

²¹²Johnstone, "Report of the Director.", p. 35.

needed to make institutionalization and other eugenic solutions the preferred way to deal with defective children, the serpents in the Garden State.

Final Thoughts for Chapter Seven

Institutional reformers capitalized on the unique crossroads at which they found themselves. During the 1920s, New Jersey society was engulfed in a cauldron of fear. While the dynamic new culture of the decade was exhilarating, change was viewed as an evil by Nativists and others who were threatened by the changes. Public schools were overcrowded and needed to get rid of its most challenging pupils. Helping professions blossomed, and science, measurement, and efficiency were heralded as solutions to societal ills. The convergence of all of these factors made institutionalization the preferred method to "deal with" defective children. Society would not tolerate any threats to progress or stability, the public school could not help the masses if it was being sucked down by the subnormal, and professional specialists wanted to "help" unwanted children achieve a "happiness" and level of success that could never be possible in mainstream society.

This chapter focused on the increased enrollment in private and public institutions in 1920s New Jersey, the creation of the New Jersey Department of Institutions and Agencies, the operation and motivation of the State Home for Boys at Jamesburg, and the political and institutional importance of the Training School at Vineland. In each case, institutional reformers benefited from the fact that society believed it to be necessary to segregate defective, delinquent, and unwanted children from its schools and neighborhoods. Society viewed juvenile delinquents as serpents in the Garden State, and institutional reformers knew that they could cash in on the fact that most New Jersey

residents did not want snakes in their gardens. The institutional reformers portrayed themselves as snake charmers. Through their science, their progressive programs, their colonies, and their institutions, institutional reformers tried to prove to the public that they could tame the serpents. In this capacity, the defective child was a trainable creature who only needed an expert with that magical touch to keep him in line. Snake charmers impress the lay public based on the implicit dichotomy of the snake as a potentially venomous creature and a trainable harmless creature; similarly, institutional reformers enjoyed their heyday during the 1920s because they were able to portray the defective as an innately defective danger to society and a helpless victim of an unforgiving world. The institution protected innocent creatures from being stepped on by humans who would fail to look down, and protected the humans from the venomous serpents lurking beneath their gaze.

CHAPTER EIGHT – Henry Cotton: De Facto Dentist and Doctor of Death

If institutions were the snake charmers who could tame, control, and isolate the serpents in the Garden State, Henry Cotton was the doctor who could remove the venom. Institutionalization thrived in 1920s New Jersey, but it was a practice that never fully shed legitimate criticism. First, despite incessant building of new institutions, there were never enough facilities to isolate the increasing number of defective children being identified by professionals and community leaders. Second, institutionalization was very expensive; despite the fact that colonies and institutional labor defrayed some of the cost to confine inmates, taxpayers still faced heavy burdens to fund institutionalization. Finally, institutions such as the Training School at Vineland thrived based upon the fallacy that the feeble-minded and other defectives were incurable and needed life-long segregation. Despite eugenicists' stronghold over the Legislature, state officials, and public opinion, critics (even some of Vineland's own reformers) began to acknowledge near the end of the 1920s that many feeble-minded individuals did not need to be permanently segregated from society.¹

Henry Cotton's theory of focal infection provided New Jersey with a new approach and fresh perspective on how to address feeble-mindedness, criminality, epilepsy, mentally illness, and other forms of "defectiveness." Cotton believed that "focal infections" of the teeth, tonsils, gastrointestinal track, reproductive system, or other systems or organs in the body led to mental and physical illness. He attempted to prove that eliminating the foci of infection in the body would "cure" patients and inmates.

¹ See, for example, Goddard, "Who Is a Moron?."

Cotton advocated that surgery, special serums, or a combination of both could eliminate infection and consequently restore the mental health and vitality of those treated.²

The New Jersey Department of Institutions and Agencies enthusiastically endorsed Cotton's theory and sculpted their classification work around Cotton, The Trenton State Hospital, and the theory of focal infection. Cotton's theory promised to make New Jersey a world leader in the treatment of crime, delinquency, and defectiveness, and it also provided financial benefits over institutionalization. In theory, "curing" patients by eliminating focal infection was to be cost effective because it would prevent life-long commitments to institutions or prevent recidivist criminality. Even for the many inmates who were to be transferred back to the State Homes, prisons, or training schools after being "cured" at the State Hospital at Trenton, they would be transferred back to the correctional or charitable institutions stable and improved.

Time proved that Cotton's theory was false, but for New Jersey children, this realization came too late. Unfortunately, the Garden State's desire for notoriety, financial savings, and an easy, scientific fix to complex social problems needlessly led to the horrific disfiguring and death of New Jersey children and adults during the 1920s. Although I have already called Henry Cotton a "De Facto Dentist and Doctor of Death" in the title of this chapter, it is important to point out that Cotton believed to his death that his theory of focal infection was true and that it represented a major breakthrough for

² Henry Andrews Cotton, *The Defective, Delinquent, and Insane: The Relation of Focal Infections to Their Causation, Treatment, and Prevention*, Princeton University. The Louis Clark Vanuxem Foundation Lectures, (Princeton: Princeton University Press, 1921).

mankind.³ Other powerful men who stood behind and served above Cotton were also to blame for the horrors that unfolded in 1920s New Jersey, and in this chapter I will attempt to flush out the cast of characters who miserably failed New Jersey children.

Henry Cotton's Background and Rise to Power

Henry Cotton received his training at the University of Maryland and at Johns Hopkins University, and he attained an apprenticeship in psychiatry at Townson's Sheppard and Enoch Pratt Hospital. Cotton's career took off when he was hired for a respectable position at the Worcester State Hospital, where he worked under Adolf Meyer, a prestigious Swiss neuropsychiatrist. Meyer was one of the United States' first psychiatrists who engaged in intensive research to try to identify the biological roots of mental disorder, and as he groomed Cotton, the two became close professional and personal allies.⁴ Cotton quickly moved up the ranks, becoming a second assistant physician at the Massachusetts State Hospital at Danvers. Cotton obtained permission from his hospital to take a leave to study in Germany, then the most advanced country in biological psychiatry in the world. While in Germany, Cotton worked under world-famous scientists Kraepelin, Nissl, and Alzheimer, "an experience that cemented his commitment to tracing the biological roots of mental disorder." Upon his return to the United States in 1907, Cotton was promoted again, this time to Assistant Superintendent at the Massachusetts State Hospital.⁵

³ Despite intentions to remain objective, I am certain that my criticism of Cotton in this chapter will vilify him.

⁴ The personal and professional relationship between Cotton and Meyers proved to be very significant to New Jersey in the mid 1920s, as shall be shown later in this chapter.

⁵ Scull., pp. 19-24. Quote from p. 23. I stumbled across the story of Henry Cotton inadvertently as he researched other topics. After conducting what I initially believed to be wholly original research into

Meanwhile, back in New Jersey, the Trenton State Hospital was engulfed in controversy and chaos. The hospital's business manager and warden, William Hayes, and Superintendent John Ward had been at odds with each other for years. Ward had been disgruntled for almost fifteen years because the hospital's board of directors had clipped his power and influence by hiring a business manager in an effort to keep down costs. In the Spring of 1907, hospital staff noted several cases of diarrhea and dysentery, hardly a cause for concern in a lunatic asylum that by that time had crammed 1,300 unwanted "invalids" into the institution. But within days matters worsened, and a widespread outbreak of these symptoms, accompanied by high fevers, vomiting, chills, agonizing muscle pains, and seizures befell not only the patients but also some of the staff. In early April, the first fatalities occurred from the institution's epidemic, which the State Department of Health shortly thereafter identified as Typhoid Fever.

The state legislature investigated, and Hayes and Ward pointed fingers at each other. Both men blamed the other for the unsettling conditions identified through the state inquiry, but in the end, both men fell from power. The conditions at the State Hospital reflected an institution in complete disarray: Members of the Board of Managers and asylum staff had been steering contracts for food and clothing toward their relatives; the water supply of the hospital was contaminated due to leaks in the asylum piping and city

Cotton at the New Jersey State Archives in Trenton, I discovered Scull's 2005 book on Cotton and the State Hospital at Trenton. Scull's historical detective work was truly impressive, and I highly recommend readers to obtain a copy of Scull's history. I used Scull's book as an invaluable resource for this chapter, but I have conducted my own extensive primary research on this topic. These included six visits to the State Archives in Trenton, examination of all of Cotton's publications in both Trenton and the Rutgers' libraries, and analysis of other publications during the era which mentioned Cotton. I have drawn upon some resources which Scull either did not examine or chose not to reference. While I tip my hat to the superior and extraordinary analysis conducted by Scull, the chapter will hone in on the impact of Cotton's practices to juvenile delinquents and children. In this way, many findings presented in this chapter will be new scholarly contributions that have not been dug up from the past until now.

sewers; the dairy had human and animal excrement all over the floor; and flies that had bathed in nearby sewerage infested and tainted the hospital's milk supply. As if all of this was not bad enough, Ward admitted that he had allowed six weeks to pass before discontinuing use of one of the asylum's springs he knew to be contaminated; Ward also acknowledged that the excreta from the institution's typhoid patients had been dumped into the Delaware River; and, worst of all, he acknowledged that he was part of a cover-up of the murder of an inmate by two vicious attendants a year and a half earlier.⁶

These were the circumstances under which Henry Cotton rose to power. The Board of Managers had some interest to hire a new medical director from the Jersey talent pool, but the political carnage wrought by the investigation enhanced the desirability of looking outside the state. Henry Cotton's impeccable educational and career credentials, his training under Meyer, and his desire to find the biological roots of madness made him an ideal candidate for the job. In 1907, Henry Cotton was officially named Medical Director of the New Jersey State Hospital at Trenton. As history has repeated, assuming leadership in the face of chaos is not always a bad thing for new chiefs because things can only improve.

Henry Cotton's Reshaping of the Asylum

Upon his arrival in Trenton, Cotton found the institution in deplorable condition. Aside from the filth, disarray, and culture of violent treatment of the inmates, Cotton discovered that 90 women and 6 men were then being restrained in straight-jackets and

⁶ Ibid., pp. 18-19. Ironically, the typhoid bacteria that Ward ignored contributed to his demise, but Cotton's obsessive belief that bacteria led to mental instability led to maiming and death during the 1920s.

other constraints.⁷ Cotton immediately went to work to clean up and modernize the institution. In a rather revolutionary move, Cotton ordered personnel to permanently retire over 700 restraining devices to the museum and directed staff to find ways to control inmates without mechanical restraint. He hired more nurses and enhanced their training program; hired local area physicians as consultants; started a library where his staff could reference the latest medical and psychiatric findings; held frequent staff meetings to discuss scientific advancements; and approved sabbatical leaves of absence to allow staff to gain additional expertise. In short, Cotton set out to modernize the State Hospital in Trenton, transforming it from an archaic lunatic asylum to a state-of-the-art medical facility which would unite psychiatry and modern medicine.⁸

Cotton's initial publications reflected both his desire to attain professional notoriety and his catering to the popular mindset of the politically elite. Cotton found a correlation between mental illness and alcohol,⁹ a finding that was not new but was nonetheless very popular with Nativists and others who saw alcohol as a great evil.¹⁰ In a second publication, Cotton examined the manner in which syphilis attacked the central nervous system.¹¹ In a third publication, paralleling work taking place just an hour south of Trenton in Vineland, Cotton wrote that heredity could predict a large amount of

⁷ Leiby., pp. 120-121

⁸ Ibid; Scull.

⁹ Henry Andrews Cotton, "Alcohol as an Etiological Factor in Mental Disease," in *Proceedings of the American Medico-Psychological Association, Sixty-Third Annual Meeting* (Washington, D.C.: May, 1907). This publication was reviewed and is available in the New Jersey State Archives in Trenton.

¹⁰ See Chapter Two of this dissertation.

¹¹ Henry Andrews Cotton, "Effects of Syphilis Upon the Central Nervous System; Methods and Results of Treatment," *Journal of the Medical Society of New Jersey* (1916).

insanity.¹² Henry Cotton's findings that sexual promiscuity (venereal disease), alcohol, and a second-class gene pool all led to debilitating mental illness mirrored the groupthink of the powerful and politically elite. Unshackling his prisoners from straightjackets was a bold move, perhaps needed to shed the institution's bad image as an abusive asylum, but it also was a political gamble for Cotton. He had no desire to be perceived as a madman himself, and his early publications that attacked the social ills commonly blamed on new immigrants was a brilliant political move.

But Henry Cotton did not wish to be another run-of-the-mill psychiatrist or hospital administrator. For his own personal notoriety and the reputation of the state hospital he commanded for most of the first three decades of the twentieth century, Cotton knew he needed to make some groundbreaking discovery. First, however, he had to convince the New Jersey legislature and prominent state officials to continue to funnel money into his institution. Cotton wanted new personnel, new equipment, and expansion of the hospital to make his dreams of finding the biological causes of mental illness a reality. These were all expensive, but finding the biological causes (and cures) of mental illness promised the potential for long-term savings. Cotton's wishes were granted: the hospital's physical facilities were improved, a new surgical wing was added, an infirmary and isolation ward for tuberculosis was created, and laboratories were improved and expanded.¹³

¹² Henry Andrews Cotton, *Some Problems in the Study of Heredity in Mental Diseases*, Eugenics Record Office. Bulletin (Cold Spring Harbor, N.Y.: Carnegie Institution of Washington, Eugenics Record Office, 1912).

¹³ Scull.

With key equipment and additional personnel in place, Henry Cotton and his staff continued to examine both live patients and corpses to see what they could learn from the human specimens they had at their disposal. Employees recorded the rants and the physical and mental characteristics of the insane. Cotton increasingly noticed that many of his mentally patients had, perhaps not coincidentally, bad teeth and many medical conditions believed to be caused by bacteria. He also caught wind of a new theory of “focal sepsis” that several scientists around the world had adopted and put into practice.¹⁴ With these ingredients in place, Henry Cotton believed the key to his fame and to the salvation of the mentally ill was in front of his eyes. Beginning in 1916, Henry Cotton enveloped his professional and personal soul in the theory of focal infection, descending into a scientific mania that would retain its grip over Cotton and New Jersey children until Cotton’s death in 1933.

The Aligning of the Stars: The Genesis of Cotton’s Focal Infection Theory and the Birth of the New Jersey Department of Institutions and Agencies

Two short years after Cotton began experimenting with his theory of focal infection, the State of New Jersey created its Department of Institutions and Agencies. This proved to be a cataclysmic “aligning of the stars” for New Jersey children of the 1920s. The New Jersey legislature empowered the Department’s Commissioner and State Board of Control with the ability and duty to identify, thoroughly investigate, and eradicate any abusive or unsuccessful practices being employed in any state correctional,

¹⁴ According to Scull, Cotton’s primary inspiration came from British sources, but Cotton was not the first psychiatrist to adopt focal sepsis theories as part of his practice. Lewis Bruce, of Scottish descent, focused on focal sepsis in 1906, and Henry Upson, Superintendent of the Cleveland State Hospital, linked tooth decay to focal infection and insanity in articles he wrote in 1907 and 1909. *Ibid.*, pp. 36-37.

hospital, or charitable institution.¹⁵ The Department appeared to take this responsibility seriously when it investigated the corporal punishment at the State Home for Boys in Jamesburg in 1927. Unfortunately for thousands of New Jersey children, the Department failed to act in a similar manner when matters involved either the Trenton State Hospital or Dr. Henry Cotton.

The first set of reasons for the Department's failure to act responsibly was the Department's enthusiastic endorsement of Cotton's theory of focal infection, its fiscal and political support of the hospital, and the consequent interdependence that ensued between New Jersey institutions and Henry Cotton's state hospital during the 1920s. The dangerous partnership between the State Hospital and the Department began unofficially in 1917 when a building for the criminal insane was constructed at the State Hospital. This original building quickly filled to capacity, and when the Department of Institutions and Agencies was created just a year later, the hospital immediately built another wing to house more "criminal insane" inmates. From 1917 forward, New Jersey committed all inmates deemed to be criminal insane to the State Hospital at Trenton.¹⁶

From the beginning, Cotton's theory that mentally unstable criminals could be cured by eliminating focal infections was extremely attractive to the Department of

¹⁵ "Acts of the One Hundred and Forty-Second Legislature of the State of New Jersey, Chapter 147."; "Acts of the One Hundred and Forty-Third Legislature of the State of New Jersey, Chapter 97."

¹⁶ Cotton, *Annual Report of the Trenton State Hospital for 1929.*, pp. 1-2. The New Jersey State Archives holds some of the annual reports for the New Jersey State Hospital. Mysteriously, annual reports for the years 1923-1928 were either missing or never made. The earlier annual reports were professionally bound and encased in a hard cover. While digging through the appropriate box, I found the Annual Report for 1929 unbound, sitting by itself as if out of place. The 1929 report was 40 pages long and was nothing more than a packet of papers stapled together. The intense scrutiny placed upon Cotton in the mid 1920s made the missing reports all the more suspicious to me. The 1929 report was not, to the best of my knowledge, cited by any other author who has covered the story of Henry Cotton. As shall be shown, the 1929 report was a "smoking gun" for me because it contained data related to the efficacy of surgery committed on juvenile delinquents during the 1920s.

Institutions and Agencies. Its first Commissioner, Burdette Lewis, prided himself on scientific management and efficiency, and the promise of a new science that could cure insanity, reform criminals, and save money was an intoxicating elixir which both Lewis and his successor, William Ellis, could not refuse. The Department and the New Jersey Legislature stood behind incessant construction and expansion of new and existing institutions, but their support of Cotton concurrently showed that they were simultaneously aggressively in pursuit of alternative solutions to address criminality and mental illness.

The state's support of the Trenton hospital was unquestionable. In addition to the 1917-1918 construction of buildings and wings for the criminals, the first psychopathic building for female patients, the Dix Building, was constructed in 1917, and in 1922 a duplicate of this building was erected; two new psychopathic buildings for male inmates were built in 1921 and 1928; a congregate dining-room was created in 1928; six doctors' cottages were constructed in 1928; an attendant's building was added in 1927; a nurse's home was completed in 1929; countless pieces of operating equipment were purchased, and multiple other construction and renovation projects ensued between 1918 and 1929. In the two decades leading up to 1929, the hospital furnished a total of 847 additional rooms for patients in newly constructed psychopathic wards for treatment and observation.¹⁷

Henry Cotton as De Facto Dentist

With every modern medical tool and an army of personnel at his disposal, Henry Cotton used his patients at the State Hospital as guinea pigs to aggressively test out his

¹⁷ Ibid., p. 1.

theory of focal infection. X-ray machines, an invention then in its infancy, aided Cotton as he tried to locate sources of foci of infection. Cotton's first point of attack was patients' mouths. Using the x-rays as "scientific proof" that patients' teeth were ridden with infection, Cotton extracted any tooth which showed signs of infection. During a one year period from 1919-1920, hospital technicians completed 4,201 x-rays of patients; this led dentists to complete a staggering total of 4,317 "ordinary" teeth extractions during the same year.¹⁸ One year later, dentists somehow topped these figures as they extracted 6,472 teeth at the hospital.¹⁹

Cotton's patients in the State Hospital were not the only ones walking around with half of their teeth missing due to Cotton's cure and care. As Medical Director of the State Hospital, Cotton was also Director of the state's psychiatric clinic. Cotton's horror show was taken on the road, and he and his staff conducted or guided the exhaustive intake examinations of all new inmates and patients in state correction facilities. Those identified as psychopathic or mentally unstable were often sent to the State Hospital, and all children and adults whose teeth contained focal infection were subjected to the same "treatment." Facilities such as the State Home for Boys in Jamesburg created their own on-site operating rooms or dentist offices, and teeth were extracted on-site, instead of at Trenton.²⁰

¹⁸ Henry Andrews Cotton, *Annual Report of the New Jersey State Hospital at Trenton* (Trenton, NJ: New Jersey State Hospital at Trenton, 1921).

¹⁹ Cotton, *The Defective, Delinquent, and Insane; the Relation of Focal Infections to Their Causation, Treatment, and Prevention.*, p., 54.

²⁰ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921; Seventieth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1934; Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*

All of these extractions were the antithesis of the philosophy of most dentists of the era, but Cotton believed the dentists who had it all wrong. Cotton stated, “Modern dentistry is responsible for a large proportion of the dental infection of today.” He added: “The high degree of mechanical skill of American dentists has produced wonderful cosmetic effects, but, unfortunately, the teeth have been treated without regard to the individual as a whole, and without realizing that in their worthy efforts to save teeth, incalculable damage has been done.” Dentists, in Cotton’s eyes, were foolishly trying to save teeth that needed to be torn out and were not helping patients but instead causing serious, systemic disease.²¹

After extracting many thousands of teeth, Cotton and his disciples observed that some patients had supposedly improved but noted that many others had not. To Cotton, this was not failure or evidence that his theory was false; instead, the lack of improvement was a sign that focal infection had spread beyond the teeth. The tonsils were the next culprit blamed for harboring infection and causing aberrant behavior. Cotton’s solution, of course, was to remove the tonsils. In June of 1919, Cotton’s staff extracted the tonsils of 337 of the 699 newly admitted patients in Trenton.²² One year later, a total of 542 tonsillectomies were completed, and by 1925, the State Hospital had removed 2,957 sets of tonsils.²³ Cotton and his assistants in the psychiatric clinic aggressively targeted tonsils outside of the State Hospital as well, removing them from

²¹ Cotton, *The Defective, Delinquent, and Insane; the Relation of Focal Infections to Their Causation, Treatment, and Prevention.*, p. 42.

²² Henry Andrews Cotton, *Annual Report of the New Jersey State Hospital at Trenton* (Trenton, NJ: New Jersey State Hospital at Trenton, 1919), p. 13.

²³ Henry Andrews Cotton, *Annual Report of the New Jersey State Hospital at Trenton* (Trenton, NJ: New Jersey State Hospital at Trenton, 1920), p. 8.

inmates of multiple state institutions. From November 11, 1920 to June 30, 1921, doctors removed the tonsils of 66 boys during the first seven months the State home employed this method of detoxification.²⁴ A decade later, Jamesburg personnel completed 192 tonsillectomies in a period of 365 days.²⁵

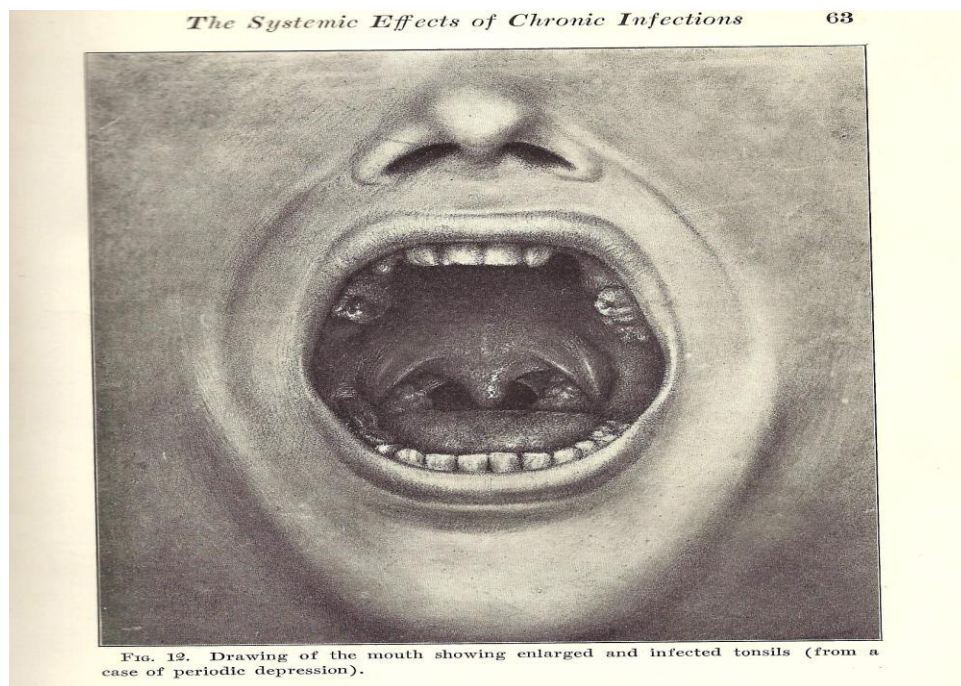


Figure 8.1 - Picture of Infected Tonsils which "Caused" Bouts of Depression²⁶

Had Cotton's surgical procedures for detoxification ended with teeth and tonsils, this tale would not be so tragic. But Cotton forged ahead when tonsillectomies and teeth extractions failed to procure a cure, convinced that "secondary foci of infection" throughout the body had to be eradicated to help a patient recover. Cotton's "full

²⁴ *Fifty-Seventh Annual Report of the Managers of the New Jersey State Home for Boys (Jamesburg) for the Year Ending June 30, 1921.*, p. 22.

²⁵ *Sixty-Eighth Annual Report of the New Jersey State Home for Boys (Jamesburg) for the Fiscal Year Ending June 30, 1932.*

²⁶ Scanned image from Cotton, *The Defective, Delinquent, and Insane; the Relation of Focal Infections to Their Causation, Treatment, and Prevention.*, p. 63.

treatment” constituted more aggressive surgery, typically on the gastro-intestinal or reproductive organs. This applied not only to adults but to children as well. Cotton stated that “in many young patients with well developed psychoses,” extraction of teeth and tonsils alone was not producing results because gastro-intestinal infection loomed untreated. Cotton preached that “infection must be eliminated in the secondary foci before results can be obtained.”²⁷

Cotton, assistant surgeons, and his medical team found infection in multiple organs and body parts, and if any surgery failed to produce “results,” additional surgery was scheduled and executed. Surgeries included, and were not limited to, removal of the appendix, “resection” of part of the colon, “enucleation” of the cervix; removal of the ovaries; and removal of the seminal vesicles.²⁸ Like a gardener hacking down multiple layers of weeds hoping to return his garden to health, Cotton sought to restore patients’ health by removing teeth, tonsils, colons, appendixes, reproductive organs, and other body parts believed to be plagued with bacteria.

The State Hospital augmented surgery with multiple other forms of treatment, including, but not limited to, administration of anti-streptococcus and colon bacillus serums; autogeneus vaccines; hydrotherapy, colonic irrigation; “work therapy;” anti-typhoid and para-typhoid vaccine; injections of calcium; cod liver oil; ultra-violet light; needle showers; electric cabinets; scotch douches; alcohol rubs; olive oil rubs; and sitz baths. These bold experiments in medicine, “hydrotherapy,” and “physiotherapy”

²⁷Ibid., p. 47.

²⁸ Enucleation and resection were benign references to surgical removal.

illustrated Cotton's multi-pronged attack on focal infection and mental illness, but Cotton's primary focus to remove focal infection remained the surgeon's knife.

Henry Cotton included dozens of case studies in several of his publications that revealed the horror of detoxification on a personal level. For example, in *The Defective, Delinquent, and Insane* (1921), Cotton sketched out the gory details of his treatment on 25 different individuals. Case 18 was a "success story" of his treatment of a 17 year old girl suffering from an (unspecified) psychosis. The young girl was born in Russia but came to the United States at age 2. She was bright and graduated from public school, but her father "had lost money and she tried to make money by writing songs." These attempts were unsuccessful, and she developed insomnia, some anxiety, and vertigo. Soon thereafter she purportedly had suicidal ideations and made several attempts to injure herself. She was admitted to the New Jersey State Hospital on March 8, 1918, at which time she was allegedly "quiet and orderly and signed a voluntary admission paper."

Upon admission she "took no interest in the examinations and her orientation was somewhat defective." Cotton described her insight and judgment as defective and stated that she was negative, sullen, and withdrawn. Her physical examination revealed that her "teeth were in bad condition," her "tonsils enlarged and infected," and her pharynx congested. Blood pressure, heart, and lungs were all normal. With these data in front of him, Cotton's team set his detoxification "therapy" into motion. "All of the remaining upper teeth were extracted soon after admission, but with no results." The tonsils were then removed. In July, 1918, a stomach examination showed normal hydrochloric acid content and streptococci and colon bacilli were isolated from the cultures. On November

7, 1918, an “exploratory laparotomy²⁹ was performed.” That same day, the appendix was removed. The cutting continued as the woman’s “ovaries and tubes” were also hacked from her body.

During the laparotomy, the surgeon noted that mesenteric glands throughout the small intestine and colon were enlarged. Five doses of antistreptococcic serum were administered at three days' interval. Cotton shared that "following the administration of the serum the patient improved rapidly." Allegedly, the "maniacal excitement subsided and in less than a week she was in a normal mental condition." (She was no doubt exhausted from the battery of surgeries). Yet despite her return to a normal mental state, supposedly because of the "condition of the colon" found during the previous operation, "it was decided to operate again and an illeostomy was performed."³⁰ Following this seemingly endless series of surgeries and procedures, this teenage girl allegedly improved and recovered; she took a course in stenography and became a typist and stenographer. While I would only be confident that this girl lived to be a healthy adult if long-term (independent) follow-up occurred (Cotton's book was completed less than two years after her surgeries), the sad reality remained that she walked away from Cotton's therapy missing all of her front teeth, tonsils, appendix, ovaries, fallopian tubes, and, quite possibly, other parts of her gastro-intestinal track. Although New Jersey's Supreme Court struck down New Jersey's forced sterilization law as cruel and unusual, Cotton's "scientific" treatment of this girl maimed her and rendered her infertile.

²⁹ Laparotomy is a surgical procedure during which an incision is cut in the abdominal wall to access and examine the abdominal cavity.

³⁰ Cotton, *The Defective, Delinquent, and Insane; the Relation of Focal Infections to Their Causation, Treatment, and Prevention.*, pp. 145-146. An illeostomy is a surgical procedure during which the small intestine is attached to the abdominal wall in order to bypass the large intestine. This can involve removal of the colon or rectum. I am unaware of full extent of the illeostomy in case 18.

Case 18 was a tragic "success story," but the young lady was fortunate to have survived. A similar fate was not enjoyed by a 25 year old female in Case 24. This young woman had a rather uneventful childhood and was engaged to a man who unfortunately had to leave to fight in World War I. She began to say "queer things," experienced auditory hallucinations, and talked at random about "God, Christ, and immortality." Based on these descriptions, she appeared to suffer from paranoid schizophrenia, which in Cotton's day was referred to as "dementia praecox." She was originally a patient in Bloomingdale Hospital in White Plains, New York, but 9 months later she was transferred to the State Hospital in Trenton. This woman's course of treatment followed the general path of Cotton's detoxification therapy. Efforts in occupational therapy, hydrotherapy, and "physical education" (tried in New York) were unsuccessful in producing improvement. Consequently, her tonsils were removed; molars were extracted; and her abdominal wall was surgically examined, showing "marked retention of fecal matter" in her colon, an eroded cervix, and an inflamed rectum. She was administered three doses of ant streptococcus serum and vaccine from bacteria isolated from her teeth and stomach. On August 15, 1919, Doctor Stone, one of Cotton's chief surgeons, enucleated her cervix. The family instructed the hospital to wait before doing another exploratory laparotomy, and another course of ant streptococcus treatment was given. Patient 18's temperature rose in late October, "and some evidence of pleurisy was noted on the left side." Because she was "delirious at times," a lumbar puncture was done, but was negative for meningitis. Days later a "deep seated abscess" apparently developed over the ribs on her left side, and the patient was anesthetized and subjected to an additional surgery. The abscess was opened, and a large amount of pus was found and

evacuated; there was then evidence of pleurisy with effusion on the left side. The patient's condition did not improve. She "failed rapidly and died November 7, 1919."³¹

Cotton acknowledged that critics must seize this example as proof of this hospital's failure, but he took steps and espoused an argument which attempted to reframe the death to work to his advantage. The autopsy was completed on the Case 24 patient five and a half hours after her death. Cotton said that while the death was unfortunate "from the viewpoint of pathology we cannot say that our work was in vain." The bacteriological work during the autopsy purportedly showed that the hospital was "dealing with a profound infection by the colon bacillus which finally caused the patient's death." Cotton more or less deduced that this patient was a lost cause from the time she was admitted to the Trenton hospital and pointed to the need for the hospital to develop a new "anti-colon bacillus serum."

Cotton preached that the main lesson to be learned from this patient's death, however, was that sources of focal infection must be identified much earlier in a patient's life. Cotton said that major problems were unavoidable "when such factors as unerupted wisdom teeth are allowed to persist and habitual constipation is allowed to go unchecked." He added that "proper recognition of some of the factors in this case at least four years before the psychosis developed might have prevented the psychosis and later the death of the patient."³² Cotton's conclusion that the psychosis of the woman was caused by a combined infection of the streptococcus and colon bacillus allowed him to blame the death on other people's failure to identify the focal infection sooner. Cotton

³¹ Ibid., pp. 156-160.

³² Ibid., pp. 160-161.

also used it as justification for further experimentation with serums. Cotton's belief that schizophrenia was caused by bacterial infections in the body was entirely false. The unnecessary, invasive testing³³ and senseless surgeries probably either caused or contributed to the death for the patient in Case 24.

The two cases studies above illuminate the more personal, intimate details of the cold and calculating theory of focal infection. Cotton and his surgical team enacted similar treatment plans with thousands of men, women, and children during the late 1910s and 1920s. Cotton was a doctor who believed he had found the cure for mental illness, delinquency, and criminality. In reality, he and his team of surgeons were doctors of death who were chasing a ghost. The two case studies cited, one of which ended in death, were not anomalies but representative of the brutally aggressive treatment taking place at the hospital during the era. In fact, between 1921 and 1929, a minimum of 2,343 inmates died while patients in the New Jersey State Hospital (see Table 8.1 below).

	1921	1922	1923	1924	1925	1926	1927	1928	1929
Residents in Institution	1918	2033	2155	2183	2259	2299	2425	2432	2429
Admitted During Year	912	939	956	916	992	854	851	897	980
Deaths	251	240	300	260	314	221	250	239	268

Table 8.1 - Resident Population and Deaths at New Jersey State Hospital at Trenton, 1921-1929³⁴

³³ See for example Cotton, *Annual Report of the Trenton State Hospital for 1929.*, p. 19. In an experiment to determine if high sugar content in the brain led to mental instability, 2,000 patients had spinal fluid withdrawn through lumbar punctures.

³⁴ Table created from data found in "Annual Movement of Patient Population for Fiscal Years Ending June 30th", "1929," Department of Human Services Trenton Psychiatric Hospital Annual Reports 1848-1973, Trenton, NJ. Aggregate computed by me using the data shown. The "Annual Movement of Patient Population" document did not include death totals for 1928; the figure entered by this researcher for deaths in 1928 was found in Cotton, *Annual Report of the Trenton State Hospital for 1929.*, p. 24B.

Of all of Cotton's surgeries that led to death, colon surgeries were the most dangerous; sadly, even these were performed on children. Cotton boasted that he personally performed successful operations on the colons of two children who were less than ten years old. Cotton explained in so many words that the six- and eight-year-old children had it coming to them - they had "uncontrollable rage," "destructive actions," and anti-social tendencies. One made no efforts to learn in the classroom and the other attempted to shoot his father with an air gun. After Cotton took the knife to the children to perform colon surgeries, he claimed that the six-year-old acted "in a normal manner, showed no peculiar conduct, and attended school regularly." The eight-year-old child also showed a "temper, appetite, and general behavior" that mirrored a normal child. Cotton's scientific justification to perform colonic surgery on children who had just learned how to count and read the alphabet came from their aberrant behavior and "chronic constipation."³⁵ Cotton did not see his surgery on the exceedingly young children as barbaric; to the contrary, he proclaimed that his detoxification surgery reformed these young deviants.³⁶

Surgery on children was rather common. Cotton believed that "stasis and toxemia" occurred at any age, not only in adults. He stated: "We have found this condition in children as young as three and half years of age and have operated on many cases from

³⁵ Henry Andrews Cotton, "The Relation of Focal Infections to Crime and Delinquency," in *Proceedings of the 49th Annual Session of the American Association for the Study of the Feeble-Minded* (Raleigh, North Carolina: 1925), pp. 76-78.

³⁶ Cotton claimed that parents frequently came to him concerned about their children's aberrant sexual behavior. Cotton claimed that "resecting the colon" had led to "improvement of the individual and cessation of the abnormal sex practices, such as masturbation." See *Ibid.*, p. 78.

seven to fifteen years of age."³⁷ It is unclear how many children were operated upon, and I am uncertain how many children were included in the 2,000+ deaths that occurred at the State Hospital during the 1920s.³⁸

Children committed to the State Hospital could have been from state welfare agencies, private families, the juvenile court, and/or any of the state's charitable and correctional institutions. While officials at the New Jersey State Archives denied my access to the records that were needed to answer pressing questions, I did find evidence that Henry Cotton's hospital killed some children transferred from correctional institutions. In the hospital's (unpublished) 1929 annual report, Henry Cotton reported that 123 juvenile delinquents were transferred from the State Home for Boys and State Home for Girls to the State Hospital between 1918 and June 1929. It was highly likely that these children received one or more invasive surgeries during their confinement in the Trenton Hospital, and at least six boys and girls from the correctional institutions died while under Cotton's care. (See Table 8.2 below).

³⁷ Ibid., p. 70.

³⁸ Access to individual patient files would have probably unveiled the true extent of the problem. With unrestricted access, I could have determined how many children went under the knife and perished due to Henry Cotton's work during the late 1910s and 1920s. But officials at the New Jersey State Archives repeatedly blocked my access to daily hospital records, admission and discharge logs, and multiple other records containing patient names. Some records (such as Phyllis Greenacre's report) were eventually provided to me at a premium cost (\$1 per page) with redacted names, but other documents remained sealed and inaccessible.

	Admitted	Rec. and Imp.	Unimproved	Dead	Still Here
Prison	196	80		43	73
Rahway	83	55	19	4	5
State Home for Boys - Jamesburg	52	38	2	2	10
Clinton	61	27	21	2	11
State Home for Girls - Trenton	71	43	16	4	8
Total	463	243	58	55	107

Table 8.2 - New Jersey State Hospital at Trenton Data for Admissions from the New Jersey Prison and Correctional System, 1918-June 30, 1929³⁹

The half-dozen deaths of State Home juvenile delinquents may not reflect the total number of delinquents who died at the State Hospital. As of 1929, 18 children were still institutionalized, and because “curing” the children equated with more surgery, it is possible the death toll may have been even higher. Moreover, the six transferred children who died at the State Hospital did not reflect the number of children who may have died through surgical complications at the correctional institutions themselves (remember that the State Home in Jamesburg had its own hospital and was doing many operations on-site). Another very significant fact was that the figures in Table 8.2 only included children who were committed to the State Homes and transferred. They did not include children committed through social welfare agencies, the juvenile courts, the Training School at Vineland, other reform schools, or charitable institutions. The figures also have no indication of the fate that befell children whose parents committed them to the State Hospital.

³⁹ Cotton, *Annual Report of the Trenton State Hospital for 1929.*, pp. 15 and 26.

Regardless of the total number of deaths and invasive surgeries committed on children during the 1920s, Henry Cotton took advantage of every opportunity to expand his empire. He believed and convinced others that by eradicating focal infection he could reduce delinquency, eliminate criminal tendencies, and prevent mental illness. Cotton had people so convinced of his abilities that wealthy patients were waiting in line to receive private treatment from Henry Cotton. In early years, the State Hospital in Trenton took in these private patients in the hospital itself, providing a substantial financial boost for the state institution. But over time, Cotton developed a side business at a private nursing facility in Trenton; here he oversaw dental extractions, abdominal surgeries, enucleations of cervixes, and other forms of his detoxification therapy.

Still believing that focal infection was omnipresent in society and was leading to mental illness, delinquency, and societal decay, Henry Cotton passionately argued that public schools needed to identify any signs of focal infection in students and work to eradicate it. Cotton warned that all “school children between the ages of 10 and 18, not alone those who show abnormal mental symptoms, but those who are apparently normal” urgently needed medical examinations.⁴⁰ Like the typhoid germ or tuberculosis, Cotton believed that the public school had the duty to find focal infection in all children to prevent future criminality, feeble-mindedness, and mental illness. As illustrated by the popularity of his private practice and the countless number of children in state institutions that were being maimed, operated on, and even killed, there was seemingly no end to Cotton’s crusade.

The Investigations of Phyllis Greenacre and the Bright Committee

⁴⁰ Cotton, “The Relation of Focal Infections to Crime and Delinquency.”, p. 79.

While many medical experts during the era praised Henry Cotton for his aggressive new therapy, some other doctors distanced themselves from his theory of focal infection. Due to ongoing questions about the efficacy of Cotton's work, two members of the State Hospital's Board of Directors decided that it was prudent to initiate a study. These were Joseph Raycroft, a graduate of Chicago-Rush Medical College and founding Chairman of Princeton University's Department of Health and Physical Education, and Paul Mecray, a prominent psychiatrist; together these two men served as the two *medical* members of the Trenton hospital board. In a letter he wrote to Mecray on March 11, 1924, Raycroft stated that "the whole question of the methods and the validity of results of treatment used on certain types of cases by Dr. Cotton should be given careful study and as far as possible settled." Raycroft explained that the investigation seemed warranted because of "passive opposition," caused by society's "general distrust of anything new," and "active opposition," due to Cotton's failure to obtain similar results in a series of cases. Raycroft indicated that Commissioner Lewis and Henry Cotton himself were in favor of such an investigation, pointing to the likelihood that Cotton, Lewis, and Raycroft believed it would substantiate the validity and worth of Cotton's work.⁴¹

Raycroft appeared alarmed nine days later and fired off a second letter to Mecray. Raycroft explained in the second letter that Commissioner Lewis had invited him to a meeting of the State Board of Institutions and Agencies in the prior week. During the meeting Raycroft was "very much surprised" to learn that the State Board had contemplated conducting its own investigation of Cotton's work several times over the

⁴¹ Joseph Raycroft, "Letter from Joseph Raycroft to Paul Mecray Dated March 11, 1924, " Trenton State Hospital Survey, 1924-1926, Trenton, NJ.

previous few years. Raycroft told Mecray: "I doubt whether I would have made the suggestion for the plan which I submitted to you the other day if I had known of this attitude on the part of the State Board." As Raycroft pondered the dilemma further, he stated that it was imperative that they, as the medical committee of the Board, take the initiative in setting up a thorough study; proactively spearheading an investigation was a far better alternative than being directed to do so by the powerful State Board.⁴²

Mecray initially feared the investigation. He told Raycroft that he believed that "the real story" could only be told after 10 or 15 years of experimentation. Even then, Mecray worried, a study "might give the Hospital a lot of undesirable notoriety" and added that "the reports might even get into the public press." Mecray told Raycroft that he did not want to be viewed as a "standpatter," but he nonetheless felt it important that any study that might be undertaken would have to be thoroughly conducted and "led by men of the very highest type."⁴³ Raycroft reminded Mecray a week later that the State Board would "instigate" an investigation if the hospital board did not take the lead. Raycroft also assured Mecray that he was no "standpatter." and validated Mecray's desires to have the study carefully constructed.⁴⁴

Mecray and Raycroft agreed that they must begin the inquiry into Cotton's work and also agreed that finding the right personnel to oversee the investigation was imperative. Given their fears about undesirable notoriety leaking out if the report turned

⁴² Joseph Raycroft, "Letter from Joseph Raycroft to Paul Mecray Dated March 20, 1924, " Trenton State Hospital Survey 1924-1926, Trenton, NJ.

⁴³ Paul Mecray, "Letter from Paul Mecray to Joseph Raycroft Dated March 24, 1924, " Trenton State Hospital Survey, 1924-1926, Trenton, NJ.

⁴⁴ Joseph Raycroft, "Letter from Joseph Raycroft to Paul Mecray Dated April 2, 1924, " Trenton State Hospital Survey, 1924-1926, Trenton, NJ.

out to be negative, the two men found the perfect candidate – Adolf Meyer – a highly regarded psychiatrist at Johns Hopkins University. Meyer not only had the respect of the medical profession given his post at Hopkins, but he also had loyalty to Cotton, his lifelong protégé (recall that Meyer served as Cotton’s mentor in Massachusetts). It was then up to Meyer to select the person who would actually conduct the exhaustive investigation. Meyer chose another one of his protégés, Dr. Phyllis Greenacre, a talented young woman who Meyer had recruited to Johns Hopkins in 1916. Joseph Raycroft had no objections to Greenacre’s candidacy because, coincidentally, Raycroft and Greenacre both graduated from the same Chicago medical school.⁴⁵

In late 1924, Phyllis Greenacre left Baltimore to begin her extensive study of the efficacy and results of Cotton's detoxification surgery. During the two-year-long investigation, Greenacre resided in the makeshift quarters offered to her on the grounds of the Trenton State Hospital, and she also criss-crossed the state traveling to follow up on the conditions of hundreds of patients who had been previously treated and released from the hospital.⁴⁶ Greenacre’s study had a three-pronged focus: in Phase I, she studied the first one hundred patients admitted to the State Hospital after July 1, 1920; in Phase II, Greenacre studied current cases, namely patients admitted October 1, 1924 to January 1, 1925; and in Phase III, she examined Cotton’s “best results,” a list furnished by Cotton

⁴⁵ Scull., pp. 139-161. Greenacre actually studied with Raycroft when he taught biology in the school.

⁴⁶ Ibid.

containing the names of 21 patients which he felt represented his best samples of achievement.⁴⁷

In Phase I of her investigation, Greenacre hit the road to follow up on the conditions of the first 100 patients who were admitted to the State Hospital beginning on July 1, 1920.⁴⁸ Greenacre discovered that 35 patients were dead; 8 recovered; 5 were improved; 8 were unimproved but at large; 26 were unimproved and in hospitals; 13 could not be located; 4 were classified as “not insane;” and 1 was a special case and had no history.⁴⁹ (See Table 8.3 below).

Recovered	8
Improved	5
Unimproved, but at Large	8
Unimproved and in Hospitals	25
Dead	35
Not located	13
Not insane	4
Special Case – No History	1
Total	100

Table 8.3 - Results in 100 Consecutive Cases Admitted After July 1, 1920

Greenacre's findings grew more and more peculiar as she delved into the personal histories of the patients who had improved. In examining the handful of recoveries of the 100 cases from 1920, most of the patients who recovered had a minimum of treatment (dental extractions and tonsillectomies). Several of these patients recovered before the dental extractions (thus she could not conclude that the treatment caused the

⁴⁷ Phyllis Greenacre, "Trenton State Hospital Survey, 1924-1926," (Trenton, NJ: New Jersey State Archives).

⁴⁸ This turned out to be patients admitted between July 1 and November 20, 1920.

⁴⁹ Greenacre, "Trenton State Hospital Survey, 1924-1926.", p. 6.

improvement), and of the three that recovered after dental extractions, these improvements could also not be definitely linked to the treatment. Two of these three were manic-depressive, “in which spontaneous recovery is the expected outcome,” and the third patient was diagnosed dementia praecox, “probably on the basis of apathy and refusal to cooperate in a mental examination.” This allegedly schizophrenic patient escaped from the hospital about one month after a tonsillectomy and extraction of one tooth. While Cotton labeled the escaped patient unimproved, Greenacre concluded that he recovered on his own at home and remained well.⁵⁰

Greenacre engaged in other studies during Phase I, including a study of all patients admitted from July 1 to November 20, 1920 who received Cotton’s “full amount of recommended treatment,” which included major abdominal surgery. This included 62 total patients, 5 of whom were epileptic, 3 who were being treated for constitutional defect, and the remaining 54 belonging to the “functional group.”⁵¹ Greenacre found that only 5 of the 62 patients had recovered; 3 were improved; 5 unimproved; 14 were unimproved in the Trenton hospital; 7 were unimproved in other hospitals; 27 were dead; and 1 was not located. (See Table 8.4 below).

⁵⁰ Ibid., pp. 8-9.

⁵¹ Greenacre explained that Cotton defined the functional group as “all patients diagnosed manic depressive insanity, dementia praecox, paranoid conditions, schizophrenia, toxic psychosis - confused state, all depressions, psychasthenia, and hysteria.” See Ibid.

	Number	Percent
Recovered	5	8.0
Improved	3	4.7
Unimproved	5	8.0
Unimproved in Trenton Hospital	14	33.9
Unimproved in Other Hospitals	7	
Dead	27	43.5
Not Located	1	1.6
Total	62	99.7

Table 8.4 - Status of 62 Cases in Which Full Treatment was Completed⁵²

After analyzing the results of these major operations on various types of patients, Greenacre made her most damning conclusion regarding Cotton's work. She stated: "It is obvious, then, that *the lowest recovery rate and the highest death rate occurs among the functional cases who have been thoroughly treated, a fact which harmonizes with the conclusion reached in the analysis of Group B, the selected functional group, that the least treatment was found in the recovered cases and the most through treatment in the unimproved and dead groups.*"⁵³ While Greenacre did not statistically analyze her data to determine if a highly significant negative correlation existed between Cotton's treatment and patient health, her quantitative data led her to reach conclusions that could have (and should have) ended Cotton's career and redirected the path of New Jersey institutional practice.

Greenacre would have little control over whether her finding would reshape institutional policy, and she attempted to leave no stone unturned while exploring the

⁵² Ibid., p. 22.

⁵³ Ibid., p. 24. Emphasis added by Greenacre. Emphasis changed from underlining to italics by me.

efficacy of Cotton's treatment. She acknowledged that risky surgery producing these high death rates might still be warranted if full treatment was very effective for those who lived through it; but of the 31 patients who survived multiple surgeries, 22 were unimproved, 19 (61.2%) of whom were still in hospitals. Greenacre concluded that through treatment was not only dangerous to life but ineffective in the cases of those who survived.⁵⁴

These types of conclusions persisted throughout Greenacre's report. Not all findings were as damaging as the ones already mentioned, but each of Greenacre's explorations seemed to chip away at not only Cotton's theory itself but the arguments he used to defend any suspect data. For example, Greenacre reported that in a 1922 publication Henry Cotton claimed that in 250 operations, 30% of patients had died, 25% had recovered, 15% had improved, and 30% were unimproved. Cotton accounted for the failures by claiming that many of the patients who did not improve from surgery had "chronic" psychosis – meaning that psychosis had existed for more than two years before the patient arrived at the State Hospital. But Greenacre studied "The Fact of Chronicity of the Psychosis and its Relation to Treatment," and she deduced that there was a negligible difference in the fates of patients with acute psychosis and chronic psychosis. In fact, the 33 "acute" cases had slightly more "unimproved" cases and slightly more deaths. Greenacre's sample may not have been sufficiently large to entirely dismiss Cotton's conclusions, but her findings certainly did not support his argument.⁵⁵

⁵⁴ Ibid., p. 25.

⁵⁵ Ibid., p. 25.

When Greenacre studied “current cases” (those from October 1, 1924 to January 1, 1925) in Phase II of her study, she found one positive result. Greenacre noted that fewer current patients had died as a result of surgery compared with the previous group from four years prior. While 35% of functional cases died from surgery in 1920, “only” 17% died in 1924. Despite the diminution in the surgical death rate, Greenacre reached the same conclusions regarding the efficacy of treatment with the 1924 cases as she had with the 1920 cases. She found that there “practically no evidence of positive results obtained by detoxification methods.”⁵⁶

Greenacre’s investigatory conclusions had the potential to destroy Henry Cotton’s reputation and career and to denounce both the detoxification work of the New Jersey State Hospital at Trenton and the transfer system used by the New Jersey Department of Institutions and Agencies. Phyllis Greenacre’s conclusions would startle and deeply upset Henry Cotton in 1926, but before he learned of and responded to Greenacre’s full findings, Cotton first had to survive an intense inquiry from an unlikely source - New Jersey Senator William Bright.

Senator Bright was the leader of the Republican majority in the New Jersey legislature, and in 1925 he formed a committee whose original goal was to identify and investigate waste and fraud in the Democratic administration of Governor George Silzer. Aside from wishing to embarrass Silzer and his Democratic Party, the Bright Committee

⁵⁶ Ibid., p. 34. In Phase III of her study, Greenacre examined 21 patients which Cotton called his “best cases.” Of Cotton’s 21 “best” success stories, 16 of these patients were manic-depressive. Greenacre again explained that this disease was characterized by spontaneous recoveries. Cotton, however, credited his surgeries. Greenacre not only attributed recoveries to the spontaneity of manic depression but also to the short-term effect of being forced to undergo life-threatening surgery. Greenacre was troubled by the melancholy quiet that befell patients after being subjected to serious surgery. She called it an almost instantaneous quieting effect.”

honed in on Burdette Lewis, Commissioner of the Department of Institutions and Agencies. Due to the Bright Commission's scrutiny of Lewis, any institutions affiliated with him ran the risk of being investigated. As individuals began to complain about treatment at the State Hospital, the Bright Commission increasingly focused on Henry Cotton. Senator Bright first summoned Henry Cotton to testify about the Quakenbush case, “a dreadful incident in which an elderly woman, discharged from Trenton State Hospital only days before, had hacked her feeble-minded daughter to bits with an axe.”⁵⁷

During this first inquisition, Cotton tried to deflect multiple criticisms, two of which included his alliance with Meyer and the high death rate at the hospital. Cotton told the Bright committee that his treatment led to an 87 percent “cure rate” between 1918 and 1925 (note the massive disparity between this cure rate and Greenacre’s findings); Cotton added that his high cure rate saved the State one million dollars. Trenton’s Medical Director hoped that this financially framed argument would distract legislators, a clever attempt given that scientific management was a religion during the era. But Cotton's ploy initially failed, and he soon found himself engulfed in a public relations nightmare as former patients, employees, and concerned family members came out of the woodwork to share gory details of employee brutality on inmates, forced surgeries, and an incessant stream of death.⁵⁸

Ms. Edith Strong, a disgruntled nurse who had been discharged from the State Hospital at Trenton was the first witness who took the stand. On July 22, 1925, Ms. Strong testified that five women in her ward who had surgery in the previous year had

⁵⁷ Scull., p. 175.

⁵⁸ Ibid.

died and added that only two or three had improved. The nurse claimed that in nearly every case patients fought against the surgery, but to no avail; Ms. Strong stated that patients were rushed into the operating room “like cattle,” given an hypodermic needle, and operated upon. One patient begged Ms. Strong to “save her from the operating table.” Ms. Strong accused Cotton of “experimenting on patients with the knife.” The nurse claimed that in one case, a patient was purportedly placed on hot water bottles following surgery and was severely burned before she died. The doctor who oversaw the ward then informed her that he would write the death report, and Ms. Strong was transferred to another ward shortly thereafter. When a Senator informed Ms. Strong that Dr. Cotton had reported to the committee that his hospital was curing 87 percent of patients through surgery, the nurse scoffed and stated: “It is the other way around.”⁵⁹

Nurse Strong stated that her bold claims could be verified through Ms. Helen Bernard, who had worked not only at the State Hospital in Trenton but also at the Charles private hospital, a private facility where Cotton was supposedly directing some of his wealthier patients. When Ms. Bernard reported for night duty just hours after Edith Strong’s devastating testimony, Bernard “received her pay check and was advised to resign.” Charles hospital officials “said that her services had not been satisfactory and it had planned to dismiss her August 1.” The New York Times article on Bernard’s dismissal ended with a peculiar statement: “*She was paid off* but advised to respond to the committee’s summons.”⁶⁰ While the Times may have been referring to some sort of severance pay, the fact that Ms. Bernard never appeared in front of the Bright

⁵⁹ Special to The New York Times, “Operations Forced on Insane, She Say,” *New York Times* July 23, 1925., p. 13. All New York Times articles from this era were available to me using ProQuest search engine.

⁶⁰ Special to The New York Times, “Nurse in Inquiry Loses Job,” *New York Times* July 24, 1925., p. 14.

Commission (despite a subpoena) made it appear that she did not testify due to a bribe or intimidation.

Even if Cotton and his crew reached and stifled this potential witness before reporters and the Bright Commission could speak with her, Cotton was unable to stop the flood of additional complaints that were to follow. When Cotton appeared on the stand to explain the claims made by Ms. Strong, Cotton had to acknowledge that one half-dozen patients in the nurse's ward had in fact perished. But rather than dissecting the cause of these deaths, the Bright Committee refocused its attention on other witnesses' allegations of hospital brutality. Henry Graby, a former attendant at Trenton, testified that "it was a common occurrence for attendants to beat up patients." Leah Bloom, a woman in her sixties, claimed that the hospital had removed her teeth and tonsils without her consent or that of her family; her family later visited her after Bloom was readmitted to the State Hospital, and they found her beaten and bruised to the point they could hardly recognize her. The family testified in explicit detail about the remorse and guilt they felt because Bloom had told her children not to force her to go back to the Trenton Hospital because she would never make it out alive.⁶¹

In the wake of all this trouble and no doubt in an attempt to salvage his own career, Commissioner Lewis instructed Cotton to provide a written explanation of the accusations Edith Strong made against him. Cotton responded that Strong was not present in the operating wing and therefore did not know about the details of surgery or the subsequent intensive care; Cotton also insinuated that she was "a person suffering from delusions." Lewis initially accepted both of these arguments, but just days later, the heat

⁶¹ Scull.

on Cotton, Lewis, and the State Hospital reached a boiling point when two patients were found dead. The two corpses were found badly beaten, and their families screamed for an investigation, claiming that employee brutality led to the patients' deaths. If it seemed that matters could not get any worse, Cotton learned otherwise – one of the two dead patients was Leah Bloom, the patient whose family had just testified that their mother feared hospital staff would kill her if they forced her to go back to Trenton. Her premonitions, and Cotton's greatest nightmares, had come true.⁶²

Cotton's mental and physical health seemed to deteriorate as quickly as his hospital's reputation crumbled. After fumbling and providing incoherent and rambling testimony to the Bright Commission the following Wednesday, Cotton allegedly fell ill. Hospital officials (conveniently) stated that he was too ill to testify further.⁶³ Cotton first convalesced in Spring Lake, New Jersey. Cotton was purportedly doing much better almost two months later, but Raycroft told Meyer that Cotton "was still far from well." Raycroft added: "I think that we must arrange in some way to get him away from the hospital for an extended vacation."⁶⁴

Cotton's collapse appeared to be a mental and physical breakdown exacerbated or caused by the stress of the interrogation, but it was clearly also a strategic move by the hospital administration to protect him and the hospital from further inquisition. Joseph

⁶² Ibid.

⁶³ Special to The New York Times, "Strain of Inquiry Makes Dr. Cotton Ill; Specialists Are Called for Director of Trenton Now Being Investigated," *New York Times* August 7, 1925., p. 7.

⁶⁴ Joseph Raycroft, "Letter from Joseph Raycroft to Adolf Meyer Dated September 25, 1925, " Trenton State Hospital Survey, 1924-1926, Trenton, NJ. This was another letter found in the State Archives, included with the Greenacre investigation file. Andrew Scull stated that Cotton was later hidden away in Arkansas , but I did not personally review the letters used by Scull to make this statement. See Scull., pp. 177-179.

Raycroft, who was Vice President of the hospital's Board of Managers by this time, took the reigns to steer the course of the investigation. While the Bright Commission eventually learned that Phyllis Greenacre was conducting her own investigation of Cotton's work, Adolf Meyer coached Greenacre on how to answer under oath. This avoided or minimized the potential damage that could have been created by Greenacre's early data. While unethical, Raycroft's support of Meyer's witness "coaching" was a clever move. His most ingenious political maneuver, however, was to follow.

Raycroft and his medical board prepared a written report for the Bright Committee summarizing the result of their (supposedly) independent evaluation of Cotton's work. They claimed that their report revealed that patients had not been operated on without consent and emphatically stated that none of Cotton's surgeries were experimental. The Board also claimed that they had traced surgeries performed between 1918 and 1925 and discovered that the death rate for all surgeries was 3.7 percent and for major operations only 8 percent, an inaccurate statement arrived at by including 2,957 tonsillectomies and hundreds of cervical enucleations in the denominator.⁶⁵

Knowing that the "independent" investigation conducted by the hospital's own Board could be viewed with suspicion, Raycroft's shrewdest move was to summon multiple outside medical authorities to testify on Cotton's behalf. On September 23, 1925, United States Senator Royal Copeland of New York, Dr. Emelius Dudley, a professor of gynecology at Northwestern University for 40 years and one of the country's best known surgeons, and Dr. John Draper of New York, a resident surgeon at the Trenton Hospital, all provided glowing testimony of Cotton's work in front of the Bright Committee. They

⁶⁵ Scull.

testified that the Trenton State Hospital was "the most progressive institution in the world for the care of the insane." On the same day, the Bright Committee received affidavits from physicians, nurses, and others stating that no patients were operated on without their consent, that "no experimental operations were ever done on patients," and that there was no evidence of brutal treatment of inmates by attendants.⁶⁶

US Senator Copleland politically minced NJ Senator Bright and his Commission for improperly attacking Henry Cotton and the State Hospital at Trenton. Copeland testified (based upon supposed firsthand knowledge of the inner workings of the hospital) that he never saw an institution that was better conducted. Copeland praised the skill of the surgical staff and the work of the ward physicians; he said that in ordinary institutions similar to Trenton one-third of the patients were typically discharged as recovered, but Copeland told the committee that this number was "doubled" at the Trenton State Hospital. Dr. Copland was asked on the stand if a large percentage of patients had been subjected to surgeries, and he responded by spinning the question on the Committee, sharing that "it was a rare thing to have a surgical department connected with a hospital for the insane." The surgeries were indeed common at the Trenton Hospital, and this cutting-edge treatment allowed a "large percentage" of patients to be "cured of their maladies."⁶⁷

Copeland pushed the Committee members back on their heels as he repeatedly reframed questions, transforming assaults on the State Hospital into attacks on the Bright Committee. Copeland testified that patients were operated on only when necessary and

⁶⁶ Special to The New York Times, "Physicians Defend Trenton Asylum; Copeland and Other Witnesses Say It Leads the World in Caring for Insane," *New York Times* September 24, 1925., p. 19.

⁶⁷ Ibid., p. 19.

called the Committee “cruel” for permitting “the idea to go out” that experimental surgery was taking place in Trenton. Copeland also cleverly spun the controversy that had arisen over patient abuse. He said that if attendants “did not treat a patient gently,” it should not be blamed on the hospital’s management, “but rather on the appropriating body which curtailed the amount of money set aside for the payment of attendants.” Senator Copeland not only came to the defense of Henry Cotton, he pointed the finger at the State Legislature, citing insufficient funding as a cause of the abuse that had taken place in the State Hospital.⁶⁸

Joseph Raycroft’s multi-pronged political strategy to save Cotton and the Trenton State Hospital eviscerated the Bright Committee’s attack. On the same day that US Senator Copeland rejected all claims brought against the hospital and actually blamed the New Jersey Legislature for some problems in the institution, the Committee concluded that, except for possible further examination of Dr. Cotton and Commissioner Lewis, it “would go no further into the affairs of the State Hospital.” The topic for the Bright Commission the following week was to be “another subject, possibly fire insurance.” The New York Times reported that most of the Bright Committee members had done an about-face and were “convinced that it was a mistake to permit unsifted charges to go into the record.”⁶⁹

Although politically outfoxed by Joseph Raycroft and other State Hospital officials, the Bright Commission accomplished one of its ultimate goals three months

⁶⁸ Times, “Physicians Defend Trenton Asylum; Copeland and Other Witnesses Say It Leads the World in Caring for Insane.”, p. 19.

⁶⁹ Ibid., p. 19.

later - to oust Burdette Lewis, Commissioner of the Department of Institutions and Agencies. Under heavy pressure, Lewis resigned in December 1925. Senator Bright called his resignation "a Christmas present to the taxpayers of the State."⁷⁰ The chief executive officer of the New Jersey Department of Institutions and Agencies stepped down 7 years after taking office. In his diplomatic resignation letter, Lewis claimed that he originally intended to head the Department for only 2 or 3 years and that time had come for him to move on to other interests and endeavors; he made no mention of the Bright Committee or the firestorm that undoubtedly forced him out of office.⁷¹

The Bright Committee had taken out the man they felt most responsible for wasteful government spending for the previous seven years and the figure head of a department that had sanctioned the deadly experimental surgery at the State Hospital. Adolf Meyer feared that Lewis' resignation did not entirely remove Henry Cotton from the Committee's crosshairs. The Bright Committee had politically assassinated one scapegoat, and perhaps they would not stop until they did the same to Cotton. In one of many letters exchanged between Meyer and Raycroft concerning Greenacre's preliminary findings, Meyer informed Raycroft that Cotton had arrived at his house in mid-January to review the first part of Greenacre's unfinished report. Cotton maintained that he was extremely proud of the hospital's accomplishments and attempted to poke holes in Greenacre's data. Cotton was also very defensive, stating the Bright Committee had framed him and that "nobody should get him." Meyer told Raycroft that he was unsure if Cotton blamed the two of them as well. Meyer added, "One thing is certain. The report

⁷⁰ "Lewis, under Fire, Quits Jersey Board," *New York Times* December 20, 1925., p. 18.

⁷¹ Ibid.

has to be kept out of the Legislative Committee. It is "not yet finished" until it will be signed by both Dr. Cotton and ourselves."⁷²

Meyer's political strategy to stall the Committee by claiming that the report was "not yet finished" proved unnecessary. Just one week later, Raycroft allayed his associate's fears about the Bright Committee getting their hands on the Greenacre report. Raycroft wrote: "The Bright Committee is no longer in existence so that we need not concern ourselves with that phase of the situation." Raycroft and Meyer could now celebrate because they, Cotton, and the State Hospital were free from external scrutiny. While they subsequently exchanged a series of letters indicating that they were trying to "reconcile" a "middle ground" between the polar-opposite conclusions of Greenacre and Cotton, no consensus or compromise ever occurred. Cotton continued to suffer from (and/or hide behind) poor health, and both Meyer and Raycroft felt they could not push Cotton too hard. The "not yet finished" Greenacre report was never officially completed because it was never "signed" by Cotton, Raycroft, and Meyer. Greenacre's report was never published, and it lay buried away in the New Jersey State Archives. While the report has been unearthed by several individuals, including a few historians,⁷³ the Greenacre report was permanently suppressed, much to the dismay of Phyllis Greenacre, who had devoted two years of her life to the cause. For Commissioners Lewis and Ellis, Raycroft, Meyer, Mecray, and other political cronies, the suppression of the report was a major victory which preserved professional and institutional reputations. For the thousands of children and adults who were maimed or killed due to Henry Cotton's

⁷² Adolf Meyer, "Letter from Adolf Meyer to Joseph Raycroft Dated January 18, 1926, " Trenton State Hospital Survey, 1924-1926, Trenton, NJ., pp. 2-3.

⁷³ See Leiby; Scull; Trent.

incorrect theories about focal infection, the suppression of Greenacre's findings was and remains the deepest injustice.

Political Tap-Dancing on the Maimed Bodies of New Jersey Children

With Greenacre's report complete, Commissioner Ellis, Joseph Raycroft, Adolf Meyer and others knew that Cotton's surgeries were dangerous and frequently deadly. Worse yet, Cotton's detoxification treatment had no therapeutic efficacy. These and other leaders' failure to take decisive corrective action based upon Greenacre's report appears through a modern lens to be almost incomprehensible, but their personal connections, professional aspirations, and political motivations eclipsed morality, responsibility, and ethics. The failure of key leaders to act appeared to be motivated by enmeshment on three levels: institutional, personal, and professional.

On the institutional level, the success and reputation of the State Hospital in Trenton directly influenced the success and reputation of the Department of Institution and Agencies, the State Home for Boys in Jamesburg, The Training School at Vineland, and other institutional entities. The notion that surgery or dental extractions could reform New Jersey's inmates was at the heart of the Department of Institutions and Agencies coveted "classification system," and correctional and charitable organizations either practiced detoxification on-site or transferred inmates to the State Hospital to be cured. For example, medical experts at The State Home for Boys in Jamesburg performed countless dental extractions, incessantly extracted tonsils, and performed unnecessary surgeries on-site, and the institution also transferred dozens of boys to the State Hospital. And in Vineland, an unknown number of children were experimentally detoxified in the training school's human laboratory throughout the 1920s. In every sense, any attack on

Cotton's theory was an attack on Vineland, Jamesburg, and the Department of Institutions and Agencies. If Cotton's theory was proven false, all institutions which had employed his theories may have been viewed as frauds and also faced undeniable institutional liability for unnecessary maiming and death.

Aside from the institutional enmeshment, personal bonds and feelings of loyalty also undoubtedly contributed to the suppression of Phyllis Greenacre's report. Adolf Meyer, the man Raycroft and Mecray carefully selected to direct Greenacre's inquiry, was Henry Cotton's "life-long" mentor. It was no surprise that Meyer steered and ultimately helped to suppress a report that would have potentially destroyed his protégé's career. Adolf Meyer was more to Henry Cotton than merely a mentor - he was a friend, confidante, and inspirational figure. Cotton and Meyer were so close that Cotton named his second-born child after his mentor, calling him Adolf Meyer Cotton.⁷⁴ Meyer personally cared about Cotton's health and his personal and professional reputation, and this personal loyalty alone must have surely clouded Meyer's judgment.

But beyond personal alliances and the importance of Cotton's theory for institutions, numerous individuals placed their professional reputations on the line by enthusiastically endorsing Cotton's theory of focal infection. Adolf Meyer was a prime example. Beyond the personal loyalties, Meyer, the first psychiatrist ever hired at John Hopkins University, staked his own professional reputation on Cotton's theories in a foreword he wrote to one of Cotton's books. In *The Defective, Delinquent, and Insane*, Meyers placed Cotton on a pedestal for readers, stating that Cotton "appears to have brought out palpable results not attained by any previous or contemporary attack on the

⁷⁴ Scull., p. 27.

grave problem of mental disorder." While Meyer cautioned that controlled trials were needed to determine the full extent to which focal infection cured mental illness, Meyer stated that he had followed the "aggressive work" of his "old friend" [Cotton] with "interest and admiration." Meyer implicitly endorsed Cotton's aggressive surgeries and told physicians they could not expect full results with minimal treatment. Meyer wrote: "To pull a few teeth without doing a thorough and reasonably complete job, is not doing justice to the demands of the *real cleansing*."⁷⁵ Meyer's decision to praise Cotton in writing became a professional liability for the Hopkins psychiatrist. While his personal loyalties to Cotton may have been so strong that he would have defended his protégé and friend in any circumstance, Meyer's strong statements in the foreword *professionally* intertwined the two men and amplified his desire to suppress the Greenacre report. Meyer's decision to spearhead the investigation into Cotton's work was a politically ingenious move. To the public, Meyer's leadership role with the inquiry appeared that he was a responsible expert spearheading an empirical study into the efficacy and worth of Cotton's work. Behind the scenes, Meyer's role allowed him to speed up, slow down, or steer the course of the investigation. Through this political tap dance, Meyer was able to protect his own professional reputation, minimize the damage for Cotton, and ensure that Greenacre's findings would never see the light of day.

Commissioner Burdette Lewis' professional reputation was also jeopardized by his public praise of Henry Cotton's work. In *The Winning Fight Against Mental Disease*, Lewis boasted that New Jersey had found a cure for mental illness. He shared that Cotton

⁷⁵ Adolf Meyer, "Foreword," in *The Defective, Delinquent, and Insane; the Relation of Focal Infections to Their Causation, Treatment, and Prevention*, ed. Henry Andrews Cotton (Princeton, NJ: Princeton University Press, 1921).

had successfully detoxified and discharged 1,000 patients between 1919 and 1921 who were previously classified as "incurable." Lewis said that Cotton's work had "set a standard for other hospitals throughout the country" and had already saved New Jersey over one hundred thousand dollars.⁷⁶ Lewis had it all wrong, and as the Bright Commission heard horror stories of abuse and death at the State Hospital, his professional enmeshment with Cotton proved fatal for his career. Lewis paid the price for his premature, hyperventilated, and overt praise of Cotton, but almost all other Cotton conspirators escaped unscathed.

While New Jersey children who were maimed or killed in the early 1920s had nothing to gain by Lewis' resignation in December 1925, the appointment of Commissioner William Ellis provided an opportunity for the children still in the institutional system to enjoy a different fate, at least in theory. The new Commissioner, as one of the most powerful governmental leaders in the Garden State, could have immediately put a stop to teeth extractions, life-threatening surgery, and other byproducts of Cotton's madness gone awry. But despite the fact that Commissioner Ellis was fully aware of the Greenacre report, he failed to redirect the course of the State's institutional system. Ellis, in fact, met regularly with Raycroft and Meyer regarding Greenacre's findings and clearly did not stand in the way of the suppression of the document.⁷⁷

Commissioner Ellis had his own professional and political motivation to support Cotton and suppress the Greenacre report. Similar to how Meyer's professional reputation

⁷⁶ Lewis, "The Winning Fight against Mental Disease." See Chapter Seven for more details about Burdette Lewis and the Department of Institutions and Agencies.

⁷⁷ See Henry Andrews Cotton, "Letter from Henry Cotton to Adolf Meyer Dated May 28, 1927, " Trenton State Hospital Survey, 1924-1926, Trenton, NJ., p. 1.

was compromised due to comments Meyer made in Cotton's foreword, William Ellis's early public praise of Cotton would have made it very difficult for him to later denounce him. Ellis was professionally married to Cotton's theory of focal infection before he stepped foot in his new office. In June of 1924, William Ellis, then Director of the Department's Division of Education and Classification, boasted about Cotton's work during a speech Ellis delivered at the Annual Meeting of the American Association for the Study of the Feeble-Minded in Washington, D.C.⁷⁸ In his speech, Ellis praised Cotton's work and the state's use of the classification system to identify "defective delinquents." Ellis shared how the State, since 1921, had used a classification system developed by Edgar Doll⁷⁹ to identify multiple types of "unstable" juvenile delinquents. Ellis shared that when inmates were deemed "unstable," they were sent to the "State Hospital until cured of instability." Obviously no patient was cured of instability from detoxification surgery, but Ellis' public praise of detoxification work in his high profile speech impressed the audience.

Two years later in 1926, William Ellis found himself in his Commissioner's chair staring at a report that had the potential to discredit not only Cotton but his own previous statements. Ellis ensured that the Greenacre report would never trouble him or any of his cronies, and he continued to support Henry Cotton and the theory of focal infection. The concluding paragraph of the 1929 Annual Report of the Trenton State Hospital made it

⁷⁸ Ellis, "Experience in Classifying Defective Delinquents and Some Results Effected by Transfer from Correctional Institutions to Hospitals and Institutions for the Feeble-Minded." This report was obtained through an inter-library loan between Rutgers University and Colorado State University. I did not see this address referenced in any other scholarly work to date, and it provided invaluable insight.

⁷⁹ Doll was in Ellis' position in 1921. Recall that Doll later left the Department of Institutions and Agencies to become Director of Research at the Training School at Vineland, leaving the vacancy that Ellis filled.

clear that Cotton continued to enjoy the support of Commissioner Ellis three years after Greenacre's report should have ended his career. Cotton wrote: "Finally [I pay tribute] to Commissioner William J. Ellis and the State Board of Institutions and Agencies who have given unstinted support to this work and furnished us, through appropriations of the legislature, with financial assistance to complete our building program and the means to carry on our medical and surgical procedures and laboratory research."⁸⁰

The failure of William Ellis (and others) to stop Cotton in 1926 allowed detoxification procedures to continue unimpeded throughout the remainder of the 1920s and into the early part of the 1930s. Phyllis Greenacre's report did not cause Cotton to end his extractions or surgery. While new methods such as colonic irrigation were eventually favored over the deadly colostomies, dental extractions, tonsillectomies, and life-threatening surgery continued. In fact, Cotton's reassessment led him to conclude that many previous methods were not aggressive enough. With the Bright Commission defunct and the Greenacre report suppressed, Cotton was as uninhibited as ever, and his logic began to resemble madness.

In 1929, Cotton explained that his one failure had been "in not fully recognizing the fact that in most cases, irrespective of the dental x-ray pictures, tests of vitality, or what-not, *complete extraction* will be necessary."⁸¹ Cotton now advocated extracting all teeth based upon blind faith in his theory, and "in many cases" he put his new technique into practice at the State Hospital. Cotton marveled at the supposed fact that none of his patients complained "when they had recovered their mental health, of the fact that they

⁸⁰ Cotton, *Annual Report of the Trenton State Hospital for 1929.*, p. 40.

⁸¹ Ibid. Emphasis was originally underlined by Cotton. Emphasis changed to italics by me.

did not have any teeth."⁸² Cotton stated that he could not make the point about extracting *all* teeth too emphatically and added: "Be ruthless in extracting when the patient's mental health is at stake."⁸³ And ruthless they were. Between July 1, 1928 and June 30, 1929, the State Hospital completed 446 tonsillectomies and 6,375 extractions.⁸⁴

Just one year after Cotton commented about the need to be ruthless when extracting to remove hidden foci of infection, Cotton came under political attack and was forced to resign from his Medical Director position. Ironically, it was not his false, deadly science that led to his removal but instead political controversy over a form of "double dipping." The Mercer County Component Medical Society eventually succeeded in ending what Cotton had been doing for years - enjoying a salary as the Medical Director of the State Hospital while concurrently raking in handsome profits with wealthy patients he had steered to his private facility.⁸⁵ Cotton was removed from power, but he was permitted to continue working at the State as the director of research. He continued to guide detoxification work at the hospital into the early 1930s.

William Ellis put an interesting spin on Cotton's demotion when he spoke at Vineland's 25 year anniversary celebration in 1931. Ellis stated, "We made some progress in the last year or two in freeing Dr. Cotton from his administrative duties, for research in his own laboratory as to the causes of insanity." Ellis' statements masked the reality that Cotton's unethical double-dipping had finally caught up to him, but they were additional

⁸² Ibid., p. 31.

⁸³ Ibid., p. 32.

⁸⁴ Ibid., p. 8.

⁸⁵ "Medical Society Threatens to Expel Doctors Here; Practice on Outside Is Prohibited," *Trenton Evening Times*, April 30, 1930.

proof of Ellis' unwavering support of Cotton. The Commissioner went as far as to say that Cotton's reassignment "was the greatest single step that the State Department has yet made, I think, in the history of our welfare institutions." He added, "We have given him [Cotton] complete freedom in his laboratory, asking only for periodic reports to his associates."⁸⁶

I am uncertain what transpired at the State Hospital in Trenton during the 2-3 years that Henry Cotton had "complete freedom" in his laboratory. Cotton was "clothed in isolation," and given his obsession with focal sepsis there can be little doubt that Cotton continue to use the hospital's patients as guinea pigs to test out his latest theories. Reflecting on Henry Cotton's work at the State Hospital almost nine decades later, it is easy, and perhaps deserved, to view Cotton as a monster. But Henry Cotton did not set out to torture and kill his patients; while he maimed or took the lives of thousands of men, women, and children, these were tragic byproducts of Cotton's unshakeable faith in a fallacy he believed to be a scientific breakthrough. Any doubt that Cotton believed in what he was doing was removed when he performed detoxification extraction or surgery on both of his sons; Cotton arranged for the full extraction of all teeth of both Henry Cotton Jr. and Adolf Meyer Cotton. Claiming that he had recognized symptoms of infection in his youngest son, Cotton also subjected Adolf Meyer Cotton to abdominal surgery.⁸⁷ In 1929, Cotton confessed that he himself had voluntarily chosen to have all of his teeth extracted. Cotton wrote: "We have decisively shown that many vital teeth can be infected, not only in our patients, but in the personal experience of the writer. *In his case*

⁸⁶ Ellis, "Research in Public Welfare.", p. 21.

⁸⁷ Scull., p. 58.

a serious heart condition was corrected by extraction of all teeth in spite of the protests of the dentist."⁸⁸ On May 8, 1933, less than four years after he claimed that the extraction of his teeth had cured his heart condition, Henry Cotton died of a heart attack.⁸⁹

Final Thoughts on Chapter Eight

Henry Cotton's death in the spring of 1933 helped to stem the tide of one of the ugliest practices ever employed in the State of New Jersey. Henry Cotton deserves much of the blame for the unnecessary maiming and death of thousands of men, women, and children between 1918 and 1933. Henry Cotton surely suffered from "megalomania."⁹⁰ Cotton's thirst for wealth led him to unethically engage in private practice while holding his public position; his craving for power helped him become Medical Director of New Jersey's state psychiatric hospital and Director of the State's Psychiatric Clinic; his insatiable desire for fame was partially satisfied through his publications and professional speaking engagements; and his unwavering and seemingly delusional belief in the grandiose theory of focal infection caused thousands of his patients to endure cruel and unusual forms of therapy. Cotton was a "mad scientist" who deserved for his name to go down in infamy.

But multiple other reformers and professional leaders deserve as much or perhaps more blame for failing to stop Cotton. Lewis, Ellis, Raycroft, Meyer, and others appeared to have initially believed that Cotton's work had the potential to cure mental illness, prevent crime and delinquency, and solve many of society's ills. As leaders during an era

⁸⁸ Cotton, *Annual Report of the Trenton State Hospital for 1929.*, p. 31. Emphasis added.

⁸⁹ Adolf Meyer, "In Memoriam," *American Journal of Psychiatry* 13, no. (January 1934)., p. 922.

⁹⁰ Scull.

which valued scientific management and fostered the rise of the helping professions, they wanted to be closely associated with Cotton's work. They saw its financial, political, and professional potential, and they blindly and aggressively implemented Cotton's cutting-edge techniques with children and adults in state institutions. But their enmeshment with Cotton became problematic when evidence, such as Greenacre's exhaustive report, indicated that Cotton's extractions and surgeries not only led to high mortality rates but were therapeutically bankrupt. Reformers and leaders found themselves at a crossroads, and they chose to use their political power and professional prestige to prevent the institutional, personal, and professional fallout that would have occurred if Cotton's fallacy was debunked. Sadly, reformers and leaders' political motivations outweighed any value they may have placed on the lives of inmates and patients.

In 1931, just two years before Cotton's death, Commissioner Ellis said that "the research man, no matter how well grounded and trained, can do very little in a public or semi-public position without the *protection of an administrator* who understands his methods and limitations."⁹¹ Henry Cotton was fortunate to have protection from Ellis and other administrators, but this type of protection was a tragedy for New Jersey children during the 1920s. Institutional leaders and reformers placed more value on political capital than they did on human life and demonstrated that they cared more about protecting Henry Cotton than they did his patients.

Juvenile delinquents, adult criminals, and the insane were all portrayed as serpents in the Garden State. Cotton claimed that he could surgically remove the poison

⁹¹ Ellis, "Research in Public Welfare.", p. 21. Emphasis added. Ellis further stated: "The scientific worker must be *fully protected*, particularly the man who is going to be called upon to venture into fields that are as difficult to approach as are these fields of human conduct and behavior."

from these snakes, but if he failed in his efforts, the loss of this life was viewed as little consequence to society. Children deemed to be defective, mentally unstable, and/or delinquent were, after all, portrayed as dangers to society who also sapped it of its strength. Through the eyes of Henry Cotton, William Ellis, and their cronies, using children as guinea pigs for experimental procedures and surgeries was perfectly acceptable. Reformers portrayed detoxification surgery as "help" that would "cure" children of their maladies, and society was told they would reap the benefits of the "miraculous discoveries" that Cotton would make. Unfortunately, Henry Cotton's knife never found the cure for mental illness or the solution to society's ills. The thousands of corpses and hacked out body parts were not sacrificial lambs that led to a great discovery. The maiming and death in 1920s New Jersey was a senseless tragedy, and the only silver lining is the reminder it provides of the danger of hastily applied science, political cronyism, and political language of the helping professions.

CHAPTER NINE: Conclusion

This dissertation attempted to answer the following question: *How did reformers define, portray, and address juvenile delinquency in New Jersey during the 1920s?* This final chapter shall briefly summarize the findings, integrating the plethora of information presented in Chapters Two through Eight. The limitations of the study, implications for future research, and significance for education and educational administration will also be presented.

Definition

This dissertation has shown that “juvenile delinquency” was, and remains, a socially constructed term whose meaning has widely and wildly varied. Consequently, a two-pronged definition was most appropriate. In the legal sense, juvenile delinquency was defined as youthful behavior that violated laws, statutes, or ordinances. In a broader sense, juvenile delinquency was any undesirable youthful behavior.

In the early 20th century, New Jersey’s “legal definitions” of “juvenile delinquency” gave its juvenile courts, probation officers, truancy officers, and other reformers seemingly boundless jurisdiction over all children aged 15 and under. Children risked being summoned to juvenile court and faced possible institutionalization for failing to attend school, incorrigible behavior, associating with people deemed to be vicious or immoral, congregating in “unwholesome” environments, having parents deemed to be neglectful, and a wide and far-reaching set of additional circumstances that sometimes were no fault of their own. New Jersey’s loose and broad juvenile court statutes made it possible for almost any child to be labeled a delinquent at almost any

moment. “Legal” definitions that were all-encompassing umbrellas revealed that not only was the term delinquent vague and ambiguous, it was also dangerous. New Jersey’s delinquency umbrella resembled other states’ ambiguous definitions; all followed the lead of Illinois, which established the United States’ first juvenile court system in 1899. While the juvenile court was a new legal mechanism that began at the turn of the twentieth century (1903 in New Jersey), the State’s paternalistic desires to take in unwanted, undesired, dependent, defective, or delinquent children also occurred during a significant part of the nineteenth century. During the 1800’s, reform schools, poor houses, and other facilities took in dependent and delinquent children deemed to be in need of “saving.”

During the 1920s, the term “delinquent” was interchangeable with countless labels. These included, and were not limited to: dependent, defective, incorrigible, destitute, moron, imbecile, idiot, feeble-minded, backward, ineducable, truant, deviant, and defective delinquent. These labels often had well-crafted meanings assigned by the numerous reformers who first coined the terms, but the weak boundaries which separated one term from another quickly blurred; consequently, the labels were interchangeable and used indiscriminately.¹

During the 1920s, the promiscuous practice of labeling children created a unique mechanism through which reformers were able to accomplish two seemingly different feats: labels created the need for institutions and helping professionals so that all children

¹ As an excellent example of this fact, see Goddard, "Who Is a Moron?." Goddard, who created many of the specific terms for children of low-intelligence, admitted that his original definitions were not intact by 1927, and terms such as imbecile, moron, idiot, etc. were interchangeably used by countless reformers who used them indiscriminately. The article itself was amusing as it revealed Goddard trying to wipe some of the egg off his face; in the article, Goddard struggled with juxtaposing his previously espoused views with the reality that many of them were great failures.

could be reformed and molded to a socially constructed norm and, concurrently, labels offered proof that a child was different in case the child needed to be segregated.

Assigning labels created the need for “specialists” with professional training to save and reform children.² Labels made clear the importance of “saving” the *defective* child and also dramatized aberrations from socially constructed norms as “dangers to society,” dangers from which society’s demise would follow if the wayward youth was not assimilated, reformed, and “fixed.” For example, by creating a label such as *jangling temperamental discordant non-cooperative personality misfit*, the New Jersey State Home for Boys justified the need for the institution and the professionals employed within its walls;³ clearly no “average “Joe” or “Jane” could handle such a child.

Other examples that the newly emerged helping professions used labels as “political language” during the 1920s were revealed throughout this dissertation. Similar to how the helping professions constructed the notion of a “pre-delinquent,” the Americanization and Character Education movements portrayed public school systems as the vital institutions that would save society from demise by instilling knowledge, morals, character, and discipline into masses of new immigrant children who might otherwise become bolshevists, criminals, or liabilities to society.

These movements in public education took place during the same decade that the New Jersey’s public school reformers launched a massive campaign aimed at gaining additional respectability for the profession. During the 1920s, the “professionalization” of teaching mirrored trends in the other helping professions. Increased certification

² Edelman.

³ Merchant.

requirements for New Jersey teachers, the scientific management of schools, efficiency attained through implementation of measurement devices such as intelligence tests, and the importance of having professionals to Americanize and instill character in children were all advertised as proof that teaching was to be an esteemed profession in the Garden State, therefore justifying the expansion and creation of schools and increased teacher salaries. Despite the fact that children labeled as juvenile delinquents were frequently pushed out of New Jersey's public schools during the 1920s, the perception that the school was the optimal place for "experts" to help "pre-delinquent" children helped to further establish the esteem of the profession.

Some of the children pushed out of public schools landed in training schools. Schools like the Vineland Training School and other facilities for the feeble-minded were portrayed as the only appropriate institutions to "train and educate" these children and adults. A 1911 law that required NJ public schools to provide tailored education for children who were three or more years *subnormal* caused a precipitous increase in the number of "special" (segregated) classes in the state's public schools, but it also fed the mentality that subnormal children demanded segregation. State publications, committee reports, and reformers' publications called for more training schools, reform schools, colonies, and other institutions to be built in New Jersey to isolate the "defective stock" of children from mainstream society. Amidst the horrors that took place with supposedly feeble-minded children in the 1920s there was, no doubt, a measure of altruism. Nevertheless, those who founded and ran training schools, and all "specialists" who came to work in segregated institutions, attained careers, money, and prestige due to the

“urgent need” that arose for highly skilled experts to work with the children of “low mentality” during the “crime wave.”

A similar unfavorable light can be cast by focusing on some of the other situations revealed in this dissertation. The 1918 creation of the New Jersey Department of Institutions and Agencies served an important function by coordinating the state’s penal, correctional, hospital, relief, and training institutions, but it also created a new bureaucratic entity that required competent “professionals” to fill these new positions. The Department of Institutions and Agencies was additionally subdivided into five distinct divisions. Consequently, the State hired even more specialists to provide expert guidance in each of these niches.

One of the very technical processes spawned by this mother agency was New Jersey’s classification system. While focusing on particular weaknesses and needs did afford children the opportunity to receive specialized help, the proliferation of labels led to the construction of six types of defective delinquents. For each type of defective delinquent, Ellis, Doll, and other leaders of the experts prescribed a specific treatment plan that, of course, required the appropriate professionals and institutions to properly execute.⁴

Today, it remains difficult to “define” juvenile delinquency, yet reformers in the early twentieth century invented a plethora of ways to legally define behavior as “delinquent.” While these definitions lacked consistency, uniformity, or clarity, they were

⁴ Sadly, during much of the decade, the proper handling of defective delinquents who were *unstable* was a transfer to Dr. Cotton’s clinic for “stabilization.” Dr. Cotton, originally touted as a leading professional in his field, drew national attention and praise prior to his demise. Dr. Cotton’s “help” for his patients often resulted in unnecessary surgery that sometimes led to death.

always extraordinarily dangerous. Reformers' labeling of children exaggerated their threat to society, thereby establishing the need for helping professionals. Children suffered as a result of ambiguous definitions, broad statutes, and countless labels, while helping professionals thrived. Helping professionals were able to attain wealth and notoriety as they set out to clean up the mess from the storms they helped to construct and create.

Portrayal of Juvenile Delinquency

In Chapter Two, I argued that “A Cauldron of Fear” existed in 1920s New Jersey, and numerous reformers exacerbated rather than allayed the mounting fears. The Red Scare, a new youth culture, the rise of flappers, jazz music, Prohibition, Woman’s Suffrage, the Immigration Quota Acts, racial conflict, and a resurgent Ku Klux Klan amplified the extant fear, threatened social order and hierarchies, and intensified cultural conflict. In Chapters Three through Eight, I presented the manner in which individual and diverse sets of reformers capitalized on this foundation of fear. Public school reformers, institutional leaders, eugenicists, and other helping professionals all demonized children, transforming them into serpents which lurked dangerously in the Garden State’s shaky flora.

The Red Scare of 1918-1919 created widespread alarm in the country, even if only for a short while. In its wake, an increased distrust of foreigners, fear of internal enemies, and fear of violence and crime remained. Throughout the 1920s, the American public was hypersensitive to reports about crime and juvenile delinquency; the decade was therefore ripe for sensationalistic reporting of crime. New Jersey citizens were endlessly exposed to exaggerated claims about crime and delinquency. They were bombarded, by newspaper articles and state reports, with unsubstantiated or poorly

documented claims of a “crime wave.” Reformers used the hysteria about crime and delinquency to advance their diverse and often conflicting agendas.

Complicating matters further, low intelligence was linked to immorality and a predisposition to crime; as a result, a tool designed by Alfred Binet to be educationally helpful became a weapon employed by many reformers with less than noble agendas. Binet never intended for his tests to be used as extensively, unitarily, and haphazardly as they came to be utilized.⁵

In stark contrast to Binet’s intentions, eugenicists and other reformers reified the IQ score as a unitary measure of intelligence by marking some children as innately incapable. Hereditarians viewed intelligence as not only inherited but *fixed* and equated “heritable” with “inevitable.”⁶ Hereditarians misused IQ testing by applying tests to mark people and groups for inevitable stations in life. They enthusiastically portrayed that average differences between social groups were largely the results of heredity, despite the fact that environment, quality of life, and culturally-biased tests were the more likely culprits for differences in scores on mental tests. Reformers with ethnic biases used the intelligence test in their battle against new immigrants and their children. Unsatisfied with the symbolic victory of Prohibition, Nativist reformers claimed that intelligence tests provided incontrovertible proof that new immigrants were less intelligent and, consequently, a dangerous and defective class that was poised to commit crime at any moment.⁷

⁵ Curti; Siegler.

⁶ Gould., p. 156.

⁷ Ibid.

New Jersey was the center of for the intelligence testing movement, thanks to the aggressive promotion by the Training School in Vineland. Politically-savvy reformers such as Henry Goddard, Alexander Johnson, and Edward Johnstone portrayed the Vineland Training School as the ideal place to educate the feeble-minded. Goddard, who served as the Director of Research at the Training School at Vineland from 1906 to 1918, was one of the most influential reformers who warned of the “dangers posed to society” by the unchecked feeble-minded child. In lectures he delivered at Princeton University in April of 1919, and in multiple other publications during the 1910s and 1920s, Goddard linked low-intelligence to crime, delinquency, inefficiency, promiscuity, and sexual deviance. Goddard, the chief “scientist” and Director of Vineland’s Laboratory, portrayed his outlandish claims as scientific findings.

During the 1910s, Vineland developed a powerful political propaganda operation that spread eugenic fallacies throughout much of the United States. The leaders of the Vineland Training School recognized the importance of selling their solutions to delinquency and feeble-mindedness to the public. They aimed to educate the lay public, policy makers, educational practitioners, and university leaders of the importance of segregating the feeble-minded in institutions. Their personal and professional success, and that of the institution, depended on public and private support. For this reason, the Training School at Vineland created a Director of Extension Work. Superintendent Johnstone appointed his brother-in-law, Alexander Johnson, to this position, due to Johnson’s proven track record with mobilizing support for his causes. Johnson’s primary mission as Director of Extension Work was to educate (convince) the public and the politically elite of the importance of segregating the feeble-minded and the value of the

Vineland Training School. During the era, Johnson, Johnstone, and others literally gave thousands of lectures throughout New Jersey and 32 other American states.

Support for the erroneous belief that intelligence was a unitary, innate, hereditary measure that could definitively predict criminality slowly waned, but the portrayal of the feeble-minded as a dangerous class of individuals who needed to be segregated continued to shape the fate of juvenile delinquents in New Jersey throughout the 1920s. The Twenties were the apex of scientific management, and the measurement of children was advocated and enacted around every turn.

New Jersey reformers stopped at nothing to sell their concocted story that successive generations of imbeciles leading to the end of civilization were inevitable without sterilization, laws preventing the marriage of feeble-minded individuals, and segregation. During the early 1910s, New Jersey enacted a sterilization law and another statute outlawing feeble-minded marriage.⁸ The New Jersey Supreme Court quickly struck down the sterilization law, but the law symbolized the political power of eugenicists and their success in convincing the public and the legislature that the feeble-minded were a dangerous class of individuals.

Throughout the remainder of the 1910s and the 1920s, powerful New Jersey leaders such as Henry Cotton, Commissioners Burdette Lewis and William Ellis of the Department of Institutions and Agencies, Commissioner Calvin Kendall of the Department of Education, and Edgar Doll, who worked for both the Department of Institutions and Agencies and the Vineland Training School, all portrayed delinquent,

⁸ New Jersey's sterilization law predated the 1927 US Supreme Court's sanctioning of sterilization in *Buck v. Bell*. See Chapter Three for more information on this infamous federal high court decision

feeble-minded, and other types of “defective” children as menaces to public safety and sand in the wheels of social efficiency. While they sold distinct solutions - specialized education, expert training, segregation, sterilization, and detoxification – this diverse set of reformers found it universally beneficial to exaggerate the threat posed by “defective” children. By vilifying innocent children that they claimed to be helping, New Jersey reformers advanced personal, professional, and institutional agendas.

Treatment of Juvenile Delinquency

Given the volatility in New Jersey during the 1920s, it was a dangerous decade to be a child in the state. This was especially true if you were a child who was black, female, a recent immigrant’s child, or poor. The greatest danger existed for children who were deemed to be “feeble-minded,” as determined by an expert employing one of the misapplied and overused intelligence tests.

Chapter Three presented, in detail, the manner in which reformers have historically attempted to misuse “measurement” and “science” to perpetuate cultural, racial, gender, and class biases long before intelligence testing become the preferred mode of pseudoscience. Just as nineteenth century reformers tried to measure heads and bodies to substantiate the popular racial and ethnic biases of that era, eugenicists and other hereditarians used the intelligence tests to “prove” the supposed superiority of their race, ethnicity, and gender during a decade of cultural conflict.

The public school, the juvenile court, the training schools, reform schools, and state institutions all shaped the treatment of children labeled as delinquent. Justifying their existence and promoting their expansion, each entity had a special niche and a collective responsibility to “fix” the delinquent. New Jersey’s public schools, compelled

to educate nearly all of the state's children, had to assimilate and transform the new immigrant, unintelligent, African American, female, poor, mentally unstable, and other "pre-delinquent" children into the dominant cultural mold; consequently, a diverse, heterogeneous population had to adopt the "correct" morals, habits, virtues, patriotic convictions, reverence, and values. Through a 100% Americanization campaign and Character Education movement, New Jersey public schools sought to inculcate traditional values in a new, dynamic, heterogeneous student population.

Those children who could not be assimilated in the public schools were pushed out; this process often involved a child being branded with a special label that made clear that a public school was not the best institution to train and educate the delinquent. Any child who was called *incorrigible*, *truant*, *feeble-minded*, *habitually disobedient*, *unstable* or a myriad of other names could land in jail or juvenile court. During the 1920s, public schools which no longer wanted undesirable children or found that children were not being docile, obedient, and easily assimilated turned to the truancy officer. New Jersey's juvenile court statutes gave truancy officers great power to arrest not only children who were truant from school but also those whose behavior did not please teachers or school administrators. Law enforcement officials were mandated to assist the truancy officers with placing these children in some type of facility until they appeared in juvenile court. A number of children, including some as young as seven years old, were placed in jails with adults and received trials in every way like adults.

Aside from using the truancy officer get rid of unwanted children, New Jersey's public schools often simply ignored laws governing their operation. While laws required schools to provide special classes for children whose intelligence was deemed to be three

years or more *subnormal*, many school districts and, in some cases, entire counties had no such classes or reform schools. Additionally, hundreds, and possibly thousands, of the least intelligent children were simply not enrolled in any kind of public school due to the fact that public school officials called them *uneducable*. While the state of New Jersey did not officially permit or sanction the exclusion of these "uneducable" children, public school leaders used the term to justify their de-facto expulsion. Public schools acted as if these children simply did not exist.

Many other children who did attend public school but did not fit within the narrow understandings of "normal" were systemically encouraged to leave school at age 14; despite compulsory education laws that compelled attendance until age 16, a loophole in New Jersey's law permitted children to leave at age 14 if they attended a Continuation School for six hours per week, 36 weeks per year. These factors contributed to New Jersey's higher-than-average dropout rate during the 1920s. During an era in which New Jersey's public high school enrollment increased precipitously, New Jersey's public schools pushed out unwanted children years before the age of majority.

The thousands of children who landed in juvenile court faced an uncertain fate since the disposition of their case depended upon a judge's individual philosophy, as well as the availability of facilities and personnel in their particular counties. New Jersey's juvenile court judges handled each case on an "individual" basis. They could dismiss charges, remand the child to the care of his or her parents, place the child under the care of a welfare agency, give the child to a foster parent, assign the child to a training school for the feeble-minded, shove the child into a reform school, or sentence the child to a

juvenile correctional facility such as the New Jersey State Home for Boys or New Jersey State Home for Girls.

The decisions of juvenile court judges were partly influenced by the county resources. Wide variations existed from one county to the next in terms of their facilities and probation systems. Some counties had decent probation systems while others had, in effect, none. Probation work did not live up to the flowery ideals set for it; instead, most New Jersey counties' probation officers did little to nothing other than collecting fines from the families of children who were deemed to be juvenile delinquents. Some counties had private, county, local, or religious institutions which accepted *dependent* and *delinquent* children. In counties where these institutions were less prevalent, or in instances where a child had no advocate, children were "disposed of" according to the belief of the juvenile court judge--and this could include jail time.

This dissertation has revealed overt and covert ways in which New Jersey's educational system and its institutions treated individual children based upon the color of their skin, their family's socioeconomic status, their gender, their religion, and/or their perceived intelligence. African American children referred to the juvenile court were committed to the State Home for Boys and State Home for Girls at rates grossly disproportionate to that of white children. By the end of the 1920s, state data and investigations revealed this fact, yet disproportionate commitment rates continued for decades.

African American children were educated in both interracial and segregated schools. Due to the oppressive nature of the intermingled schools, African American leaders actually created *more* segregated schools during the 1920s for black children. The

State of New Jersey appeared benevolent when it created the Industrial and Manual Training School for Colored Youth in Bordentown, New Jersey; while it prepared some African American boys for unskilled and semi-skilled labor, the Bordentown School may have also perpetuated an economic caste system.

African Americans were not the only group whose children risked becoming “delinquent” as some reformers vied to “leave them behind.” Gender based discrimination was another example of how social biases impacted the treatment of children. Estelle Freedman exposed one historical double-standard that has existed for women; while men have always demanded “fallen women,” females have paid the moral and legal price.⁹ Despite the fact that boys were arrested far more frequently than girls and were committed to institutions for all other charges at a significantly greater pace, girls faced drastically disproportionate commitment rates for “sex offenses” during the 1920s. A pervasive gender-based double standard, fears about new freedoms for women, a new youth culture, and reformers’ claims that feeble-minded girls were particularly prone to immorality and sexual exploitation all made the 1920s a dangerous decade for any girl who was not seen as intelligent or did not adhere to the pristine image traditionalists deemed appropriate. Reformers such as Henry Goddard even advocated for the preemptive placement of feeble-minded girls prior to puberty due to his concerns that female sexual offenders were dangerous “defective delinquents” who posed a great threat to themselves and society. He recommended that pre-pubescent, feeble-minded girls be

⁹ Freedman, *Their Sister's Keepers; Women's Prison Reform in America, 1830-1930*.

placed in training schools indefinitely, “at least until the first strong impulses of adolescence [had] become somewhat modified.”¹⁰

Regardless of the reasons for their segregation, some “delinquent” or “feeble-minded” children ousted from the public schools often faced unpleasant and, in some cases, life-altering or life-ending fates. Ironically, a commitment to the State Home for Boys or State Home for Girls was a far better outcome than being placed in a training school. The State Homes attempted to reform children as they provided moral, character, academic, industrial, and habit training. For example, during the 1920s, Jamesburg was conducting multiple experiments with its juvenile delinquents. Many possible fates awaited the boys who were remanded to the State Home. All were studied, classified, and sorted, but the ultimate destination and method of treatment varied wildly. Some children thrived under new student leadership roles; most received an academic and vocational education tailored to their perceived abilities; hundreds ran away; others were isolated in colonies, segregation cottages, and discipline cottages; many were labeled “feeble-minded” and transferred for a life-commitment in a “charitable” institution or training school; a handful were labeled “psychopathic” and exiled to a unique and surprisingly successful Hamlet village; scores were beaten and battered through corporal punishment; and still others were maimed or killed by unnecessary surgery being portrayed as a potential cure for delinquency. The State Home for Boys in Jamesburg was at once a microcosm of the institutional ills of the State and its own shop of horrors.

¹⁰ Goddard, *Human Efficiency and Levels of Intelligence*., pp. 78-29. Goddard was making an assumption that all “dull” girls would become sex offenders.

While some critics viewed the State Homes for Boys and Girls as thinly disguised penal institutions, State Home officials released most children within one to three years by placing them on parole. By contrast, supposedly “feeble-minded” children being “helped” in the training schools faced indefinite or life sentences. Thanks to the success of Vineland's political machine, New Jersey expanded its ability to provide “permanent custodial care” to children and adults during the 1910s and 1920s. In addition to creating even more training schools,¹¹ the state sanctioned multiple “colonies” where older children and adults were permanently isolated from society. Through training schools and colonies, the state found a cost-effective method of social reform. The feeble-minded were hard workers, and their agricultural labor on the colonies’ land allowed the state to minimize the costs of their life-long segregation. In some cases, colonies turned a profit.¹² While training schools and colonies essentially turned the feeble-minded into either guinea pigs or slaves, reformers claimed that the feeble-minded were happy with the repetitious manual labor provided they received praise for their efforts.

Children discovered that a transfer to a “village of happiness,” such as the Training School at Vineland, was nothing to celebrate. When children learned that the state planned to provide permanent custodial care to “assist” them, many children attempted escape. One study found that “attempts to run away” occurred “in nearly half

¹¹ In 1929, for example, the State opened the North Jersey Training School for Girls in Totowa. See Chapter Seven for more details about the growth of training schools and colonies in the Garden State.

¹² Heath; “Menantico.”

of the cases” due to the oppressive nature of the life sentence that loomed for “feeble-minded” children.¹³

Perhaps an even grimmer reality was that New Jersey's elaborate classification system subjected countless juvenile delinquents to comprehensive evaluations; consequently, the classification clinic's experts branded children with dangerous labels. Edgar Doll and Department officials constructed labels for six supposedly distinct types of "defective delinquents," and powerful leaders such as Burdette Lewis and William Ellis sanctioned the prescribed treatment plans for these "special cases." Throughout most of the 1920s, children deemed to be an “unstable” type of defective delinquent were either treated in institutional facilities or sent to hospitals, such as the State Hospital in Trenton, to be “stabilized.” "Unstable” defective delinquents were frequently subjected to the preferred method of stabilization at the time, dental extractions, tonsillectomies, and/or detoxification surgery. Major surgery frequently resulted in death. Cotton's obsession with the pseudoscience of focal infection killed at least six children and maimed thousands of others. Although the fallacy behind Cotton's work was ultimately debunked, this was little consolation to those who were tortured and killed by the surgeon's knife during the late 1910s and 1920s. Detoxification added injury to injury during a decade in which the state's mechanisms to treat, educate, and aid delinquents demonstrated that the “helping professions” often do great damage despite altruistic intentions.

Limitations of this Dissertation

¹³ Ellis, "Experience in Classifying Defective Delinquents and Some Results Effected by Transfer from Correctional Institutions to Hospitals and Institutions for the Feeble-Minded.", p. 322.

My examination of the definition, portrayal, and treatment of juvenile delinquency in 1920s New Jersey was comprehensive, yet I must acknowledge some of the dissertation's limitations. First, the breadth and number of issues examined restricted the amount of attention paid to each topic. Delinquency reform movements, individual reformers, Jamesburg, Vineland, NJ public schools, and NJ's juvenile court all received considerable attention, but these and other topics are worthy of extensive, exclusive attention.

Second, since many documents were unavailable, this historical study is somewhat incomplete. Many important documents, such as numerous annual reports for Jamesburg, Vineland, and the New Jersey State Hospital, were mysteriously missing.¹⁴ Additionally, officials at the New Jersey State Archives denied me access to a multitude of invaluable New Jersey State Hospital records. While I reconstructed the history of juvenile delinquency in 1920s New Jersey by piecing together information from thousands of primary and secondary sources, the missing and suppressed records left important aspects of this story untold.

Yet another limitation of this historical study was my methodology. I attempted to avoid a strict "history from above" by reviewing a wide array of records,¹⁵ yet this history remains incomplete because I did not present the story of juvenile delinquency based upon direct testimony of those who were once portrayed as delinquents. Historians who incorporate oral histories as part of their studies are frequently able to provide more

¹⁴ Also, public school records would have provided important insight into how individual school districts handled difficult or delinquent children, but I found no such records. I doubt any New Jersey school district still stores individual pupil records for the 1920s.

¹⁵ These included educational, institutional, and legislative records; newspaper publications; professional journal articles; books; conference proceedings; important speeches; and a plethora of other documents written by or pertaining to numerous sets of reformers.

exquisite and complete detail,¹⁶ and my study would have been strengthened had I found one or more senior citizens who were portrayed and treated as juvenile delinquents during the 1920s.¹⁷

A fourth limitation of this dissertation was my struggle with objectivity. Despite constant self-policing and a strong desire to remain unbiased, I found myself growing outraged at the many injustices cited throughout this dissertation. Good research “must be objective enough to present both sides of an argument and acknowledge where the weight of evidence falls.”¹⁸ Despite every effort to avoid bias, one weakness of this dissertation may be an occasional lack of sensitivity to the fears and concerns of some reformers who caused great harm to children in advancing their agendas. Some reformers, such as eugenicists, portrayed themselves to be “watch-dogs” trying to save society from decay; they have at times in this dissertation been portrayed as “wolves” dressed in professional clothing, hunting for the advancement of their agendas in packs and defending their racially and ethnically biased crusade through “scientific evidence.”¹⁹ The fact that the “watch-dog” reformers began to resemble “wolves,” and the reality that children were

¹⁶ Andrew Scull’s history on Henry Cotton and the Trenton State Hospital was one example. Scull interviewed a lucid Phyllis Greenacre prior to her death; consequently, his historical account of what transpired at the State Hospital during the 1920s was significantly richer.

¹⁷ Unfortunately, the vast majority of juvenile delinquents from the 1920s are now dead; any individuals still living would be approaching, if not over, 100 years old.

¹⁸ Kjell Erik Rudestam and Rae R. Newton, *Surviving Your Dissertation; a Comprehensive Guide to Content and Processes* (Newbury Park, CA: Sage Publications, Inc., 1992), p. 49.

¹⁹ This researcher is tangentially referencing Edward Ross’s upcoming quote. Ross’s reference to “watchdogs” snapping at each other actually alluded to his belief that needless bickering was taking place in society between different religions (Catholics and Protestants, in particular), races, ethnicities, and social classes. Ross believed that the “sinners” who hurt others the most, the “wolves,” were high ranking corporate officials who used unscrupulous, unethical, immoral, or illegal means to increase their financial fortunes.

often victimized by some of the 1920s “helping professions,” made objectivity and a balanced presentation of data a challenge indeed. I acknowledge that a future researcher could reexamine the “data” reported in this historical dissertation and find that some of the material presented was selectively chosen.²⁰ Regardless, I strived to reconstruct the story of juvenile delinquency in New Jersey during the 1920s according to where “the weight of evidence” fell.

Suggestions for Future Research

I hope that future researchers will view juvenile delinquency as an important topic worthy of additional scholarly inquiry. Taking into account the gaps left by this dissertation and other studies, I suggest the following future research: examine the treatment of juvenile delinquency (i.e. egregious misbehavior) in one school district over the course of three or more decades;²¹ study the efficacy and evolution of New Jersey’s juvenile courts from 1903 through 2003; trace treatment methods employed at the New Jersey State Hospital in Trenton from 1848 to today; examine the changes and practices of the Training School at Vineland during the first-half of the twentieth century; trace the personal and professional life of Frederick Ambuhl from Europe to the United States and examine his influence on delinquency in New Jersey; write a biography on William Ellis, who served as Commissioner of the New Jersey Department of Institutions and Agencies from 1926 through 1945; survey state, district, and/or school-level educational

²⁰ Stephen Jay Gould reexamined Paul Broca’s nearly flawless statistical work and found that the power of suggestion led Broca to select or interpret around certain types of data. See Gould. Despite keeping an open mind and trying to present all sides of each issue, there is little doubt that I selected documents that supported arguments I made throughout this study.

²¹ I suggest tracing how external social changes influence the treatment of delinquency in the school and also suggest examining how school district politics and school leaders’ attitudes shape delinquency.

administrators regarding their beliefs about delinquency and examine if there is any correlation with the local treatment of poorly behaved children;²² compare and contrast the portrayals, definitions, and handling of delinquency during relatively peaceful decades versus tumultuous ones;²³ conduct case studies of unique community, school, and family partnerships that are perceived as successful in reducing juvenile delinquency; and unlock the suppressed documents in the New Jersey State Archives to complete the unfinished story of juvenile delinquents' treatment in Henry Cotton's Trenton State Hospital during the 1920s. These are only a few of a seemingly endless number of avenues that could be explored. Each of these suggested studies may provide meaningful, needed insight into juvenile delinquency.

The Significance for Education and Educational Administration

In 1907, Edward Ross stated:

The divisions and cross-purposes of decent people give the sinner his chance to get away. It is the honest man who falls into heresy. But the latter-day sinner is sleek, orthodox, and unoffending. He conforms in everything save conduct. No one can outdo him in lip homage to the law and the prophets. It is the law-abiding who are scandalized by one another's nonconformity. They split on beliefs and practices because they care for such things. But men who take the cash register for their compass are nobly tolerant. This is why, in these times that try men's fortunes, sinners rush to one another's aid, excuse and support one another under fire. The monopolists, small and great, local and national, grope their way to one another, strike hands, and as "captains of industry" present to their critics an unbroken front. The security jugglers, from the county-seat town to Wall Street, feel that as

²² The difficulty with any quantitative or mixed qualitative and quantitative study involving delinquency is the general lack of reliable data. For example, trying to use state Violence and Vandalism data self-reported by local school districts would be futile because the system promotes an unpredictable amount of underreporting that varies from one district to the next. It would probably be far more advantageous to find a limited number of comparable school districts that would allow a researcher to administer a survey and review local school records (such as suspension reports, expulsion records, and district mechanisms to address delinquency).

²³ I believe that the 1920s and 2000s, which followed the Red Scare and 9/11, respectively, were "unforgiving" decades that led to stricter and more aggressive treatment of any behavior that strayed from the constructed norms.

*“authors of prosperity” an injury to one is the concern of all. Adulterators and commercial crooks rally as “enterprising business men.” The puppets of the Interests, from the town council to Congress, stand together as “statesmen.” On the other hand, the public they plunder ...divides on race, creed, or style, pelts the nonconformists more than the sinner, and lays on a little finger where it ought to wield a fist. Thus the wolves hunt in packs, while the watchdogs snap at one another.*²⁴

As I write this final chapter, the United States is currently experiencing one of the greatest financial crises it has ever known. The passage above was written 103 years ago by Edward Ross in *Sin and Society; an Analysis of Latter-Day Iniquity*, yet Ross’s words may send a chill to the bones of any contemporary reader who, in recent years, has witnessed the nation’s economy unravel. Ross would surely blame our current plight on “criminaloids,” those high ranking corporate officials who deftly plunder from the masses due to their own financial greed.²⁵ I am certainly not a financial expert, and Ross’s words were not shared to begin a lengthy tangential diatribe on finance that is not related to this dissertation.²⁶

Ross’s century-old quote and the current financial devastation are proof, however, that we can and should learn from history in order to see the present with more wisdom and vision. Communities desiring a “better approach” to address the modern-day problem of juvenile delinquency, and school leaders aiming to create the “one best educational system,”²⁷ frequently approach seemingly new problems rather blindly, failing to

²⁴ Ross., pp. 87-89.

²⁵ An internal Wall Street email from December 15, 2006 contained the following statement: “Let’s hope we are all wealthy and retired by the time this house of card falls.” See <http://www.cnbc.com/id/28892719>.

²⁶ For a comprehensive documentary about the crash of the housing market and the worldwide economic fallout caused by it, see “House of Cards,” (United States: CNBC, 2009).

²⁷ Tyack, *The One Best System*.

appreciate that the problems are truly old ones with new contextual variations. Dorothy Shipps and Larry Cuban (2000) explained, “Contemporary notions of the common good embodied in the institution of schooling need reconceiving, perhaps resuscitating. This is not for lack of political treatises or communitarian prescriptions calling for a greater awareness of democracy, community, and the whole child’s needs in the schools. It comes, we think, from forgetfulness.”²⁸ In an attempt to provide a rich historical context to a problem that is seemingly unique to the present day, I examined how reformers defined, portrayed, and addressed juvenile delinquency in New Jersey during the 1920s.

I employed a “New History”²⁹ perspective in this historical study. Juvenile delinquency, like any other topic, “has a past which can in principle be reconstructed and related to the rest of the past.”³⁰ I believed that reporting on juvenile delinquency in isolation, as if its history occurred in a vacuum, would have been unwise. Consequently, this study looked at a myriad of intersecting histories. These included: the tumultuous background of the 1920s in Chapter Two; the manner in which intelligence testing, eugenics, the efficiency movement and other “scientific” developments were heralded as solutions to society’s ills in Chapter Three; an examination of “labeling” and the “political language of helping professions” in Chapter Four; the interplay between New Jersey public schools and delinquency in Chapter Five; the development of the New Jersey juvenile court in Chapter Six; the rise of institutionalization, the birth of the New Jersey Department of Institutions and Agencies, and details about the State Home for

²⁸ Larry Cuban and Dorothy Shipps, eds., *Restructuring the Common Good in Education* (Stanford, CA: Stanford University Press, 2000), p. 226.

²⁹ Burke, ed.

³⁰ Haldane., p. 3.

Boys and the Training School at Vineland in Chapter Seven; and the tragic tale of Henry Cotton and his New Jersey State Hospital in Trenton in Chapter Eight.

It is my hope that modern educators and educational administrators will view current problems with delinquency through various lenses, acting as practitioners who have gained some additional wisdom from studying history. Although the goal of this dissertation is not to compare the 1920s to modern day, it was inevitable to compare and contrast then and now. In 1927, the New Jersey Commission to Investigate Crime explored the reasons behind the purported “crime wave.” They attributed the disturbing conditions in society to the breaking up of home life, the lessening of responsibility of the family, liberal self-expression, movies glorifying violence and crime, negative influences of music, the demise of religious faith, alcohol, drugs, weapons, unwelcome aliens, the coddling of criminals, conditions in cities, a departure from traditional discipline and morals, and modern technology.³¹ Contemporary readers may be shocked to hear that the same arguments being espoused today to explain the disturbing conditions in modern society were stated, almost verbatim, eighty-three years ago. Every generation seems to recall the “good old days” as better, safer, more moralistic times with less crime and chaos.

The commission’s 1927 summation of society’s problems, and the quote by Edward Ross at the commencement of this section, are two examples that seemingly new problems are truly old ones.³² My examination of the definition, portrayal, and treatment

³¹ Raymond and others.

³² This researcher wonders if our country would be in the current financial crisis if every high school or college student was required to read Edward Ross’s *Sin and Society*. Ross’s warnings were clear and his insight profound. While greed may never be extinguished, history has demonstrated that well trained

of juvenile delinquency in 1920s New Jersey has hopefully provided a rich study of a problem from which current educators, educational administrators, and others concerned with the problem of juvenile delinquency can learn.

Current educators and educational administrators grappling with the problem of juvenile delinquency must first comprehend that the term is a social construct. Despite the fact that the term juvenile delinquent has been used for over a century, New Jersey's educators are probably no more certain of an appropriate definition today than their counterparts were one century ago. This acknowledgment should begin to reshape the way we think about challenging students we label. By assigning a label to a child who deviates from some value, standard, or purported norm, the child is made into a special being. During the 1920s, the term delinquent was promiscuously used, and countless other labels were affixed to children. Children assigned one of the countless, frequently interchangeable labels often faced life-altering consequences. Some labels assigned to New Jersey children, the most damaging of which was the term feeble-minded, made it easy for schools to push out unwanted children for placement in specialized training schools. New Jersey's public schools rid themselves of many different types of "unwanted" children in a multitude of other ways. Modern educators and school administrators are encouraged to examine the formal and informal labels they are currently affixing to individual and groups of children and are urged to contemplate how such labels influence the portrayal and treatment of these students.

It is easy to vilify those reformers who pushed out more difficult children from New Jersey's public schools during the 1920s, yet there remains today an incessant tug-of-war between those wishing to keep all children in school and others wishing to push out the challenging students who make the classroom or the school less efficient or more difficult to manage. Although I have already acknowledged that it was difficult to present the story of delinquency in the 1920s without bias, to be fair, I must mention again that New Jersey's schools were facing significant challenges during the decade.

Industrialization led to demands for an education that would provide children with useful skills to prepare them for employment; the "professionalization" of many careers and the soaring popularity of secondary education required schools to raise the academic bar during a time when children of varied intelligence and work ethic were being compelled to attend; the Red Scare and fear of internal subversion required schools to keep students and the public feeling safe; children of traditional Nativists, African Americans, and new immigrants were mixed together in classrooms to receive a uniform education during a decade marked by intense cultural conflict, Immigration Quota Acts, Prohibition, and the rise of radical organizations such as the Ku Klux Klan; children with "subnormal" intelligence were to be educated in New Jersey's public schools at a time when "professional" knowledge about how to best educate children with learning disabilities or other unique needs was only beginning to emerge; in short, public schools were expected to effect "social change through individual transformation"³³ by employing instructional programs that had originally been tailored for a motivated, relatively homogenous student population to a diverse, heterogeneous population. New Jersey schools did their best

³³ Justice.

during the 1920s to Americanize, instill morality, teach character education, sell the importance of religion, and transform culturally diverse children into one mold. These significant challenges exerted great pressure on the public school system. Like a pressure-cooker, some steam had to be released, and this steam came in the form of unwanted children being pushed out of public schools. It was misfortunate, and in some cases tragic, that New Jersey's legislature, juvenile courts, and public school system made it easy to segregate unwanted children during the 1920s.

While modern-day special education laws require schools to place children in "the least restrictive environment," during the 1920s, subnormal children, most often called "feeble-minded" children, were placed in the "most restrictive" environment as frequently as possible. This was especially true if the child was labeled as incorrigible due to bad behavior. Additional restrictive and segregated environments would have surely been procured for thousands of additional children in New Jersey during the 1920s had space existed. Henry Goddard defined the delinquent as "one who has been left behind," and in 2010 our public schools are operating under the mandates of federal "No Child Left Behind" legislation. Despite this apparent progress, it would be naïve to believe that all public educators want to teach every child in the public schools. Nearly all teachers have altruistic intentions, but some teachers and school administrators now, similar to many of their predecessors in the 1920s, believe the most difficult children should be pushed out of the public schools. It is easy to lambaste these educators when the needs of the struggling or poorly behaved child are in the front of our minds, but teachers and administrators who espouse this belief often have plausible arguments.

Children who are poorly behaved make it very difficult for a teacher to keep order in the classroom, let alone deliver instruction. Teachers typically have forty to forty-five minutes to present new material to twenty-five to thirty students. Contemporary teachers are “expected” to differentiate instruction according to the unique ability levels of the heterogeneously grouped children in their classroom. If teachers present new material for half of the class period, this typically leaves them approximately twenty to twenty-two minutes. Even if students are assigned “seat work” for the remainder of the period, which is often regarded as poor pedagogy, the teacher striving to work individually with each student in the classroom would have approximately 45 seconds to work with each child. This painted scenario assumes, of course, that children are consistently “docile and obedient.” The disaffected student, who often is frustrated and feels inferior because the academic level of the work being presented is truly not differentiated to his ability level, often “acts out” and presents a challenge to the teacher through disruptive behavior. The teacher demands better behavior, and the child either conforms to the demands to behave appropriately or does not. Due to reasonable concerns about having insufficient time to properly educate each child even with perfect student behavior, and compounded by the fact that some teachers have not learned skills to properly address misbehavior, teachers often “feel compelled” to send children out of the classroom to the main office.

The school administrator, most often a Vice Principal, Assistant Principal, or Dean of Students, now attempts to “fix the problem” as an “expert” disciplinarian. Armed with the ability to impose harsher sanctions on the child, such as in-school suspension, out of school suspension, threat of police action, referral for psychiatric evaluation, and recommendation for an expulsion hearing, the school administrator tries to remedy the

problem. School administrators in charge of discipline often spend the majority of their day on disciplinary issues. Compounding the problem for these school administrators are the many other demands of their jobs. Administrators who spend most of their day doing discipline often have dozens or hundreds of teachers to supervise, observations of lessons to conduct, a myriad of reports to write and review, parent complaints to be investigated and addressed, school facility concerns to rectified, resumes to be screened, teachers to interview and hire, and countless meetings to attend. Ideally, school administrators will also be working on proactive programs that are aimed at improving teaching and instruction and reducing teasing, bullying, school violence, student misbehavior, student truancy, student apathy, and student academic struggles.

Given the important function and many hats of the school administrator, some educators question the sensibility of having 2% of the student population consume 60% of administrators' time. These “frequent flyers,” as the handful or couple dozen consistently disruptive students in any given school are sometimes (informally) labeled today, present an appreciable challenge to contemporary public schools. New Jersey school laws permit school districts to expel students for a variety of reasons; however, many districts, due to the financial cost involved, fear of litigation, and/or philosophies of the School Board or Central Administration, fail to expel students except for “extremely egregious” offenses.

Just as their predecessors faced significant pressure to exile unwanted children during the 1920s, modern public school leaders struggle to balance the individual rights of children with the efficient operation and “safety needs” of the school. Whether current teachers and administrators realize it or not, their decisions on how to address

misbehavior, and the fates of today's "delinquents," are being shaped by social, legislative, judicial, and political forces. Unless school leaders truly study the full context of the problems they are facing, panaceas will continue to fail and will perpetuate frustration in a profession that has grown weary of top-down reforms that are poorly conceived and implemented.

Final Thoughts

I have examined the definition, portrayal, and treatment of juvenile delinquency in New Jersey during the 1920s through many lenses and from multiple angles. A rich, historical context has been presented to a problem that is seemingly unique to the present day. While particular findings of this dissertation have been examined in greater depth and more sophistication by other researchers, this dissertation has revealed the extent to which the definition, portrayal, and treatment of delinquency can be shaped by a myriad of social issues and steered by the overt, hidden, and sometimes conflicting agendas of multiple reformers.

This historical examination of juvenile delinquency in 1920s New Jersey was not aimed at "discovering the causes" of juvenile delinquency, nor did I attempt to present panaceas to "solve" the problem.³⁴ Despite the horrors that were exacted on children

³⁴ Educators and educational administrators may benefit from using the framework of this dissertation as a guide when reflecting on juvenile delinquency. Using the progression of my chapters as a model, I believe this dissertation can provide modern school leaders with an important set of questions to answer: How are changes in society influencing the manner in which delinquency is being defined, treated, and addressed? Are helping professionals affiliated with the school system using "political language" and, if so, how does this language shape children? Are labels helping or hurting children? Are public schools reducing or increasing delinquency? Are there any systemic forms of discrimination being perpetuated through the state or local school systems? What types of youth misbehavior do juvenile court statutes currently prohibit? How are judges "adjudicating" juvenile cases brought before them? How is the local community assisting the family and the school in addressing delinquency? What is taking place in the state's residential institutions when a child is segregated to a specialized facility? Is there any advocate for a child who is exiled from the mainstream to make sure the fate that awaits them is humane and helpful? Have the

deemed to be "delinquent" during the height of the eugenics movement, New Jersey reformers slowly but gradually began to transform their views on the delinquent child during the 1920s. The belief that delinquency was caused by a unitary factor, feeble-mindedness, that was "permanently fixed" in the "defective" new immigrant "stock" eventually faded. Initially, institutionalization was widely portrayed as the only suitable solution to address the "menace" to society caused by the *feeble-minded* child or the *defective delinquent*; by the late 1920s even the most vocal hereditarians began to acknowledge that institutionalization was not always necessary. By the 1930s, New Jersey's leaders more commonly believed the delinquency had "many causes," and the focus was primary on how to assist children whose environmental situation and lack of "satisfactory human relationships" placed them at an increased risk for delinquency.³⁵ During the 1930s, some New Jersey school districts developed comprehensive systems to identify and diagnose problems, improve facilities for special education, and expand recreational facilities. The New Jersey Juvenile Delinquency Commission, established in 1936, wrote a report that was "the most elaborate social research on delinquency in the decade."³⁶

Amidst the gloomy history and miserable failures of New Jersey reformers' efforts to address juvenile delinquency were mixed innovative, thoughtful, well-intentioned programs to help them. Similar to the horrors that have been resuscitated through this historical study, promising approaches and programs to address juvenile delinquency are

trendiest and most popular forms of "science" or "efficiency" been thoroughly examined before their implementation?

³⁵ See Turner, Hopkins, and Ellis, *Justice and the Child in New Jersey*.

³⁶ Leiby., p. 265.

buried away in unread books on dusty library shelves. These treasures are waiting to be rediscovered. Future historical research into some of these promising practices, and the myriad of reasons undoubtedly behind their creation and demise, would be of great practical use to current leaders working with children.

James Trent (1994) stated, "History cannot predict the future. What it can provide us are touchstones - memories and visions of what was and what might have been."³⁷

Edward Ross's lengthy quote in this chapter raises the question of what might have been, in other words could the current financial crisis had been averted, if his century-old text was a requirement for all students. It is difficult to read about the injustices and inhumane treatment of delinquents in 1920s New Jersey without wishing for what might have been, hoping that the lives of thousands of children that were forever altered could have gone differently. There are no time machines, but, fortunately, we can learn from our mistakes.

³⁷ Trent., p. 277.

APPENDIX A

From: Tom Ferry [mailto:tferry8420@yahoo.com]
Sent: Thursday, August 27, 2009 2:03 PM
To: Joseph Klett
Subject: Request for permission to access records

Dear Mr. Klett,

I have been instructed by your archivists to contact you in the absence of Mr. Niederer. My name is Tom Ferry, and I am a doctoral student at Rutgers University . I also serve as a Vice Principal of Carl Sandburg Middle School in Old Bridge , NJ . I am writing my (historical) dissertation on "Juvenile Delinquency in New Jersey during the 1920s," and the records at the state archives have provided important details and data that strengthen and enhance my dissertation. From the late teens through the late 1920s, Dr. Henry Cotton served as the director of Trenton State (Psychiatric) Hospital. Cotton (erroneously) believed that "focal infections" of the teeth, tonsils, stomach, uterus, etc. led to mental instability and/or mental illness. Consequently, under his leadership thousands of patients had teeth unnecessarily removed and had dangerous and often deadly surgery. Hundreds of individuals died during this era during his quest to cure mental illness by removing teeth and organs. An outstanding book has recently been written on this matter (Madhouse; A tale of megalomania.... by Skull).

My dissertation is looking at how delinquency was defined, portrayed, and addressed in NJ during the 1920s. The psychiatric clinic for the state, headed by Cotton, assessed children at Jamesburg, the Vineland Training School , and other facilities housing delinquent and/or feeble-minded children. A transfer system originated through which children who were unstable were to be cured through removal of the teeth and/or surgery. Some children died as a result.

I have been analyzing annual reports published by the Trenton State Psychiatric Hospital , and I am also interested in looking at Dr. Phyllis Greenacre's (rather famous) report from 1924-1926 during which she refutes Cotton's erroneous claims that he was curing many people. To the contrary, she found that his efforts were killing more people than they were helping. This report has no names of children, to the best of my knowledge, but does have some names of adult patients.

I am requesting permission to access Dr. Greenacre's report and/or daily hospital records that may contain patient names, etc. Although any name listed would, almost certainly, be dead, I can assure you that I will not publish any patient name in my dissertation or any other article that may subsequently be published. This is only one facet of my dissertation, but this information is crucial to my research and dissertation.

Thank you for your consideration of this request. I am hoping that you may read this today and be able to provide a quick response, as I am hoping to take tomorrow off of work to visit Trenton once again and complete this research.

Sincerely,

Thomas Ferry (My phone number, if you need to call me for any reason, is (XXX)XXX-XXXX.¹

¹ Phone number redacted for privacy.

From: Bette Epstein Bette.Epstein@SOS.STATE.NJ.US

Sent: Tue, September 1, 2009 2:54:05 PM

To: Tom Ferry tferry8420@yahoo.com

Cc: Joseph Klett <Joseph.Klett@SOS.STATE.NJ.US>; Karl Niederer <Karl.Niederer@SOS.STATE.NJ.US>; Ellen Callahan <Ellen.Callahan@SOS.STATE.NJ.US>; Catherine Medich <Catherine.Medich@SOS.STATE.NJ.US>; Janet Jackson <Janet.Jackson@SOS.STATE.NJ.US>

Subject: RE: Request for permission to access records

Dear Tom Ferry:

1) My apologies for the delay in responding to your request.

2) The State Archives has limited flexibility with regard to allowing access to institutional and patient records. As you know, state law and regulation prohibit us from disclosing information regarding the mental-health treatment of any person or documentation that would identify specific patient names.

3) We can provide you with a copy of Dr. Phyllis Greeancre's Report, ca. 1920s, but we will need to redact any of the patients' names. This report is 125 pages, and therefore the copy fee would be \$125.00.

Janet Jackson also mentioned that you were interested in the Annual Report from Trenton State Hospital from 1929. That annual report is 45 pages, and therefore the copy fee would be \$45.00. Again we would need to redact any instances of patients' names.

Let us know, if you agree to these copy fees. Make your check payable to: New Jersey General Treasury. Send your checks and request to my attention.

Bette M. Epstein
New Jersey State Archives
P.O. Box 307
Trenton, New Jersey 08625-0307

4) Mr. Joseph Klett, Deputy Director for Archives, and Mr. Karl Niederer, Directory Division of Archives & Records Management, are considering your request for access to other State Hospital and institutional records. They will contact you when a decision has been made.

5) You may want to check the New Jersey State Library Catalog online. The State Library is the repository for all published annual reports, hearings, etc.
<http://www.njstatelib.org>

New Jersey State Library
Deborah Mercer
dmercer@njstatelib.org

Sincerely,
Bette M. Epstein,
NJ State Archives

From: Joseph Klett <Joseph.Klett@SOS.STATE.NJ.US>

Sent: Tue, September 1, 2009 4:28:26 PM

To: Tom Ferry <tferry8420@yahoo.com>

Subject: RE: Request for permission to access records

Dear Mr. Ferry:

My apologies for the few-day delay in responding to your request. (I have just returned to work after a leave of absence and am catching up on e-mail, etc.) Thank you for your message and for letting us know about your interesting research on an important topic.

As for accessioned records of Trenton Psychiatric Hospital and other state institutions, the State Archives currently has very limited flexibility with regard to allowing access to these materials. State law and regulation prohibit us from disclosing information regarding the mental-health treatment of any person or documentation that any person has received or is receiving mental health care. This means, very clearly, that we are not permitted under the law to allow you to access records *which would inform you of the names of patients in psychiatric hospitals or persons in other institutions who have been assessed for mental illness or treated for mental health*. Under existing law, there is no time limit or "sunset" on these restrictions. Your assurances that you would not publish the names of patients or inmates is certainly much appreciated; nevertheless, they do not change our legal responsibility to prohibit access, i.e. viewing, of any records that name patients or inmates regardless of whether such records are copied or quoted (as to names).

Having said that, please be advised further that our division director, Karl Niederer and I will present your request and, more generally, the issue of access to collections which contain restricted materials to the Attorney General's Office and request an opinion relative to reference policy.

Thank you.

Sincerely,

Joseph R. Klett
Deputy Director for Archives
NJ Division of Archives and Records Management

cc Karl J. Niederer, Director, NJDARM
Bette M. Epstein, Reference Supervisor
Ellen R. Callahan, Collection Manager

From: Tom Ferry [mailto:tferry8420@yahoo.com]
Sent: Wednesday, September 02, 2009 1:33 PM
To: Joseph Klett
Cc: Karl Niederer; Bette Epstein; Ellen Callahan
Subject: Re: Request for permission to access records

Dear Mr. Klett,

Thank you for your well written response.

I appreciate fully the sensitivity and confidentiality associated with psychiatric and institutional records containing patient names, perhaps even more so because my own mother is paranoid schizophrenic.

I thought and was hoping that due to the age of the records (records that are 80-90 years in the past) and/or the nature of my research that I would be granted access to confidential material, even those containing names.

It would be advantageous to be able to trace the path of an inmate to the Trenton State Hospital (and in some cases to a death certificate); permission to access confidential records containing names would be invaluable.

If this will not be granted to me, I can still certainly benefit from accessing important documents (such as the Greenacre report, which was a comprehensive report from the mid 1920s analyzing Cotton's erroneous claims about his cure rate) with any names redacted.

I look forward to hearing from you and/or Mr. Niederer. I have spent several years on my dissertation, and these findings are some of my most important to date. I hope that they will have historical significance and practical impact. Access to this information is truly crucial to my work, and I greatly appreciate anything you can do to help me.

Sincerely,

Tom Ferry

From: Joseph Klett <Joseph.Klett@SOS.STATE.NJ.US>
To: Tom Ferry <tferry8420@yahoo.com>
Cc: Karl Niederer <Karl.Niederer@SOS.STATE.NJ.US>; Bette Epstein
 <Bette.Epstein@SOS.STATE.NJ.US>; Ellen Callahan <Ellen.Callahan@SOS.STATE.NJ.US>
Sent: Thursday, September 3, 2009 10:08:47 AM
Subject: RE: Request for permission to access records
 Dear Mr. Ferry:

Thank you for your thoughtful message. Mr. Niederer presented the issue to the Attorney General's Office yesterday; but of course we can't force them to render an opinion within a specific deadline so we'll have to see what response we get and press for an opinion if there is delay.²

While we will defer to the Attorney General's Office relative to implementing the privacy laws, I will also respectfully suggest that the intent of the law is probably not just to protect the privacy of the persons who have received health care, but also to protect their families' privacy. Therefore, minors treated in the late 1920s (as you have referenced) might well be living, and very well might have children and grandchildren living.

Hopefully Ms. Epstein's message regarding copying the Greenacre report and annual report sufficiently addressed that portion of your request.

With best regards,

Joseph R. Klett
 Deputy Director for Archives, NJDARM

² Although Mr. Niederer, Director Deputy of the Archives, promised this researcher on September 3, 2009 that archives' administrators would "press" the Attorney General's office for an opinion, this researcher has not been provided with any update on this matter as of February 28, 2010. This researcher was also repeatedly denied access to important records during multiple visits to the New Jersey State Archives. During and subsequent to the 1920s, Phyllis Greenacre's report was suppressed. As evidenced by emails provided in this appendix, The State of New Jersey continues to suppress important records related to the Trenton State Hospital to this day.

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