



Exploring the Narratives and Archives of Massachusetts' Stubborn Children

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This article examines the lives and legacies of girls incarcerated under Massachusetts' Stubborn Child Law, a 17th-century statute not repealed until 1973. Through the case of Faye Tennison—a 16-year-old sentenced to Framingham Reformatory in 1940 for defying her parents—the piece explores how perceptions of adolescent femininity, mental health, and familial obedience were criminalized. Tennison's story, recovered from a 150-page case file in the Massachusetts State Archives, reveals the blurred line between domestic conflict and legal intervention, especially for young women in the early 20th century. The article also outlines the challenges and possibilities of conducting archival research of carceral histories, drawing from sources held at the Massachusetts State Archives, the Massachusetts State Library, and the Schlesinger Library at Harvard. Despite strict access restrictions, these materials provide crucial insights into the gendered dimensions of carceral control and the bureaucratic and ideological systems that shape incarceration and criminality.

Section 1: Red Tape and Ragged Moccasins

In December of 1936, 16-year-old Faye Tennison had a date, and she needed new shoes. ^[1] Tennison's mother, Margaret Elliot, called up her daughter's "best boy friend" and arranged for him to take her to a tea room, maybe a movie. The boy was a proper gentleman—dressed nicely, polite to mom and dad, and always brought their daughter back by 9 p.m. But Faye couldn't go, not without a new pair of shoes. She had told her mother a month prior about the dismal state of her footwear. There was only one pair in her closet: a ragged pair of moccasins, held together by red tape and old string. They

were dirty and riddled with holes. The teenager simply refused to leave the house wearing them. [2]

It's a fairly typical act of defiance by a 16-year-old. But at the time, this kind of disobedience was quite dangerous— and technically illegal—for teenage girls and young women. In fact, this incident marked the beginning of a chain of events that ended with Tennison imprisoned for her stubbornness.

We don't know from reading Tennison's nearly 150-page case file if she ever got new shoes. Hours after the teenager refused to go on her date, she overdosed on Luminal, a sedative widely prescribed in the 1930s, and was found unconscious on her mother's bed in their home on Boylston St. in Newton Highlands. After her suicide attempt, Tennison was taken to Worcester State Hospital, a state facility for the "clinically and chronically insane." [3]

"Mother promised me shoes for a whole month and she didn't get them for me. Then she raised Hell for a whole week and it made me depressed," Tennison said, as quoted in her intake interview at Worcester. "Then she said I had to go out with a fellow I liked. He dresses nicely and I didn't have anything to wear except ragged moccasins and socks and it was December, so I lost my temper and took Luminal, so they called me crazy [...] I wasn't crazy, I was mad and depressed." [4]

NAME: _____ No. 44 900 DATE: September 13, 1940

ABSTRACT

Chief Complaint: "Mother promised me shoes for a month and she didn't get them for me. Then she raised Hell for a whole week and it made me depressed. Then she said I had to go out with a fellow I liked. He dresses nicely and I didn't have anything to wear except ragged moccasins and socks and it was December, so I lost my temper and took luminol, so they called me crazy. I wasn't crazy, I was mad and depressed."

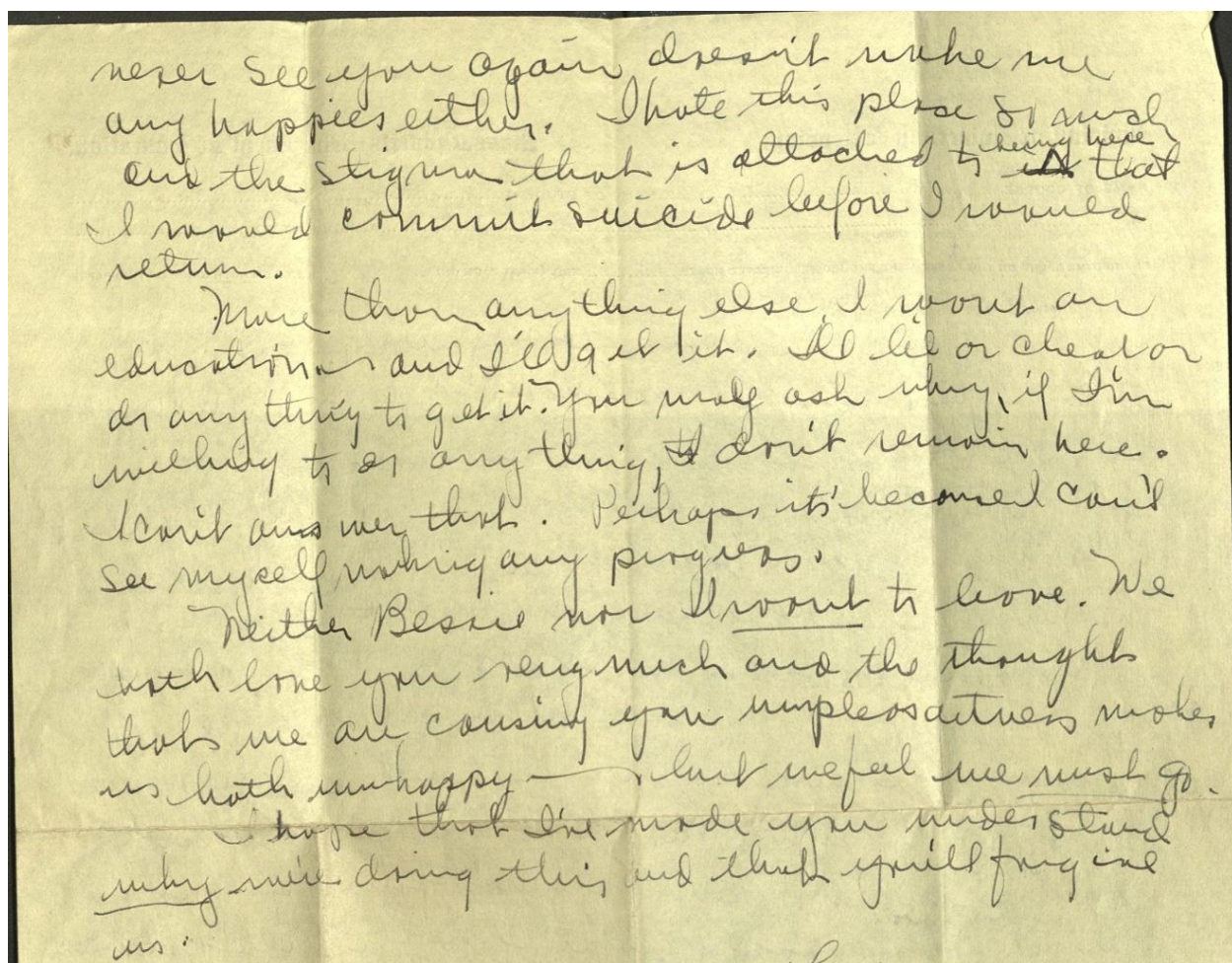
Above Image: Faye Redacted Inmate File. Source: Inmate Case Files, 1913-1973. HS9.06/515.. Records from Massachusetts Correctional Institute, Framingham. Massachusetts State Archives, Boston, MA.

She was shuffled from psychiatric hospitals to boarding houses before running away. When her father, Roger Tennison, found her in March of 1940, he called the police and charged his then 19-year-old daughter with the crime of "being a stubborn child," an offense originally codified in 1649 by Massachusetts Bay Puritans that legalized the punishment and execution of any child found to be stubborn or disobedient. A law that, while significantly amended, was not repealed until 1973. [5]

Within days of her father's charge, Tennison was before Judge Donald E. Mayberry at the District Court of Newton and sentenced to two years at Framingham Reformatory for Women. [6]

In her case file, provided by the Massachusetts State Archives, Tennison is described by her mother as “crabby, hard to please, jealous of her sister, surly, unwilling to play and disliked by others.” Elliot also explained to her daughter’s caseworker that she is a “truant and a liar, swearing profusely, being disobedient, given to temper tantrums and moods of depression.” But Tennison’s statements tell a different story. The young woman explained the dysfunction she endured living with her parents and younger sister, Jane, born two years after Tennison in 1922. Her mother had a drinking problem and a “terrible temper,” frequently and “violently” beating her and her sister. She told her caseworker that she was often underfed—weighing only 111 pounds at ⁵/₆— and dirty, that her home was “impossible,” and that she “[needed] to escape.”

She escaped the Reformatory on July 3rd, 1940, four months into her sentence, with her friend Bertha Keane, a 19-year-old girl also brought there on stubborn child charges. She left a note for Mrs. Watson, one of her caseworkers, before she left. “I hate this place so much and the stigma that is attached to being here that I would commit suicide before I would return,” she wrote. Local police ^{found} her shortly after, and she returned to Framingham to complete her sentence.



never see you again doesn't make me
any happier either. I hate this place so much
and the stigma that is attached to ~~being here~~ ^{being here} that
I would commit suicide before I would
return.
More than anything else, I want an
education and I'd get it. I'll lie or cheat or
do anything to get it. You may ask why, if I'm
willing to do anything, I don't remain here.
I can't answer that. Perhaps it's because I can't
see myself making any progress.
Neither Bessie nor I want to leave. We
both love you very much and the thought
that we are causing you unpleasantness makes
us both unhappy — but we feel we must go.
I hope that she made you understand
why we're doing this and that you'll forgive
us.

Above image: Faye's letter, written before her escape. Source: Inmate Case Files, 1913-1973. HS9.06/515.. Records from Massachusetts Correctional Institute, Framingham. Massachusetts State Archives, Boston, MA.

Faye wasn't alone. Hundreds of young women and girls passed through Framingham between the institution's opening in 1877 and the repeal of the law in 1971—500 young women in the first 50 years the institution was operational, with the number of convictions increasing slightly, but steadily, each year. While the number of stubborn child convictions remained low compared to the various other crimes that sent women to Framingham—offenses from murder to drunkenness to aiding in abortion—the use of the law represents an interesting moment in the history of the American carceral system and offers insight into the societal norms about femininity, obedience, and social control present in the late 19th and early 20th centuries.

Section 2: In the Archives

Researching the history of the Massachusetts Stubborn Child Law and the experiences of young women at the Framingham Reformatory requires navigating a wealth of archival materials housed in multiple institutions. The Massachusetts State Archives holds case files, inmate histories, and institutional registers that provide detailed accounts of the young women sentenced under the law. As with all Massachusetts state criminal records, these records come with access restrictions—only files belonging to individuals who have passed away are available to researchers. Additionally, any medical information within these files must be redacted by archives staff before researchers can access photocopies. Despite these limitations, these case files offer invaluable insight into the lives of incarcerated girls and young women, detailing their personal histories, institutional experiences, and interactions with the legal system.

of shoes for Subject. This daughter revealed her parent's illegal marriage status through malice. Subject's sister [REDACTED] is a normal girl, but much jealousy exists between them. Dr. Bache concluded her remarks with the statement that Subject required the restraint which R.W. offers, [REDACTED]

2. R.W. worker read Out Patient Dep't. record for Subject compiled by Miss Cook, worker assigned to the case.

[REDACTED]

Plan: Foster home placement. Both mother and child agreed to placement. Subject admitted family friction.

Home Situation: Family consists of father and mother, two times married, and two times divorced from each other. One sibling, [REDACTED] one year younger than Subject. Residence at time of application; 1110 Boylston St., Newton Highlands. Subject's mother has entered into seven marriages.

School: Subject changed from commercial to classical course sophomore year.

Action: Subject was placed in the Rutland Corner House.

February 10, 1936
Children's Friend Society contacted.

February 11, 1936
Subject ran away from Rutland Corner House.

February 15, 1936
Subject's mother decided to keep her at home.

September 1, 1936
Mother reported Subject's conduct covering the period from February 1936-September 1936. The girl's school adjustment was bad. Miss Riley, Personnel Worker in the Newton High School complained Subject's careless behavior to parents, [REDACTED]

[REDACTED] Subject's sister Ruth had been involved in a stealing episode, when with several girl acquaintances she stole clothing in Newton. Miss McNielly of the Newton Family Welfare Bureau investigated the matter. Subject's mother "in her typical manner had a temper tantrum."

This case reached a climax in September 1936 when Subject's mother decided that Frances should no longer attend school since she was sixteen years of age and capable of securing factory work. She explained that she was certain that Subject had been telling lies about her, had disclosed that this parent was [REDACTED] and discussed mother's marital history. She reported that Subject worked for one Dr. Dunphy of Newton during the summer of 1936, was salaried at \$5.00 per week and lived in. The mother expressed the opinion that this family "spoiled" Subject because the girl had become stubborn and impertinent.

[REDACTED]

September 18, 1936
[REDACTED] recommended Subject's return to school. Examination revealed that she possessed an [REDACTED] Mother constantly reviled Subject upon interviews held September 10, 11, and 12, 1936. Subject interviewed weekly [REDACTED] Mother expressed doubt about daughter's relation with Dr. Dunphy because he gave her \$6.00 in addition to her pay one week. She also reported a question of Subject's [REDACTED] Subject finally returned home and secured employment at a Dorothy Muriel Shop.

Above image: Faye's Redacted Inmate File. Source: Inmate Case Files, 1913-1973. HS9.06/515. Records from Massachusetts Correctional Institute, Framingham. Massachusetts State Archives, Boston, MA.

10001

Sept. 10, 1908 Stubbornness - from
Holyoke - 17 years. (Transferred from State Industrial
School Dec. 23, 1912) Born in Holyoke, attended
school but little, mother deserted family when
she was 8 - father neglected her - committed to
Lancaster 1907 - claims to have had very little
trouble there - father intemperate, has served several
sentences - R. b.

10002

Dec. 21, 1911 - Stubbornness - from
Salem - 17 years. (Transferred from State Industrial
School Dec. 23, 1912) Born in Salem, father dead,
mother in Salem, attended school until 13, worked
in store until sent to H. G. S. in 1910, remained
13 months, behaved badly after leaving there,
sent to Lancaster in 1911 - one brother in institution.
R. b.

10003

Stubbornness. March 27, 1909 - from
Boston - 17 years. (Transferred from State Industrial
School Dec. 23, 1912) Born in Boston - father died
when she was a baby - mother in Boston,
attended school until sent to Lancaster, played
truant for several months and behaved badly.
Prob.

Above image: Page from Inmate History Logbooks showing three stubborn child inmates, with names redacted. Source: Inmate History Logbooks, 1877–1912. HS9.06/821X, Volume 7, 567. Records from Massachusetts Correctional Institute, Framingham. Massachusetts State Archives, Boston, MA.

Beyond individual case files, institutional records from Framingham Reformatory and Department of Corrections and state Legislative records provide a more systemic view of how the Reformatory operated. These records, housed at the Massachusetts State Archives and the Massachusetts State Library, contain administrative correspondence, policy documents, and reports on institutional conditions. They help contextualize the personal stories found in inmate case files, revealing the broader policies that shaped the incarceration of young women.

at Bridgewater, or in the house of industry at Deer Island, to said reformatory prison, where the said prisoners shall serve the remainder of their terms of sentence.

SECTION 16. All warrants or other official processes, or papers, or the attested copies thereof, by which a prisoner is committed or held, shall be transferred at the time of removal of such prisoner, with an order for such removal signed by the secretary of said commissioners, and directed to a proper officer to make such removal to said prison, there to be kept as if such prisoner were originally committed thereto.

Warrants to be transferred when prisoners are removed.

SECTION 17. Any court or trial justice of the Commonwealth having cognizance of an offence punishable by imprisonment in a jail, house of correction or house of industry, before whom any female may be convicted of such offence, may sentence such female therefor, to the reformatory prison for women.

For what offences may be committed.

SECTION 18. Any officer qualified to serve criminal processes in any county of the Commonwealth, is empowered to serve any process of commitment or removal to said prison as provided in this act. The costs and expenses of such commitment or removal shall be taxed and allowed by the respective district-attorneys in the same manner as county costs and expenses are taxed and allowed, and shall be paid out of the state treasury.

Commitment by officers.

Costs and expenses.

SECTION 19. The superintendent of said reformatory prison for women shall make to the commissioners of prisons and board of state charities such reports and returns as are required by law to be made by the keepers of prisons to the said board of state charities.

Reports and returns.

SECTION 20. The keepers of jails and masters of houses of correction, the superintendents of houses of industry and workhouses shall, whenever a female is committed to the prison under their respective charge, forthwith transmit to the secretary of the commissioners of prisons, such an abstract of the mittimus on which she is committed as the said commissioners may prescribe.

Keeper of jail, &c., to send to commissioners abstract of mittimus on which a woman is committed.

SECTION 21. Females convicted of any of the offences enumerated in sections twenty-eight and thirty-five of chapter one hundred and sixty-five of the General Statutes, shall, after the proclamation as provided for in section three of this act, be sentenced to the reformatory prison for women, for a term not more than two years.

Punishment for offences named in G. S. 165, §§ 28, 35.

SECTION 22. The commissioners of prisons shall annually, before the fifteenth day of December, make a

Annual report to be made by commissioners.

Above image: Page from the 1874 Act to Establish a Reformatory Prison for Women. Section 21 is of particular note, as the stubborn child law exists in section 28 of the chapter of Massachusetts General Laws regarding offenses against “chastity, morality, and decency.” This 1874 act made it legal to incarcerate women convicted of this crime for two years. Source: Secretary of the Commonwealth. Act To Establish A Reformatory Prison For Women. c.385 §21 (1874). <http://hdl.handle.net/2452/103361>

For a more personal perspective on the reformatories' leadership and institutional philosophy, the papers of superintendents Jessie D. Hodder and Miriam Van Waters offer an unparalleled look at the ideas and reforms implemented at Framingham and similar institutions. These collections, housed at the Schlesinger Library at Harvard University's Radcliffe Institute, contain correspondence, reports, and advocacy materials that provide insight into how these women sought to shape the lives of incarcerated girls. The extensive digitization of these collections makes them particularly accessible, allowing scholars to engage with them remotely.

The Treatment of Delinquent Women

MRS. JESSIE D. HODDER, SUPERINTENDENT, REFORMATORY FOR
WOMEN, ~~SHERBORN~~, MASS.
Framingham

There are three methods in practice in reformatory procedure for women delinquents to-day in America:—

First: That found where women prisoners are sent to county jails, houses of correction, or to prisons for men. There women and men as prisoners are in conscious proximity to each other, are a part of the same administrative policy which majors either in industrial output by the men or in killing time. It is not humanly possible to avoid making women subservient to men under these conditions, and so it results that women prisoners treated on this principle, major in mending, washing, ironing and sewing for men prisoners, with sometimes minor industries to occupy their surplus time, or sometimes card playing, gum chewing and gossiping to kill time. This method is undoubtedly only in use temporarily, either because a given state has not thought the problem through, or because there is division of opinion as to which units of government shall care for prisoners, or because government has ceased to think about the care of its delinquents, or because there are those who still believe that "hardened criminals" need cells and prison atmosphere. The method is not modern, not human, and so needs more of our attention at this time.

Second: That found in the two reformatories that were the first built in our country—at Indianapolis, Indiana, and Sherborn, Massachusetts, which were built as a revolt against sentencing women prisoners to jails, houses of correction, or to prisons for men. The building and governing policies followed that existing fifty years ago for men prisoners, except that comfortable rooms were built instead of cells, but we have congregate prison buildings with industrial training and output as the major activities.

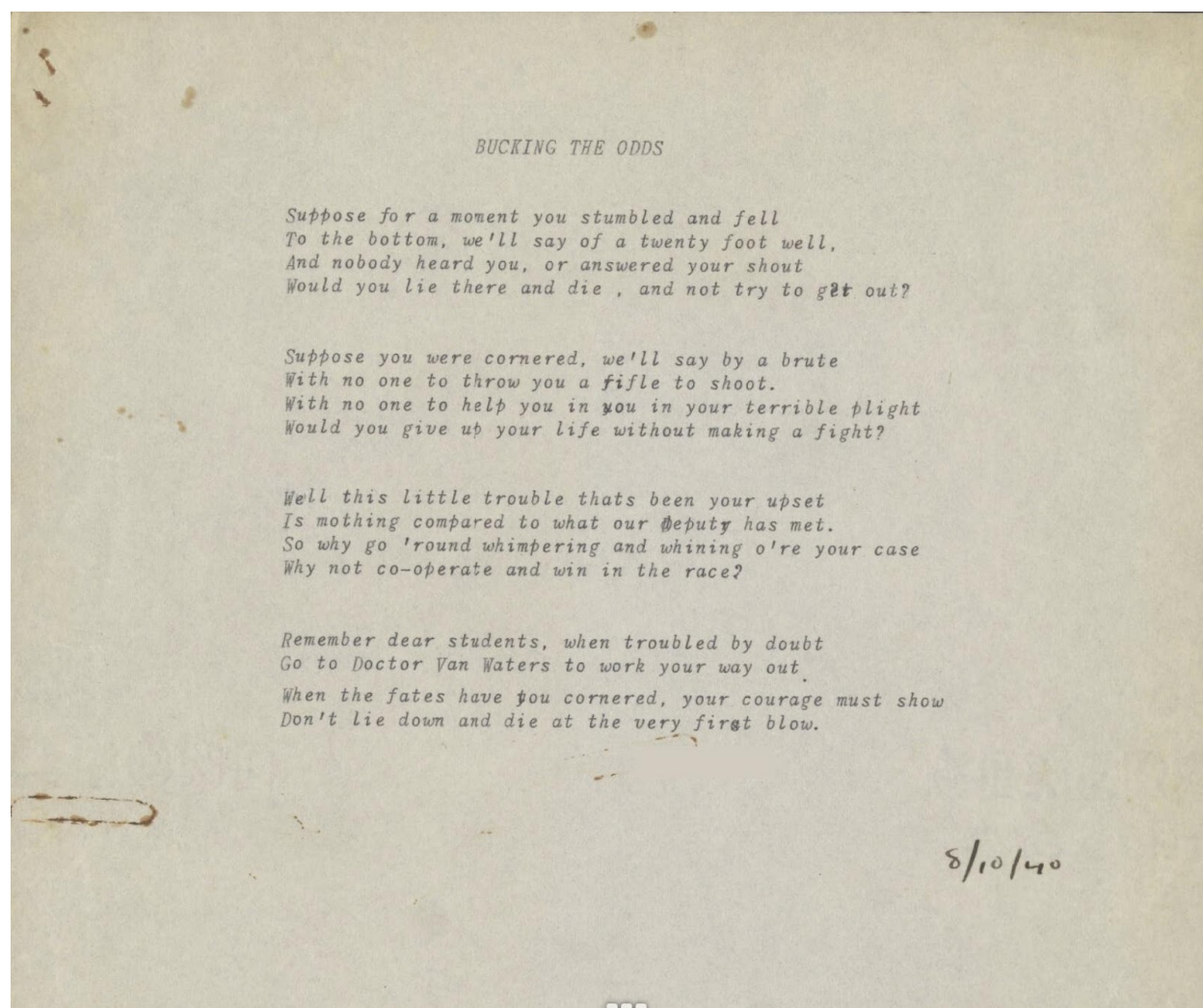
Third: That found in the newer reformatories built on the cottage or farm colony plan with twenty to thirty inmates, a housemother and one or two assistants forming a group. The proponents of this method would have the groups as small as fifteen for purposes of treatment were it economically expedient, which it should be. Household training and home mak-

Read at annual meeting of American Prison Association
at Detroit, Michigan, October, 1922.

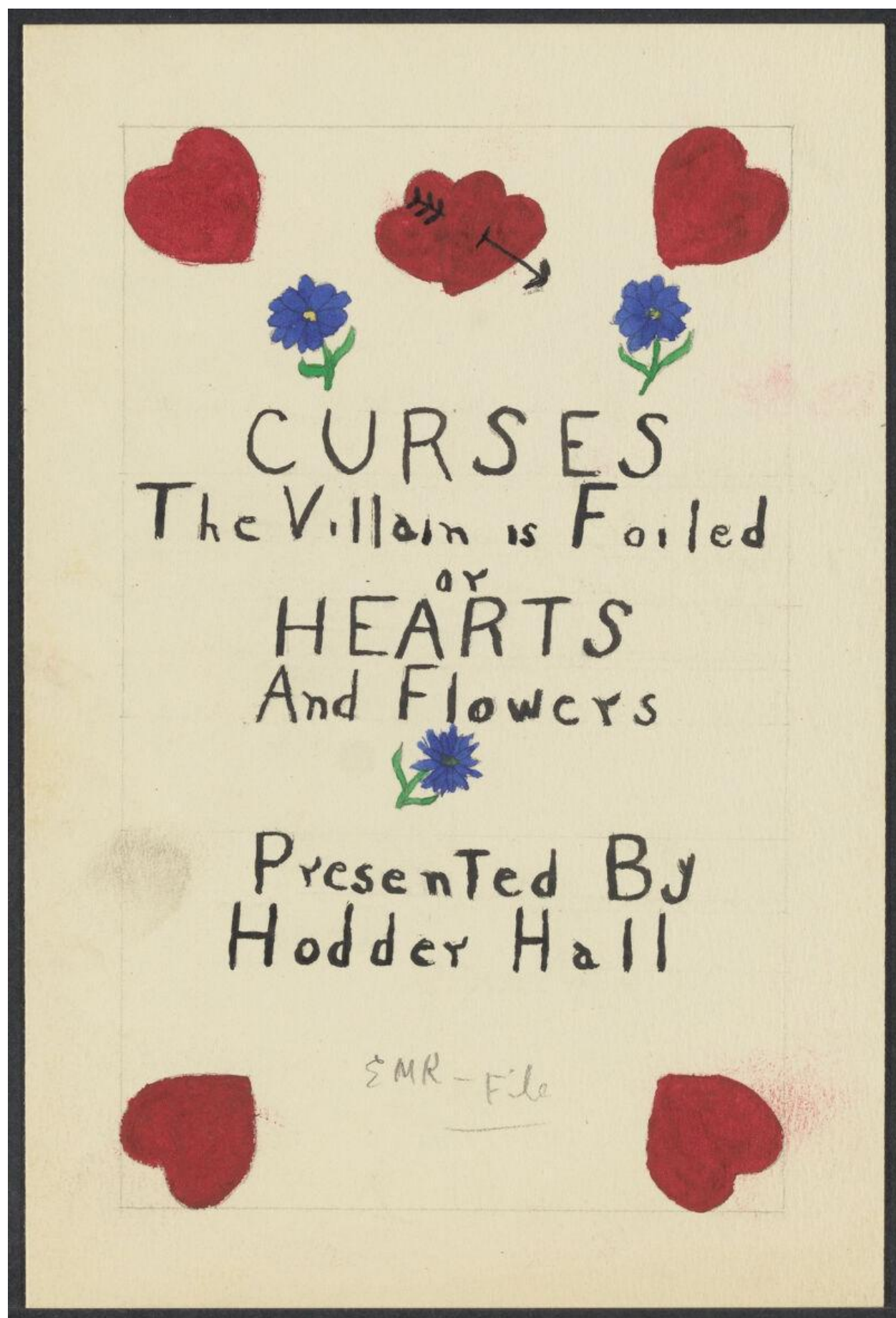
4-N 192.8.15

Above image: Excerpt from a draft for a speech given by Reformatory superintendent Jessie Hodder Source: Miriam Van Waters Papers. Reformatory for Women at Framingham, 1876-1970. Subseries 2. General notes and reports, 1879-1967, "Hodder files," 1911-1922, A-71, folder 231, sec. 5 Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass. <https://nrs.lib.harvard.edu/urn-3:rad.schl:42063771?n=5>

Perhaps the most striking archival materials come from the incarcerated girls themselves. Writings, poetry, schoolwork, and artwork created by young women at Framingham are also preserved at the Schlesinger Library. These materials, now fully digitized and freely available online, offer rare and deeply personal accounts of incarceration from the perspective of the girls who lived through it. Through their creative work, these young women documented their thoughts, dreams, frustrations, and resistance, providing an intimate counterpoint to the official records produced by the state.



Above image: Poem written by an inmate in 1940, with name redacted. The superintendent at the time, Dr. Miriam Van Waters, made it a policy to refer to inmates as "students." Source: Miriam Van Waters Papers. Reformatory for Women at Framingham, 1876-1970. Subseries 4. Student writings and activities, 1932-1961. Student writings and activities, 1940. A-71, folder 369, sec. 65. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass. <https://nrs.lib.harvard.edu/urn-3:rad.schl:41699301?n=65>



Above image: Program for a performance put on by Framingham inmates in 1940.

Source: *Miriam Van Waters Papers. Reformatory for Women at Framingham, 1876-1970. Subseries 4. Student writings and activities, 1932-1961, Student writings and activities, 1940-1942, A-71, folder 373, sec.6. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.* <https://nrs.lib.harvard.edu/urn-3:rad.schl:41699151?n=6>

Accessing these materials, however, varies widely depending on the institution and jurisdiction. Public records laws differ significantly from state to state, and researchers must be aware of the legal landscape when working with historical correctional records. Massachusetts has some of the strictest public records laws in the country, requiring researchers to navigate multiple layers of access restrictions and redaction policies. While this process can be daunting, scholars should not be discouraged by bureaucratic hurdles. Understanding the policies and making formal records requests can still yield important findings, and persistence is often key when working with carceral archives. Researchers should also be aware that some institutions have digitized portions of their collections, allowing access to valuable materials without the need for in-person visits. By navigating these systems thoughtfully, historians can uncover stories that might otherwise remain buried in the vaults.

[1] Pseudonyms have been used for inmates and their family members to protect their identities.

[2] Inmate Case Files, 1913-1973. HS9.06/515.. Records from Massachusetts Correctional Institute, Framingham. Massachusetts State Archives, Boston, MA.

[3] Inmate Case Files, 1913-1973

[4] Inmate Case Files, 1913-1973

[5] Inmate Case Files, 1913-1973; Mass. Capital Laws §14 <https://cdm.bostonathenaeum.org/digital/collection/p15482coll3/id/4535/>; Mass. St. 1973, c.1073, § 20

[6] The name of the Reformatory was changed numerous times throughout the 19th and 20th centuries. Originally named the Reformatory Prison for Women at Sherborn, in 1911 superintendent Jessie Donaldson Hodder chose to remove “prison” from the institution’s name. In 1932, boundaries between the towns of Sherborn and Framingham were redrawn, and the institution was redesignated the Reformatory for Women at Framingham. For the purposes of this article, I will refer to the institution as “Framingham,” as that is how it was colloquially referred to at the time of Faye’s conviction.

[7] Inmate Case Files, 1913-1973

[8] Inmate Case Files, 1913-1973

[9] Abstract of Inmate Registers 1877-1927. HS9.06/823X. Records from Massachusetts Correctional Institute, Framingham. Massachusetts State Archives, Boston, MA.

Author Bio:

Olivia is a candidate in the dual-degree program pursuing master’s degrees in History and Library and Information Science. Her academic interests center on gender, criminality, and confinement in 20th-century America. She is currently completing research for a master’s thesis

that examines the Massachusetts Stubborn Child Law and its relationship to the state's female reformatory system. Olivia is currently a Dual Degree Intern with the NYU Special Collections department, where she works to revise the collection's finding aids as part of a larger project to standardize and refine descriptive practices across the department.

ARTICLES