

Unearthing Reformatory Schools and the Juvenile Courts in Nashville, Tennessee: 1820-1944

By: Candace Cupps

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There have always been untold stories in history. Some stories are not told because they are categorized as unimportant. Others are skipped over because they are too important. The history revealed in this paper is important. It is important because it makes people look harder at state run institutions and policies. It is important because mistakes that are covered up often lead people to repeat them in the future. This story is one about children, courts systems, reform, abuse and moral obligations. It is about a nation struggling to conform to a variety of citizens and classes. It is about racism and unfair treatment. It is about a little boy named Napoleon Williams and others like him that were given lengthy sentences to serve out their remaining childhood in places that could be described as “hell holes”, yet created to save them. This is the history of the care of delinquent and abandoned children and reformers’ efforts to protect them from a life of crime and destitute.<sup>1</sup>

By studying the development of two reformatory schools for boys founded in Nashville, Tennessee at the beginning of the twentieth century, this paper will examine the juvenile reform methods of the south during the Progressive Era. The history of these institutions and inmates will be revealed and the question of whether or not the juvenile courts were helpful or harmful will be examined. I will begin by giving information on the development of the juvenile courts and laws, the perception of childhood crimes, and the reform efforts that lead up to the development of the schools in Nashville. The following section is extremely important because it explains the reasons why reformatory schools exist, and sets the stage for the rest of the paper.

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<sup>1</sup>The majority of the articles and books I encountered in my research focused on the juvenile courts and their negative impact on the juvenile justice system at the turn of the twentieth century. Although the juvenile court was supposed to be created to help young offenders, the theories circulating recently reveal an opposing perspective. Historians now believe that the juvenile courts and laws were created as another way to control the poor and emigrants “threatening” to make “true” Americans the minorities. Some of the sources that support this are Cecile P. Frey, “The House of Refuge for Colored Children”, *The Journal of Negro History* (Spring, 1981); John R. Sutton, *Stubborn Children: Controlling Delinquency in the United States, 1640-1981* (Berkeley: University of California Press, 1988); Mary Carpenter, *Reformatory Schools: For Children of the Perishing and Dangerous Classes and for Juvenile Offenders* (New York: Augustus M. Kelley Publishers, 1969).

### Saving the Innocent

In order to understand the circumstances that brought about the reformatories in Nashville, it is important to understand the history and the reformers that called for their development in the first place. Juvenile facilities or “reformatory schools” were considered an American institution and were just beginning to become established in the early twentieth century. Although there had been a push to protect children from adult punishments since the colonial period, the age of adulthood was much different in the late eighteenth and early nineteenth centuries, making a child of seven responsible enough to be tied as an adult. However, as time went on, judges and juries often refused to indict young offenders to spare them from the harsh punishments. During the mid nineteenth century new ideas concerning the development of children inspired courts to expand the age of accountability and adult reasoning into the teen years and the first separate youth facilities began to appear.<sup>2</sup>

In 1820, the cities of New York, Philadelphia and Boston founded the first juvenile facilities in America that were publically funded. They were known as the “houses of refuge.” These sanctuaries not only housed youths who had committed crimes, but also those who were orphans, came from poor or immigrant families, or were disobedient and neglected. They served as poor houses, supervising children up to the age of sixteen. According to John R. Sutton these facilities implemented Calvinism beliefs and Jacksonian democracy. The fear of social disorder prompted harsh discipline within these institutions. Although they began with good intentions, eventually these facilities became storage houses for a variety of delinquents and dependent

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<sup>2</sup> Herbert H. Lou, *Juvenile Courts In The United States* (Chapel Hill: The University of North Carolina Press, 1927), 14; Barry C. Feld, *Bad Kids: Race and the Transformation of the Juvenile Court* (Oxford: Oxford University Press, 1999), 46-48.

children, all of which were treated in the same manner. The only separation that could be recognized was that of race.<sup>3</sup>

Another thirty years passed before African American children had their own place of salvation. According to Cecile P. Frey, it was not until 1850 that Philadelphia opened a separate facility called the House of Refuge for Colored Children. Until then, black children resided in jails with adult prisoners because they were not allowed into the all-white refuges. The House of Refuge for Colored Children was the only time during the 1800s that a northern state opened up a facility designed only for African Americans. Reformatories and juvenile facilities, even up until the 1950s, maintained separate branch for “colored” boys and their treatment was always a lesser concern. African American girls were invisible in reports during this time, so one can only assume what kind of treatment they received, if any at all.<sup>4</sup>

As rough as they were, the houses of refuge did bring about three significant changes that influenced the way juveniles were treated in the future. Sutton, in his book *Stubborn Children*, tells of the three innovations in juvenile justice that the houses of refuge created. The first was “legislation explicitly recognized a distinction between juveniles and adult offenders”. The second was the invention of the “indeterminate sentence” for juvenile offenders. The third innovation was that “legislation broadened the legal liability of children to include not just the lawbreaker, but also incorrigible and neglected children”.<sup>5</sup> These “improvements”<sup>o</sup> to the

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<sup>3</sup> Sutton, 43; Feld, 52.

<sup>4</sup> Frey, 10.

<sup>5</sup> Sutton, 43.

<sup>o</sup> There is a heavy debate among historians whether or not the juvenile justice system at this time was actually improving or getting worse. Articles such as Alexander W. Pisciotto, “Race, Sex, and Rehabilitation: A Study of Differential Treatment in the Juvenile Reformatory, 1828-1900”, *Crime & Delinquency* (April, 1983) debate that these were not improvements, but just another way that the government could control the populace.

juvenile system provided the foundation for reformatory schools at the beginning of the twentieth century and shaped the laws that affected youths for decades.<sup>6</sup>

An act that was a direct consequence of the 1820 houses of refuge was the *parens patriae* doctrine. It became a law in 1838 and its effects were ground breaking. Basically, the law stated that a judge had the “ultimate responsibility for protecting his subjects.” This meant that if a judge saw fit, he had the authority to take a child away from its parents’ care. Parental control might have been a natural right, but now it was one that could be overthrown by a court ruling. While parents were not so thrilled about the *parens patriae* doctrine, especially when it landed them in a courtroom, reformers were overjoyed with their new found power.<sup>7</sup>

Nineteenth-century reformers believed that in order to save the next generation from destruction, children had to be trained to become productive and loyal citizens who respected the laws and their place in society. They also believed that not all parents were up to this challenge. Mary Carpenter, an 1850s reformer, believed that “perishing and dangerous classes” such as poor and immigrant families that were ignorant of education, bred children who would be the next generation of criminals. Although she appeared to see the children in those situations as innocent, she found it necessary for authorities to step in and prevent the inevitable from occurring. Carpenter claimed that it was a citizen’s Christian duty to save the unfortunate souls and that “the early nurture, and the sound, religious, moral, and industrial training of the child, is the only curative that can strike at the root of evil.”<sup>8</sup>

Mary Carpenter was not the only woman reformer during this time to pay close attention to the treatment of juveniles. In fact, several reformers who took the center stage on issues of children and reform were women. Although this was a time of paternalism where the

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<sup>6</sup> Sutton, 43-45

<sup>7</sup>Pisciotta, 258.

<sup>8</sup>Carpenter, vi.

government represented the harsh father figure that laid down the laws of the land, ever so slowly this image began to shift. Women began to enter politics and share their opinions on laws concerning juveniles.<sup>8</sup> Carpenter and others called for moral and skillful training of youths and spoke against the harsh corporal punishments that the houses of refuge implemented. These women wanted to nourish youths and correct them from the mistakes of their past, instead of hardening them with more violence.<sup>9</sup>

The legal push that women reformers had long waited for finally came in 1899 when Chicago became the first city in America to establish a juvenile court. The creation of the juvenile court was one of the earliest accomplishments of the Progressive Era and was sponsored by the Chicago Women's Club. Some of these women were even approved to become parole officers for juvenile offenders. What other citizens were more appropriate in educating wayward children than prestigious mothers? The term "maternalism" was coined during this time to describe women who were concerned with the moral and social welfare of those outside their own families.<sup>10</sup>

In the next ten years twenty-two states adopted the juvenile court system, an accomplishment that Elizabeth J. Clapp credits to women's groups such as the Hull House, National Congress of Mothers, General Federation of Women's Clubs, and the Chicago Women's Club. Clapp explains women's involvement in the Progressive Era as their duty as mothers. Women during this time were seen as the protectors of virtue and family values so it was not too much of a stretch for women to be concerned with the welfare of children, even if it

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<sup>8</sup> For a long time women were banned from the public sphere. It was believed that a woman's place was in the home. They were the domestic caretakers and it was men who belonged in politics, but the issues of children and juvenile justice created a gray area in the public that women were allowed to enter. The article Elizabeth J. Clapp, "Welfare and the Role of Women: The Juvenile Court Movement", *Journal of American Studies* (December, 1994) tells of women who were involved in the juvenile courts and politics.

<sup>9</sup> Carpenter, 289.

<sup>10</sup> Clapp, 367.

involved them getting into politics. Mothers were thought to be the primary shapers of good citizens, so the Progressive Era took that theory and enforced it on a more social and national level. The juvenile system gave women the power to step into the public sphere, but still did not challenge the country's patriarchal control. Women were actually "expected to be the protectors of society's morals and values. Thus, women moved into America's corrupt and unjust cities at the end of the nineteenth century, not as self-conscious feminist, but as the inheritors of 'True Womanhood.'"<sup>11</sup>

Most people, particularly women, considered the juvenile court system as an improvement. With the founding of the courts more children were less likely to be sent to adult facilities. However, as a result of the juvenile courts more children were convicted of petty crimes that had been overlooked in adult courtrooms. According to Prue Rains, the creation of the juvenile courts not only "widened the net" but caused a "court-created population crisis" for correctional schools.<sup>12</sup>

#### Establishment of the Reformatory for Boys

Tennessee did not adopt the juvenile court system until 1911, but by the turn of the century the wheels of change were in motion and juveniles were at the heart of the discussion. While some states had the houses of refuge to help separate young offenders from old, the majority of the country still sent juveniles to adult prisons or to serve out their time working on chain gangs. African American boys were subjected to this line of discipline much more than white boys. Some youths were even farmed out to the highest bidder under the "convict lease system." By the twentieth century, guards and wardens of these facilities were becoming reformers

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<sup>11</sup> Clapp, 364.

<sup>12</sup> Prue Rains, "Juvenile Justice and the Boys' Farm: Surviving a Court-Created Population Crisis, 1909-1948", *Social Problems* (June, 1984) 501.

themselves. They were acutely aware of how ineffective and harsh this system was for first-time offending youths who were placed in the same facilities has hardened criminals.<sup>13</sup>

In a newspaper article from *The Nashville American* in 1903, a warden pointed out the faults in the current system:

Hardened criminals and the boy convicted of his first crime; the comparatively good and the most depraved, vile and abandoned are chained together. One warden of a State penitentiary protests in his report that under the present law and custom, the penitentiary is the school of crime instead of being a reformatory institution. Of fifty boys under 18, nine-tenths of them leave prison much worse than when they came in.<sup>14</sup>

Only a few years later there was talk about establishing a boys' reformatory school in Nashville. Unlike the houses of refuge, the reformatories focused on training youths who had been accused of criminal acts to learn a trade. Most often, this trade was in agriculture because Southern reformers believed that the urban life was to blame for rebellious youths. Newspaper editors were among those calling for the first reformatory school for boys in Nashville. Articles in *The Nashville American* and the *Nashville Tennessean* in the following years provide a broken timeline for the development of this reformatory. The first board that got the ball rolling was the "Trustees of the Tennessee Reformatory for Boys." Their first scheduled meeting was in the summer of 1907.<sup>15</sup>

The headlines of *The Nashville American* on July 14, 1907 read "REFORMATORY BOARD TO MEET: MUCH INTEREST CENTERS IN THE EARLY MEETING." The article went on to explain that the "Trustees" were appointed by Governor Patterson to take "some action upon the question of the establishment of a boy's reformatory." The article describes the current opinions regarding the separation of youths from adult offenders and how the establishment of a reformatory in the city

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<sup>13</sup>*The Nashville American (1894-1910)*, "Negro Crimes Due to Lease System; Oct. 13, 1903" (ProQuest Historical Newspapers: The Nashville Tennessean 1812-1922) 1.

<sup>14</sup>*The Nashville American*, 1903.

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had been advocated by several important local women. The article even mentioned the purpose of the institution and the idea of a name for the facility:

The reformatory will be used for the purpose of containing the youthful violators of the laws of Tennessee. For many years this movement has been agitated throughout the State, it being considered inadvisable to place the boys with the older criminals. Several prominent ladies of Nashville became very much interested in the movement and since the passage of the act, have contributed much towards its success. It has been suggested that the name of the institution be changed to a Trade School for Boys, and that it be made an industrial school where boys would be enabled to learn some useful trade as well as provide a handsome revenue for the State.<sup>16</sup>

An act of the General Assembly of 1907 ruled that all boys under the age of eighteen who have been convicted of a crime punishable by jail time were to be sentenced and placed into a reformatory school for boys. In 1911 another act of the General Assembly defined the difference between dependency and delinquency in children. Dependent children and wards of the state were to be sent to the Tennessee State Industrial School, while delinquent boys were to be sentenced to the Tennessee Reformatory for Boys.<sup>17</sup>

The Tennessee State Reformatory for Boys actually began as two separate facilities, one locally run for African Americans and one that was state run for white boys. In 1911, a year before the state reformatory opened its doors; an African American reformatory school was established in Davidson County. This school was called the Boys Reformatory for Young Negroes and was founded by several African Americans in the community. According to a newspaper article in the *Nashville Tennessean* the school was established and managed by a black citizen named Rev. Bedford Taylor. Alexander W. Pisciotta, author of the article "Race, Sex, and Rehabilitation: A Study of Differential Treatment in the Juvenile Reformatory, 1828-1900," explains that reformatories for black children were often directed by administrators of the same

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<sup>16</sup>*The Nashville American (1894-1910)*, "Reformatory Board to Meet; July 14, 1907" (ProQuest Historical Newspapers: The Nashville Tennessean 1812-1922) 2.

<sup>17</sup> Tennessee Board of Control, *First Biennial Report: 1915-1916*(Nashville: Baird-ward Publishing Company, 1917) 150.

race. The boys in these institutions were “psychologically and vocationally prepared for menial positions in the social order by members of their own race.” These schools were allowed to operate on their own as long as the superintendent taught his students “their place” in society.<sup>18</sup>

On February 10, 1912 the state opened up the Tennessee Reformatory for Boys in Davidson County. In 1915 a board was created to supervise the facility and state institutions like it. The board was called The Tennessee Board of Control and it was established by Chapter 20 of the Acts of the General Assembly. There were three primary members of the board and the governor had the power to remove someone if he or she were morally out of line. In the “First Biennial Report: 1915-1916” the acting governor was Tom C. Rye and the board members were John S. Denton of Williamson County, serving a six year term. Denton was also the President of board. W.W. Baird was from Gibson County and the Fiscal Supervisor. Baird’s term length was only four years. W. T. Murray from Hamilton County was to serve a short two years on the board, and a man named John R. Burrows was elected Secretary of the board.<sup>19</sup>

In August of 1915, John S. Denton and the Tennessee Board of Control took over the Boys Reformatory for Young Negroes. The headlines in the *Nashville Tennessean* read “STATE TAKES OVER BOYS’ REFORMATORY: INSTITUTION FOR NEGROES ON THE HYDE’S FERRY ROAD UNDER CARE OF BOARD OF CONTROL.”

Mr. Denton has in turn placed the institution and its inmates under the care of the juvenile court and humane commission. The action on the part of the state authorities grew out of the unsatisfactory conditions said to exist in the reformatory, and to the fact that the money contributed by the state to aid the institution was no being properly safeguarded. The humane commission took charge of the young Negroes, the farm and the swine and livestock, and will in the future have charge of the property.<sup>20</sup>

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<sup>18</sup>*Nashville Tennessean and the Nashville American (1910-1920)*, “State Takes Over Boys’ Reformatory”; August 20, 1915, (ProQuest Historical Newspapers: The Nashville Tennessean 1812-1922) 4B; Pisciotta, 262.

<sup>19</sup> Tennessee Board of Control, First Biennial Report: 1915-1916(Nashville: Baird-ward Publishing Company, 1917) 2.

<sup>20</sup> *Nashville Tennessean and the Nashville American (1910-1920)*, 4B.

The establishment of a reformatory for boys in Nashville was something that had been pushed by both women and employees of state prisons. Reformatory schools seemed by-far the better choice than adult chain gangs. This institution was going to be the salvation for hundreds of children and the juvenile courts were established to make sure no one slipped through the cracks, including the stubborn child, who's only real crime was poverty or the color of his skin.

### The Biennial Reports

By law, after the establishment of the Tennessee Board of Control, the board was required to turn in a biennial report. In the index of this first report for the years 1915-1916, the Board of Control listed three different youth facilities that were under its supervision. The first was the Tennessee Reformatory for Boys, which at this time was comprised of white and black boys housed in separate buildings. The second was the Tennessee Industrial School which was originally designed to contain wards of the state and abandoned children. However, at the time of this first report the Industrial School was housing an assortment of boys and girls both wards of the state and delinquents. The third and most unknown of the institutions for children was the Tennessee Vocational Reformatory for girls. This facility was designed only for the housing of white girls under the age of sixteen. There is no mention of any accommodations for African American girls in any of these institutions.<sup>21</sup>

By reading the reports of these facilities one gets the feeling that these institutions were formed in utter chaos. There was a lot of overlapping, especially when it comes to telling the difference between the Reformatory for Boys and the Industrial School. In the state of Tennessee laws were passed to keep juveniles from the ages of twelve to eighteen years of age in these reformatories separated by sex and race. The Tennessee Reformatory for Boys seemed to follow this law fairly well, only dealing with male inmates eighteen years of age and under. Also they

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<sup>21</sup>Tennessee Board of Control, 1915-1916:1-5.

have the white and black children completely segregated by three –fourths of a mile. The Tennessee Industrial School however appeared to be the institution that takes in every child that the other schools did not have room for.<sup>22</sup>

The Industrial School “receives children who are classed both as delinquents and dependent, and also has received as pay pupils a number who do not fall under either of these classifications.”<sup>23</sup> Even the Superintendent of the Reformatory for Boys admitted in his report that he has sent some of the reformatory inmates to be housed in the Industrial School. At first this does not seem like that serious of a problem, but by mixing delinquent with dependent children the institution became a storehouse for juveniles very similar to the same way that the houses of refuge operated. The Board of Control recognized this and called to reform the matter legally stating that the “laws should be so changed as to clearly define dependent and delinquent children, to provide suitable care and control over each class; to prevent overlapping in the work being done by the Tennessee Industrial and the Boys’ Reformatory.”<sup>24</sup>

In the superintendent’s report on the Tennessee Reformatory for Boys, Superintendent W. M. Hard pointed out the reasons for sending some of his boys over to the Industrial School, which presented yet another problem for The Board of Control to solve. Apparently within the four years of operation the reformatory was suffering from some serious overcrowding issues. Hard pointed out that from “February 10, 1912, to December 19, 1916, we have received 762 white boys and 660 colored boys, making a total of 1422 boys. We have in the reformatory on this date 251 white boys and 235 colored boys, making a total of 486.” This evidently does not

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<sup>22</sup>Pauli Murray, *States Laws on Race and Color: Studies in the Legal History of the South* (Athens: The University of Georgia Press, 1997) 430.

<sup>23</sup> Tennessee Board of Control, 1915-1916:31.

<sup>24</sup> Tennessee Board of Control, 1915-1916:33.

count the thirty African American boys Hard had sent over to the Industrial School nor the boys he claimed to have turned down.<sup>25</sup>

Superintendent Hard suggested that this overcrowding issue was so bad that three boys were forced to share a bed. He also points out that only “64 out of the 96 counties have placed inmates in the reformatory” and wondered what would happen when the other 32 Tennessee counties decided to start sending their boys as well. The Board of Control also acknowledged the problem with overcrowding. In their recommendations, however, they appear to be more sympathetic to the superintendent’s small living quarters, emphasizing that his family was living in one of the old dormitories. The sacrifice seems a bit overshadowed by the fact that three boys were forced to share the same cot.<sup>26</sup>

The last important problem that was addressed in this first biennial report seems a bit random, but I included it because it is an important change to note in order to recognize the institution in later reports. There is a whole section that discusses the need to change the name of the Tennessee Reformatory for Boys to something less severe sounding. It is mentioned that other schools with the same intentions are called “Industrial Schools” or “Training Schools for Boys”. Reflected on the first newspaper article when the building of a reformatory was first brought up, the suggested name for the school had been the “Trade School for Boys.” It might be purely speculation, but by the language it appears that the argument was never quite silenced, especially among the women sponsors.<sup>27</sup>

Finally the Board declared that the name should “be changed to ‘State School for Boys’ or another equally fitting or appropriate. The law should clearly define the character of the institution; also make clear, definite and certain the jurisdiction of the courts with reference to

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<sup>25</sup> Tennessee Board of Control, 1915-1916:143.

<sup>26</sup> Tennessee Board of Control, 1915-1916:30.

<sup>27</sup> Tennessee Board of Control, 1915-1916:150.

boys under 18 years of age.”<sup>28</sup> This solution was one of the primary accomplishments that the Board of Control implemented because in the second biennial report the Tennessee Reformatory for Boys is known as the State Training and Agricultural School for Boys.

The Second Biennial Report: 1917-1918 shows some improvement from the first report. Not only is the name of the reformatory officially changed, but the overcrowding issue that was stressed so much in the first report was resolved. From the superintendent’s report on the State Training and Agricultural School for Boys:

The last Legislature authorized the Board of Control to place a branch department of the State Training and Agricultural School for Boys on the State-owned body of land located in East Tennessee, in Bledsoe and Cumberland Counties, known as the Herbert Domain, which comprises about eleven thousand acres. In pursuance of this authority, the entire color department will be removed to the Herbert Domain before the end of this year.<sup>29</sup>

It was recommended by the board that the white department of the State Training and Agricultural School for Boys be moved to East Tennessee as well. The Tennessee Industrial School was also experiencing overcrowding issues and they planned to take over the land once the State Training School was relocated. However, there continued to be a white branch of the State Training and Agricultural School for Boys in Davidson County until the 1970s. Whether or not the Industrial school took over the previous property and the white branch just moved to a different section of the county is unknown for lack of research.

The other problem that was presented in the first biennial report was the lack of clarity in the distinction and treatment of delinquents and dependents of the state. Although this problem does not seem to be addressed, the Act of General Assembly of 1917 did create a law that advanced the care of dependent children. The Act gave authority to the industrial school to find homes for abandoned and dependent children at their digression. However, the report points out

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<sup>28</sup> Tennessee Board of Control, 1915-1916: 150.

<sup>29</sup> Tennessee Board of Control, *Second Biennial Report: 1917-1918*(Nashville: Baird-ward Publishing Company, 1919) 19.

that there were several issues with this new law. One of which was that the law did not provide a way to check up on these children once they were placed in their new homes.<sup>30</sup>

The biennial reports from the Tennessee Board of Control provided significant information on the programs and number of inmates that were in the reformatory schools in Nashville, but like the relocation of the African American branch the reports come to a sudden end in 1918. Although these reports give valuable information that cannot be found anywhere else, when the State Board of Administration replaced the Board of Control it left several unanswered questions. What we can conclude from these reports is that the reformatories and juvenile courts were not nearly prepared enough for the lofty ideals they were enforcing.

#### Untold Stories

What documents like biennial reports and court records tend to leave out is the human element of these institutions. All these laws and acts are created to better reform boys and youths who have committed crimes. Some of the boys in these institutions are as young as seven years old. The youngest inmate that is recorded at the Industrial School is only four years old. The sentences that the majority of these boys received made them eighteen by the time they were released. Occasionally boys were paroled to shorten their sentences, but the system was faulty. The families of poor boys were unable to hire a lawyer to argue their case and African American youths were often farmed out to the individuals that had accused them of their crime, providing free labor until their time was finished.<sup>31</sup>

There were other ways of shortening the allotted time spent in the reformatory; death being one of the easiest. Seventeen year old Clarence Fisher and seventeen year old James T. Scales got out of their punishment this way, but most preferred not to leave the school in a pine

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<sup>30</sup>Tennessee Board of Control, 1917-1918: 9.

<sup>31</sup> Tennessee Board of Control, 1917-1918:19.

box. No matter how they left, or what crime they committed, all the boys sent to the state reformatory school had the new juvenile court system to blame. An article in the *Nashville Tennessean* records three boys that were sent to the state reformatory and openly credits the new juvenile court. One of the juveniles was a white thirteen-year-old boy who had been caught stealing corn from a freight car. He was given eight years at the State Reformatory for Boys. Another was a fourteen year old “negro” who had stolen an automobile. He was given seven years at the reformatory. The third named Herschel Hendricks, a white boy of fourteen, was charged with stealing money from newsboys, but the length of his sentencing was not listed. The article goes on to say that “all of the cases were tried in the juvenile court under Judge Killen. The court has been active in brining order out of the chaos which has reigned in Nashville among the juvenile element and has been very successful.”<sup>32</sup>

One boy in particular that received a ridiculously lengthy sentence from the juvenile courts was a little boy named Napoleon Williams from Maury County, Tennessee. The headline found on page two in *The Daily Herald*, January 8, 1915 read “NAP WILLIAMS IS CAUGHT STEALING: RUN DOWN THIS MORNING BY GROVER PARKS AS HE MADE OFF WITH LARD PAIL”. The article relates that “Nap,” short for Napoleon, was a “little negro boy about 12 years old and one of the most chronic [thiefs] with which the city police have to deal.”<sup>33</sup> A continuation on page six in the same issue was entitled “REFORMATORY FOR NAP WILLIAMS: SENT UP BY JUDGE M’KNIGHT TO SERVE EIGHT YEARS AT NASHVILLE”:

Napoleon Williams, the notorious little negro thief, who has been caught on several occasions in the act of thievery by the city police was sent to the state reformatory this morning by Judge McKnight. Nap will linger there for eight years before his term expires. Nap has made quite a reputation for one of his tender years. He is one of the best known criminals around the city, for but few weeks pass that he is not caught for some

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<sup>32</sup> *Nashville Tennessean and the Nashville American (1910-1920)*, “More Boys Sent to State Reformatory”; March 22, 1912, (ProQuest Historical Newspapers: The Nashville Tennessean 1812-1922) 8.

<sup>33</sup> *The Daily Herald*, 1915. “Nap Williams is Caught Stealing”, Microfilmed by TSLA.



petty piece of thievery. He cares little for consequences, and hardly gets out of jail before he tries to pull off another steal. Judge McKnight is determined to break up the set of little negro boys around the city who have cliqued together to steal. He has announced his intention of sending them to the reformatory whenever they are brought before him.<sup>34</sup>

The price of lard is also listed in this issue. The price for a pail was twelve cents. No doubt, Williams was sent to the same State Training and Agricultural School for boys that later was relocated to East Tennessee in Bledsoe County. The State Training and Agricultural School for Colored boys founded in 1917 in East Tennessee was later known as “Pikeville” because that was where the school received its mail. The white section, still located in Davidson County, later was dubbed “Jordonia”. These boys were not housed in a homelike environment, but were imprisoned in dormitories and classrooms with long rows of cots lined up in large rooms. Although the punishments were said to be based off a merit system, corporal punishments were still implemented at these institutions. In fact, corporal punishments were not banned from the state reformatories until 1978.<sup>35</sup>

At the arrival of a new boy, Superintendent Hard, in his 1917 report described the process that each inmate must go through: “When a boy comes to this institution, after his record has been taken and his papers filed in the office, he is subjected to a physical examination, given a bath and clean clothes, and then given a mental examination to fix his proper standing in school. He is then assigned to a division, according to his size, and the officer in charge of the division appoints one of the older boys to be with the new comer constantly, until he has become familiar with all of the rules and regulations.”<sup>36</sup>

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<sup>34</sup> *The Daily Herald*, 1915. “Reformatory for Nap Williams”, Microfilmed by TSLA.

<sup>35</sup> *The Daily Herald*, 1915. George Zepp, “Jordonia Kindled Fear In Tennessee’s Youth for 60 years,” Local, *The Tennessean*, March 8, 2006, <http://www.tennessean.com/article/20060308/COLUMNIST0102/105030040/1093> (accessed September 9, 2013)

<sup>36</sup> Tennessee Board of Control, 1917-1918:157.

Although these schools were established to protect children, they were by no means a sanctuary. Joseph Kett states in his book *Rites of Passage: Adolescence in America*, that “those who sought to reform juvenile delinquents in mid-19<sup>th</sup> century America spoke the lofty language of nurture and environmentalism. Reform schools, they claimed, were no prisons but home-like institutions, veritable founts of generous sentiment. In fact, they were prisons, often brutal and disorderly ones.”<sup>37</sup> An online article published in 2007 by *The Tennessean* addresses the horrors of both the branches of the State Training and Agricultural School. According to the article both black and white boys suffered in these institutions with white boys fearing “Jordonia” and black boys similarly fearing The Tennessee State Agricultural and Training School for Colored Boys nicknamed “Pikeville.” Conditions were described as terrible in both reformatories with overcrowding, lack of funds and harsh corporeal punishments.<sup>38</sup>

In the Governor Prentice Cooper Papers 1939-1945, there is a file discussing the serious need to reform the Tennessee State Agricultural and Training School for Colored Boys in 1944. This report was written by Margaret C. McCulloch, Editorial Assistant of the Division of Race Relations and of the American Missionary Association. It is apparent from the newspapers and this file that reformatories often were under maintained and lacked the favorable conditions that the Progressive reformers had envisioned. Although there is no doubt that the juvenile justice system treated all boys harshly, it is not unreasonable to assume that African American facilities suffered with lack of funds and overcrowding more than the white reformatories. The funding of normal public schools during the turn of the century can give some background as to the differences made between the separate reformatories.<sup>39</sup>

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<sup>37</sup> Joseph F. Kett, *Rites of Passage: Adolescence in America, 1790- the Present* (New York: Basic Books, 1979) 132.

<sup>38</sup> George Zepp, 2.

<sup>39</sup> Governor Prentice Cooper Papers 1939-1945, *Tennessee State Agricultural and Training School for Colored Boys, 1944*, filed by TSLA.

According to W. Fitzhugh Brundage, “Mississippi, for example, invested eight times more in white facilities than in black schools in 1914”.<sup>40</sup> If this was the funding differences for public school children, what then were the differences between children who were considered criminals? Lack of funding hence effected not only the treatment of the boys confined at the reformatory, but also any expanding taking place to accommodate the numbers pouring into the school. Napoleon Williams no doubt was subjected to these cruel and crude conditions during the time he was serving out his sentence.<sup>41</sup>

Since reformatories were considered schools the records are confidential so it is near to impossible to find a personal file of a student. However, there is another way of finding out about the boys who attended these schools. Several of these boys were paroled before their sentence ended. Although the newspaper article specifically states that Napoleon Williams and others like him was to remain in the reformatory until they had served out their sentence, there was a chance that they could have been either pardoned or paroled by the governor.<sup>42</sup>

A microfilm roll of Parole Records from the State Training and Agricultural School for Boys at TSLA list several boys that were deemed eligible for parole. This roll is full of multiple stories and lives that were affected by this one reformatory school. Another young man from Maury County, Tennessee by the name of Willie D. Brown was granted parole in April 1920. In a letter to the governor a Judge Whitthorne asks for Brown to be paroled into the custody of a Mr. Thomas H. Taylor:

We the undersigned respectfully state that Wille D. Brown, col., about 16 years of age, was indicted by the Grand Jury of Maury County, Tenn., for larceny, and as he was 16 years of age, his case was transferred by the Circuit Court to the Juvenile Court of Maury County Where he was tried and committed for one year to the State Training and

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<sup>40</sup> W. Fitzhugh Brundage, *The Southern Past: A Clash of Race and Memory* (Cambridge: The Belknap Press of Harvard University Press, 2005) 141.

<sup>41</sup>Brundage, 140-142.

<sup>42</sup>Lou, 94.

Agriculture School on April 2, 1920. Restitution of the property stole has been made, and Mr. Thomas H. Taylor, a reputable white citizen, of Columbia, Tenn., wishes that this boy be paroled into his custody, to work upon his farm, will pay him good wages, keep him from the temptation of the town, The boy is overgrown for his age, and will make a good farm hand. We understand that the costs will be paid in full. If you can consistently do this, we believe that the ends of justice will be met. Also labor for farming purposes is very scare [scarce] and this will furnish a farmer will [with] labor to make his crops for the coming year.<sup>43</sup>

It comes as no real surprise that the judge's request was granted and young Willie Brown was put into the custody of the very man who he was assumed to have stolen from. Is it possible that Napoleon Williams was placed into the care of Grover Parks, the owner of the meat shop where he had tried to steal the bucket of lard? Although this parole system seems corrupt and unfair, there were much harsher ways that a boy could leave the reformatory before his allotted time was up. A cemetery record in Nashville shows a young man by the name of Clarence Fisher died February 26, 1916. His cause of death is listed as an accidental drowning. He was only 17 years old and he is buried in what is called the Tennessee State Reformatory Cemetery.<sup>44</sup>

Another boy, named James T. Scales, made national headlines with the shortening of his sentence at Pikeville. December 2, 1944, the headlines of *The Chicago Defender* read "17-YEAR-OLD BOY LYNCHED BY TENNESSEE MOB". The front page of the *Nashville Banner* reads "NEGRO SLAYER KILLED BY MOB NEAR PIKEVILLE". No matter how the story is entitled both newspapers paint a grim story about what happened at the State Training and Agricultural School for Colored Boys that December morning. According to the newspapers, James T. Scales, who worked in the superintendent's house, attacked the family while Superintendent Scott was away at Nashville. Scott's grown daughter, Mrs. Gwendolyn McKinnie, was brutally murdered and Mrs. Scott, the matron of the school, was mortally wounded. Scales then tried to run away from the school, but

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<sup>43</sup> Governor Albert H. Roberts Papers 1918-1921, Roll 18, Box 47, *Applications for Pardon-State Training and Agricultural School for Boys, 1919-1920*, Microfilm by TSLA.

<sup>44</sup> Clarence Fisher (1916-1933)-Find A Grave Memorial. [www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=98268008](http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=98268008) (Accessed October 1, 2013)

was found and returned by a local farmer who had no knowledge of the crimes he had committed. He was then taken to the County jail in Bledsoe, but released to three men who were pretending to be guards from the school. The men drove Scales back up to the school where a mob of at least twenty men had gathered with the intention of hanging him.<sup>45</sup>

The article in the *Chicago Defender* reports that “Assistant Superintendent W.S. Neil pleaded with the mob of 20-30 men “not to do anything like that here.” They tossed aside the rope, then fired four shots through the boy’s head”. As ghastly as this news is, it actually gets worse, for after the mob had shot Scales, they dragged his body inside one of the buildings and forced the other inmates to walk past his body, telling the boys that “this is for you”.<sup>46</sup>

The saddest part of the story is that Scales might have even been innocent. Just in the right place at the wrong time. Who dared to speak up for a boy who had already been convicted in a court and sentenced to a reformatory? Who wanted to speak up for an African American juvenile delinquent in the 1940’s? The assistant superintendent apparently had tried, but he had nothing to show for his actions at the end of the day. Unfortunately, it was much easier to be sent to a reformatory than it was to get out of one. What we can conclude from these reports is that the reformatories and juvenile courts had not prepared for these kinds of future problems that these boys had to face alone.

### Conclusion

This paper followed the two reformatory schools for boys that were formed in Nashville, Tennessee at the beginning of the twentieth century. The Progressive Era and its reformers called for these institutions in order to save innocent, wayward youths from being sentenced to adult

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<sup>45</sup> Robert Lucas, *The Chicago Defender (National edition) (1921-1967)*; “17-Year-Old Boy Lynched by Tennessee Mob”; Dec 2, 1944, (ProQuest Historical Newspapers: Chicago Defender (1910-1975) 1.

<sup>46</sup> Lucas, 1.

prisons. The schools were merged and the name was changed to the State Industrial and Agricultural School for Boys. In 1917 the African American branch was moved to Bledsoe County to help solve the overcrowding problem. Both branches developed horrible reputations for terrible living conditions and harsh punishments.

The juvenile courts that reformers had fought so hard to establish made it easier for judges to send boys to these institutions. Young boys, like Napoleon Williams faced lengthy sentences for menial crimes. If they were lucky their allotted time was shorted by a governor's pardon, like Willie Brown. If they were unlucky their time was shorted by death, either accidental or intentional like Clarence Fisher and James T. Scales. For a long time the juvenile courts were thought to be an improvement to the juvenile justice system, but after examining the evidence it appears that it did more harm than good. Since juveniles had a place to be sent to, Judges indicted them on petty crimes and gave them lengthy sentences, believing that they were reforming would-be adult criminals from a life of destitute. In reality they were sending young children to be warehoused out of the public's sight.

There have always been untold stories in history. Some are considered unimportant. Others are forgotten because they are too painful and risk tainting the reputations of important individuals. Tennessee reformatories and juvenile courts were established with good intentions, however there were numerable mistakes that were made that turned these institutions into a child's worse nightmare. Time has a way of wiping away our memories of past events and individuals. With careful research and analysis, stories that are often skipped over can become revealed. Even if it is only a sketchy outline, these individuals have a right to be remembered. Boys that were sent to the reformatory schools in Nashville, Tennessee have a right to have their stories told. Napoleon Williams and others like him have a right to be observed as part of our

history. This story is important, because we are still keeping youths in juvenile facilities and there are even more juvenile courts to monitor today.

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