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The Illiberal Search for Order: Protestant Preventive Societies, Theodore Roosevelt, and Sexual Repression in Progressive Era New York City

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The Illiberal Search for Order:

Protestant Preventive Societies, Theodore Roosevelt, and Sexual Repression in Progressive Era

New York City

by

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A THESIS

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Abstract

This thesis explores the intersection of political reform, moral policing, and social control in Progressive era New York City, centred around Theodore Roosevelt's tenure as President of the Police Commission from May 1895 to April 1897 and Charles Parkhurst's Society for the Prevention of Crime (SPC). The SPC and other preventive societies played a crucial role in pushing for increased policing of vice, especially sex work, and sought to redefine sexual boundaries based on conservative Protestant values.

As President of the Police Commission, Roosevelt followed the illiberal methods employed by reformers like Rev. Dr. Charles Parkhurst, President of the SPC. Roosevelt's enforcement of vice laws, specifically targeting saloons and disorderly houses, endeared him to the moral reformers, but it alienated the working class and led to his unpopularity in New York City which dogged him during his 1898 run for governor.

The narrative delves into the contrasting approaches of traditional reformers, who sought non-partisan municipal administration, and Progressives, who aimed for systemic change to improve social cohesion and efficiency. The enforcement of conservative moral values curtailed individual liberties and led to increased tension between the working class and reformers.

Preface

This thesis is original, unpublished, independent work by the author, Michael R. D. Connolly.

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This thesis would not have been possible without the dedication and support of many. I would first like to acknowledge the faculty and students in the department of history at the University of Calgary. I would specifically like to thank Dr. Nancy Janovicek for her friendship over the years and for encouraging me to pursue a master's in history; Jesse Eaton and Drea Sullivan for always being around when I needed encouragement; and most importantly, my academic supervisor, Dr. Frank Towers, for his constant support, his mentorship, and his unwavering devotion to eliminating the passive voice.

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Introduction

When Theodore Roosevelt (TR) ran for governor of New York in the fall of 1898, New York City's Democratic machine, also known as Tammany Hall, dogged him with one issue in particular: His time as President of New York's Police Commission. In one pointed attack mere days before the election, Tammany boss Richard Croker accused the recently returned Colonel of ignoring the plight of citizens while he "was squabbling with his colleagues, violating the rights of citizens and directing policemen in detecting crime by first committing it themselves."¹ While his interpersonal relationships during his term as Police Commissioner (May, 1895 to April, 1897) certainly left something to be desired, the enforcement of the Sunday closing law for liquor distributors and the use of entrapment as a means of closing down saloons and disorderly houses had a more profound impact on New Yorkers. Initially work taken up by private organizations like the Society for the Prevention of Crime (SPC), the policing of sexuality and other vice changed under Commissioner Roosevelt who cracked down on the practice and placed the city's ideals in line with those of Protestant preventive societies.

Although these anti-vice campaigns had a broad focus, sex and sexuality were its core concerns. Charles Parkhurst, the president of the SPC in the 1890s, claimed that his organization attacked sex work because it was the most blatant example of police indifference to vice.² Parkhurst's crusade led to a moral outrage that helped William Strong, a Republican reformer, win the 1894 mayoral election over Tammany Hall. Reformers sought control over the Police Department, which Parkhurst had identified as the primary obstacle to change. Accordingly,

¹ "Croker's Mad Outburst," *New-York Tribune*, November 2, 1898.

² Charles H. Parkhurst, *Our Fight with Tammany* (New York: Charles Scribner, 1895), 154-55.

Strong appointed Theodore Roosevelt, then Civil Service Commissioner in Washington D.C., to overhaul the department and enforce laws relating to vice in line with Parkhurst's advice.

New York's Police Department was only one example of an increased interest in policing the boundaries of sexuality during the Progressive Era, but because of Gotham's outsized influence on the rest of the country, the story of the SPC and TR deserves careful attention. As historians Edwin G. Burrows and Mike Wallace argue, over the course of the nineteenth century, New York emerged as the nation's "de facto capital," molding Americans' opinions on finance, labour, politics, entertainment, and fashion due to its immense population and its hegemonic news organizations.³ What Burrows and Wallace do not mention is New York's influence on the nation's morality. New York is often regarded or depicted as a cesspool of immoral behaviour, an urban hellscape that can turn virtuous men and women into gamblers and harlots. However, its moral reformers, like Charles Parkhurst of the SPC, Elbridge T. Gerry of the New York Society for the Prevention of Cruelty to Children (NYSPCC), and Anthony Comstock of the Society for the Prevention of Vice (SPV) held tremendous sway over forming the moral values of late nineteenth-century America. The "search for order" of the Progressive era, therefore, should include these moral reformers and their illiberal methods of dictating social norms.

Other historians have discussed preventive societies, policing, sexuality, and reform, but they have not discussed how all three intertwined at the turn of the twentieth century. Timothy Gilfoyle's *City of Eros*, a history of sex work in New York City from 1790 to 1920, touches on these societies and policing, but focuses on the lives of sex workers and the underworld systems that employed them rather than the political systems that constrained the industry.⁴ In contrast,

³ Edwin G. Burrows and Mike Wallace, *Gotham: A History of New York City to 1898* (New York: Oxford University Press, 1999), xviii.

⁴ Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1720-1920* (New York: W.W. Norton, 1992).

Daniel Czitrom's *New York Exposed* looks at one of Parkhurst's most influential accomplishments, the formation of the state led Lexow Committee, but Czitrom attributes the committee with moving the United States from the Gilded Age to the Progressive era.⁵ Although New York's moral reformers had a lasting impact on policing and municipal politics, Progressivism emerged from a much broader array of geographic and political influences. Some of these influences are discussed in Edmund Morris's *The Rise of Theodore Roosevelt*. Morris points to the immediate consequences of the Lexow Committee as a major reason for Strong's reform administration and Roosevelt's appointment as Police Commissioner, but he does not touch on Roosevelt's policing of sex work, nor how his policing tactics contributed to his unpopularity in New York City. Additionally, Morris does not mention how the state Republicans' approval of TR's unpopular policies on vice contributed to their loss of New York City in Roosevelt's 1898 campaign for governor.⁶

Various other books have also tried to explore these subjects, particularly in popular history, but they lack either a cohesive thesis or a convincing narrative.⁷ These books, as well as others, have disregarded the transition from the private policing of vice to the public policing of vice in New York instigated by Parkhurst and actualized by Roosevelt. These Protestant reformers in the late nineteenth century strove to redefine the boundaries of sexuality by lobbying for illiberal policies, which were enacted during Roosevelt's term on the Police Commission.

⁵ Daniel Czitrom, *New York Exposed: The Gilded Age Police Scandal that Launched the Progressive Era* (New York: Oxford University Press, 2016).

⁶ Edmund Morris, *The Rise of Theodore Roosevelt* (New York: Random House, 1979).

⁷ See Richard Zacks, *Island of Vice: Theodore Roosevelt's Quest to Clean Up Sin-Loving New York* (New York: Random House, 2012) & Warren Sloat, *A Battle for the Soul of New York: Tammany Hall, Police Corruption, Vice, and Reverend Charles Parkhurst's Crusade against Them, 1892-1895* (New York: Cooper Square Press, 2002).

Scholars define illiberalism as an encroachment on liberal ideals of social openness, tolerance, and self governance.⁸ Parkhurst wanted New Yorkers' sexuality to conform to his interpretation of the Bible and his Presbyterian teachings. By using the state to enforce a narrow definition of "good" forms of sexuality, Parkhurst and his allies encroached on the right of the people to govern themselves based on their own needs and desires. This illiberal approach also degraded sex workers and took away their agency. The enforcement of a single sexual morality, therefore, did not respect individual liberties and led to increased hostility between the Progressives and the reformers and those they sought to govern.

There is a thin grey line between traditional reformers and Progressives. Reformers, on the one hand, were primarily upper- and upper-middle-class men who opposed urban political machines, such as Tammany Hall.⁹ New York's 1890s reformers fit Kenneth Finegold's description of "traditional" reformers who wanted a "business government": a non-partisan administration focused on lowering taxes, building municipally-owned infrastructure, expanding social welfare for the "deserving" poor, ending corruption, and "home rule," a term for transferring powers over city affairs from state to local government.¹⁰ Traditional reformers' focus on municipal issues and their hostility to state and federal authorities contrasted with the Progressives who wanted all levels of government to fight monopolies, strengthen social bonds, and increase social efficiency.¹¹ Progressives believed in the collective responsibility of society to improve the morality of themselves and others. Moral improvement would then lead to economic improvement, and thus lift the lower classes out of poverty, producing a more efficient

⁸ András Sajó and Renáta Uitz, "A Compass for Illiberalism Research," in *Routledge Handbook of Illiberalism*, eds. András Sajó, Renáta Uitz, and Stephen Holmes (New York: Routledge, 2022), 976-977.

⁹ Samuel P. Hays, "The Politics of Reform in Municipal Government in the Progressive Era," *The Pacific Northwest Quarterly* 55, no. 4 (October, 1964): 157-169.

¹⁰ Kenneth Finegold, *Experts and Politicians: Reform Challenges to Machine Politics in New York, Cleveland, and Chicago* (Princeton: Princeton University Press, 1995), 15-18.

¹¹ Daniel T. Rodgers, "In Search of Progressivism," *Reviews in American History* 10, no. 4 (1982): 113-132.

and cohesive state. Robert H. Wiebe characterized this Progressive vision as a “search for order” that empowered the state to act in the interest of its citizens without their direct input.¹²

Wiebe’s “search for order” is a starting point to counter one of the most recent works on the Progressive Era, William J. Novak’s *New Democracy*. Novak reinterprets the Gilded Age and Progressive era as a period of growth for the United States, with the government increasing its capacity in order to fight the growing inequalities brought on by industrialism. Advocates of expanded state-regulatory power helped to democratize the United States by broadening the definition of citizenship, insisting that American institutions work to benefit the majority.¹³ Although the increased state power identified by Novak and previous scholars of Progressivism improved ordinary Americans’ economic standings, it curtailed individual social liberties by trying to legally enforce conservative Protestants’ ideals of temperance and chastity.

Private organizations like the SPC, the SPV, and the NYSPCC bridged the enforcement of Protestant morality with the Progressives and traditional reformers who also identified alcohol and sex work as detriments to social cohesion. As Timothy Gilfoyle argues, these organizations created a link between sexual control and political power.¹⁴ As president of New York’s Police Commission, Theodore Roosevelt fulfilled the wishes of the SPC and Charles Parkhurst by ushering in an illiberal administration based in Protestant dogma. Thus, ideas shifted from private enterprise to public; from the religious sphere to the secular one. Roosevelt’s police force cracked down on temperance and sexuality, following the law to the letter, driving a revolt of the working-class against the reform administration they previously supported.

¹² Robert H. Wiebe, *The Search for Order: 1877-1920* (New York: Hill & Wang, 1967).

¹³ William J. Novak, *New Democracy: The Creation of the Modern American State* (Cambridge, MA: Harvard University Press, 2022), 21-23.

¹⁴ Timothy Gilfoyle, “The Moral Origins of Political Surveillance: The Preventive Society in New York City, 1867-1918,” *American Quarterly* 38, no. 4 (Autumn, 1986), 679.

As the working-class could not afford to engage in sex work or imbibe in private homes, they had to resort to public spaces, like saloons and brothels. In the words of Roosevelt's close friend Jacob Riis, "those who would fight for the poor must fight the poor to do it," and the Progressives and reformers took these words to heart.¹⁵ For Progressives, the poor did not understand what was best for them. Therefore, the middle- and upper-classes had the duty to improve the lives of those less fortunate as part of a larger project to reform society. To that end, preventive societies and the Progressives sought social control over the proletariat, and restricting their sexuality was a convenient place to start.

Chapter one compares two of the most prominent preventive societies in postbellum New York City: The Society for the Prevention of Crime and the New York Society for the Prevention of Cruelty to Children. These organizations viewed sexual deviancy as a plague that needed to be eradicated, but their methods differed. The SPC wanted to help the police enforce vice laws it believed were being enforced half-heartedly, whereas the NYSPCC wanted to replace the police in all matters relating to children.

Chapter two looks at the year 1894, the height of the SPC's power in New York. After a targeted crusade, Charles Parkhurst convinced the New York Chamber of Commerce and Republicans in Albany to form a committee to investigate police corruption. This committee ultimately led to the uncovering of the police's complicity in sex work, creating moral outrage leading to the ouster of Tammany from city hall and the election of the reform administration of William Strong.

Chapter three discusses Theodore Roosevelt's time on the Police Commission, his ideas on sex work, his legalistic style of policing, and how Parkhurst's crusade against sex work

¹⁵ Jacob A. Riis, *How the Other Half Lives* (New York: Charles Scribner, 1890; New York: Penguin, 1997), 202.

became official government policy. It also touches on Roosevelt's unpopularity because of his policies and how his time as a Police Commissioner dogged him in his 1898 run for governor.

Roosevelt only lasted two years on the Police Commission, and many of TR's biographers dedicate little, if any, space to this period. However, Roosevelt himself viewed this time as foundational for his understanding of the United States and its people.¹⁶ From labour unions and tenements, to gambling and sex work, TR spent this period of his life dealing with regular people and the consequences of the laws passed, or obstructed, by city hall and Albany.¹⁷ Although Roosevelt frequently disagreed with criticism from those under his jurisdiction, his service as Police Commissioner gave him insight into the lives of the urban masses and helped him to refine his ideas about the state's role in policing sexuality.

Roosevelt's illiberal policies on sexuality and temperance never endeared him to working-class New Yorkers. Roosevelt and the SPC engaged in a search for moral order, one that restricted the habits of New York's proletariat and thoroughly annoyed them, despite the reformers' belief that they were helping them and society as a whole. TR and the SPC strove to restructure American values to correspond with narrow Protestant ideals in an attempt to create a cohesive society. Although Roosevelt and Parkhurst did not wholly succeed at reforming the police nor the working class, he helped to enable the move of Protestant morality from the religious sphere to the secular one.

¹⁶ Henry F. Pringle, *Theodore Roosevelt: A Biography* (New York: Harcourt, Brace and Company, 1931), 105; David H. Burton, *Theodore Roosevelt* (New York: Twayne Publishers, 1972), 58; Joshua Aloysius A. Norton, *Theodore Roosevelt* (New York: Twayne Publishers, 1980), 31-33; Nathan Miller, *Theodore Roosevelt: A Life* (New York: William Morrow, 1992); David Hawley, *Theodore Roosevelt: Preacher of Righteousness* (New Haven: Yale University Press, 2008), 91; Lewis L. Gould, *Theodore Roosevelt* (New York: Oxford University Press, 2012), 17.

¹⁷ Theodore Roosevelt, *Theodore Roosevelt: An Autobiography* (New York: Charles Scribner's, 1926), 195-201.

Chapter 1

Preventive Societies, Policing, and Protestantism

In January 1894, the New York State Senate struck a committee to investigate what it viewed as endemic corruption in the New York City Police Department. The investigators highlighted police tolerance of vice—a loose term that included anything from gambling and intemperance, to ballet and sex work. In one highly publicized case, Caela Urchittel, a Russian widow accused of running a brothel, testified that as punishment for ignoring a \$50 fine, police had given her three children to the New York Society for the Prevention of Cruelty to Children (NYSPCC). After weeks of searching, Urchittel discovered that the NYSPCC sent her children to the Hebrew Sheltering Arms Orphan Asylum, which rejected her pleas for their release. Working through a translator Urchittel implored the committee’s chairman to do something: “I lay my supplication before you Honorable Sir, father of family, whose heart beats for your children, and feels what children are to a faithful mother. Help me to get my children.”¹ In response to her testimony *The Evening World* blared “EXTRA. Gerry’s [Superintendent] Doesn’t Care. [...] Parkhurst Society to Aid Her in Regaining Possession of Her Little Ones.”²

By the 1890s, Elbridge T. Gerry’s New York Society for the Prevention of Cruelty to Children (hereafter known as the NYSPCC or Gerry Society) had the legal authority to arrest anyone who, it believed, endangered the life or morals of children and to send endangered children to religious institutions. Founded in 1874, the NYSPCC quickly spawned sister organizations across the United States and abroad. In New York, other moral reform societies,

¹ New York State Legislature, *Report and Proceedings of the Senate Committee Appointed to Investigate the Police Department of the City of New York*, (Albany: New York State Legislature, 1895), 2962-64.

² “Gerry’s Supt. Doesn’t Care,” *The Evening World*, September 14, 1894.

most importantly Reverend Charles H. Parkhurst's Society for the Prevention of Crime (SPC or Parkhurst Society), joined the larger campaign against vice by hiring private detectives who brought evidence to police and asked them to act upon it. Originally working with the police, in 1891, the SPC began "to fight the disease and not the symptoms" by attacking police corruption and Tammany Hall, the famous political club that dominated New York City's Democratic Party.³ Reformers established these societies to address what they viewed as significant gaps in laws and policing.

Despite what may seem like narrow objectives, the NYSPCC and the SPC had an outsized impact on restructuring the New York City Police Department and on Progressive politics nationwide. The NYSPCC used its legal powers and its connections to New York's wealthy citizens to influence politicians and media. As one state senator put it, "Mr. Gerry generally gets what he asks for in Albany."⁴ The SPC's tactics differed. Parkhurst's pulpit, as opposed to Gerry's connections, gave the SPC credibility, and Parkhurst's ability to generate media attention was unsurpassed. In 1894 alone, New York newspapers mentioned Parkhurst or his society no less than 2,000 times, significantly more than other leading figures like Governor Levi P. Morton, Mayor Thomas Gilroy, or Elbridge T. Gerry.⁵ Their location in New York City amplified reformers' influence. Most of the nationally circulated press came out of New York City, and New York state was a pivotal swing state in presidential elections, which helps explain why it produced three of the seven presidents and four vice-presidents elected between 1880 and 1912. One of those Presidents, Theodore Roosevelt, had been influenced by Gerry and Parkhurst after his appointment as President of the city's Police Commission in 1895. Following their lead,

³ Charles H. Parkhurst, *Our Fight with Tammany* (New York: Charles Scribner, 1895), 6.

⁴ New York State Legislature, *Report and Proceedings of the Senate Committee Appointed to Investigate the Police Department of the City of New York* (Albany: New York State Legislature, 1895), 2966.

⁵ Data collected through key word search from Newspapers.com.

Roosevelt closed disorderly houses, imposed a no-tolerance policy towards corruption, and enforced the excise law which prohibited Sunday liquor sales. When he left the Police Commission in April 1897, Roosevelt had burnished his reform credentials and refined his ideas about the state's role in the lives of the working class. This context makes these societies an important subject for understanding the connection between the policing of sexuality and Progressive Era reform.

Historians have long debated the definition of Progressive reform. An earlier generation of scholars focused on Progressivism's class orientation. Writing in 1955, Richard Hofstadter argued that Progressivism expressed the status anxiety of middle-class professionals worried about the growing power of Robber Barons on the top of society and immigrants and labour activists on the bottom. Hofstadter's contemporary Gabriel Kolko thought that the "who" did not matter so much as the "why." Kolko asserted that Progressives pursued deeply conservative and undemocratic policies that benefitted only the corporate elite. In a third line of argument, Robert Wiebe characterized Progressivism as a "search for order" that implemented bureaucratic reforms to manage the explosive changes of the industrial age, empowering the state more than any one social interest. Subsequent scholarship has questioned Progressivism's coherence. Arguing that few policies connected those who considered themselves to be "Progressives," Daniel Rodgers found Progressivism's unity in a shared rhetoric of anti-monopoly, social bonds, and social efficiency.⁶

⁶ Richard Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York: Knopf, 1955); Gabriel Kolko, *The Triumph of Conservatism: A Reinterpretation of American History, 1900-1916* (New York: The Free Press, 1963); Robert H. Wiebe, *The Search for Order: 1877-1920* (New York: Hill & Wang, 1967); Peter Filene, "An Obituary for the 'Progressive Movement,'" *American Quarterly* 22, no. 1 (1970): 20-34; Daniel T. Rodgers, "In Search of Progressivism," *Reviews in American History* 10, no. 4 (1982): 113-132.

Since Rodgers, the historiography of Progressivism has followed general movements in historical studies. Nell Painter's *Standing at Armageddon* emphasized race and empire in the issues of poverty, economic inequality, and class that traditionally overshadow other themes of the Progressive Era. Rebecca Edwards's *New Spirits* foregrounded the numerous democratic and social movements in the Gilded Age and suggests abandoning the term in place of the "Early Progressive Era." Similarly, Leon Fink's *The Long Gilded Age*, proposed the "Progressive Era" should be abandoned in favour of the book's title, as the excesses of capitalism define the period, not progressive reforms.⁷

Meanwhile historians of sexuality have looked to the Gilded Age and Progressive Era for the origins of the heteronormative sexual binary in which "feminine women were, the thinking went, 'naturally' attracted to masculine men, and vice versa." Some scholars have interpreted this development as a reaction to the collapse of "various longstanding cultural, political, and economic differences between men and women." Recently, Margot Canaday has searched for the origins of the sexual binary in federal government policy, particularly in the sphere of immigration. Previous studies of the activists behind this new form of sexual policing have been dominated by the ghost of one man, Anthony Comstock and his Society for the Suppression of Vice. The debate has ranged from questions regarding Comstock's personal psyche to the legacy of Comstockery on urbanization.⁸

⁷ Nell Irvin Painter, *Standing at Armageddon: The United States, 1877-1919* (New York: W.W. Norton, 1987); Rebecca Edwards, *New Spirit: America in the Gilded Age: 1865-1905* (New York: Oxford University Press, 2006); Leon Fink, *The Long Gilded Age: American Capitalism and the Lessons of a New World Order* (Philadelphia: University of Pennsylvania Press, 2015).

⁸ Kimberly A. Hamlin, "Gender," in *A Companion to the Gilded Age and Progressive Era*, eds. Christopher McKnight and Nancy C. Unger (New York: Wiley and Sons, 2017), 88; Leigh Ann Wheeler, "Inventing Sexuality: Ideologies, Identities, and Practice in the Gilded Age and Progressive Era," in *A Companion to the Gilded Age and Progressive Era*, 103; Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton: Princeton University Press, 2009); Robert W. Haney, *Comstockery in America: Patterns of Censorship and Control* (Boston: Beacon Press, 1960); David Pivar, *Purity Crusader: Sexual Morality and Social Control*,

Although Comstock played a large part in anti-vice campaigns and worked with Gerry and Parkhurst, their methods greatly differed. As Gaines M. Foster argues, Christian lobbyists like Comstock largely ignored issues that concerned Progressives like efficiency, democratic reform, and economic regulation. Instead, Christian lobbyists focused their criticism on individual sin and personal morality.⁹ Gerry and Parkhurst occupied a sort of middle-ground between the two fields. Although part of the Christian lobbying movement, they shared Progressives' desire for efficiency within enforcement agencies. Their call for a larger bureaucracy and more regulations focused almost exclusively on the working-class and they chose illiberal means in order to achieve their goals, whether that be through the creation of a private police force or by demanding that a democratically elected government enforce Protestant moral standards. Gerry and Parkhurst also spent a significant amount of time and effort on commercial sex, something Comstock largely ignored.

Sexuality and commercial sex, particularly in New York City, cannot be discussed without remarking on two landmark books from the 1990s: George Chauncey's *Gay New York* and Timothy Gilfoyle's *City of Eros*. Chauncey showed that gay life was more integrated into the fabric of urban society and therefore less demonized during the Gilded Age and Progressive Era. Concentrated in Black, Irish, and Italian immigrant neighbourhoods, New York's gay world was visible and visited by middle-class men who sought adventure and sexual encounters with other men without losing their heterosexual or "normal" status.¹⁰ Chauncey argues that the SPC and

1868-1900 (Westport, CT: Greenwood Press, 1973). See also Heywood Broun and Margaret Leech, *Anthony Comstock: Roundsman of the Lord* (London: Wishart, 1928); Amy Sohn, *The Man who Hated Women: Sex, Censorship & Civil Liberties in the Gilded Age* (New York: Farrar, Straus and Giroux, 2021).

⁹ Gaines M. Foster, *Moral Reconstruction: Christian Lobbyists and the Federal Legislation of Morality, 1865-1920* (Chapel Hill: The University of North Carolina Press, 2002), 74-75.

¹⁰ George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (New York: Basic Books, 1994), 9-10.

NYSPCC increased police hostility towards gay men because these societies regarded homosexual activity as well as sex work as threats to the nuclear family and the moral order that it upheld.¹¹

Looking at commercial sex rather than homosexuality, Gilfoyle showed how capitalism and the market replaced church and family as arbiters of sexual morals and norms. Like Chauncey, Gilfoyle interprets the NYSPCC and the SPC as frustrated by lax law enforcement that bred moral degradation.¹² In a previous essay, Gilfoyle argues that these societies generated a link between sexual control and political power.¹³ This project builds off Gilfoyle and Chauncey to explore the illiberal components of the SPC and NYSPCC, how they influenced the police, and finally how they shaped early-Progressive and reform politics in New York.

The illiberal streak in moral reform provides an important counterpoint to William J. Novak's recent reinterpretation of the Progressive Era as a stage in a long campaign to expand state power that began in the Civil War era and culminated in the New Deal. This multi-generational reform movement prioritized "the democratic public over and against private-sector privilege and inequality," and used the state as an instrument of democratic possibility.¹⁴ For Novak, advocates of expanded state regulatory power furthered democratization by bringing more citizens into the demos and re-evaluated American values and institutions for the benefit of the majority. Novak adds a caveat to his theory: "Increased state capacity brought unprecedented opportunities for both inclusion and exclusion, social welfare and social discipline, public

¹¹ Chauncey, *Gay New York*, 138.

¹² Timothy Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York: W.W. Norton, 1994), 187.

¹³ Timothy Gilfoyle, "The Moral Origins of Political Surveillance: The Preventive Society in New York City, 1867-1918," *American Quarterly* 38, no. 4 (Autumn, 1986), 679.

¹⁴ William J. Novak, *New Democracy: The Creation of the Modern American State* (Cambridge, MA: Harvard University Press, 2022), 21.

provision and public expropriation—a new democracy or a new despotism.”¹⁵ While state power did indeed increase at the end of the nineteenth-century through to the New Deal, the story of the NYSPCC and the SPC shows a more illiberal path than the one Novak believes occurred, particularly when it came to the subject of regulating sexuality.

Illiberalism is not an ideology like socialism or conservatism, nor is it antiliberalism, a movement against liberalism. Illiberalism is more pragmatic; often an encroachment on liberal ideals of social openness, tolerance, and self-governance.¹⁶ While other historians have attempted to tie the Progressives to illiberalism, primarily in the realm of economics, this project looks at the connection between moral reformers of the era, their crusade against vice, and how that ultimately matured into an illiberal enterprise in which the police became the arbiters of sexual morality.¹⁷

The broad definition of “vice” Gerry and Parkhurst used included issues like sex work, gambling, and intemperance, but the Gerry Society’s focus on children added other dimensions to the word. For Gerry, vice could include theatrical performances, ballet, street shows, begging, peddling, and the selling of alcohol, tobacco, or firearms to minors.¹⁸ The Parkhurst Society’s even more vague focus on “crime” further enlarged the scope of vice to include prize fights, bribery, pornography, pool, and lotteries.¹⁹ Vice, therefore, must be viewed in the context of each

¹⁵ Novak, *New Democracy*, 23.

¹⁶ András Sajó and Renáta Uitz, “A Compass for Illiberalism Research,” in *Routledge Handbook of Illiberalism*, eds. András Sajó, Renáta Uitz, and Stephen Holmes (New York: Routledge, 2022), 976-977.

¹⁷ Thomas C. Leonard, *Illiberal Reformers: Race, Eugenics, and American Economics in the Progressive Era* (Princeton, NJ: Princeton University Press, 2016).

¹⁸ The New York Society for the Prevention of Cruelty to Children, *Twenty-First Annual Report*, January 1896, 54-55; Various Letters from the Society for the Prevention of Cruelty to Children to Hugh Grant, Box 1433, Papers of Hugh Grant, New York City Municipal Archives, New York.

¹⁹ The Society for the Prevention of Crime, *Report of the Society for the Prevention of Crime*, 1903.

society's unique aim, but also in the Protestant evangelicalism that both Gerry and Parkhurst espoused.

The NYSPCC and the SPC shared many similar goals. They both wanted to fight against the evils of industrialisation like density, immigration, and class conflict, as well as moral issues like intemperance and sexual impropriety. While these societies firmly believed in the importance of religiosity and of regulating and policing the working-class, the Gilded Age, anti-government tendencies of Gerry and his upper-class allies sometimes clashed with the more Progressive Era Social Gospel espoused by Parkhurst and his predominantly middle-class following. Rather than running its own private police force, Parkhurst and the SPC wanted municipal authorities to regulate vice, but it argued that Tammany Hall partisans had turned the police into a Democratic Party patronage mill that lacked the expertise much less the interest to do its job effectively. Parkhurst framed his case for police reform in religious terms, comparing efficient service to “cleaning up after the devil,” and urged Protestants to stop the city's moral decay.²⁰ By this logic, a corrupted state corrupted the people, making municipal reform the means to mold society according to Protestant moral teachings.

The reform societies' crusade against moral degredation aimed at making New York a more conservative and repressive city. Although the NYSPCC aligned more with philanthropy and the SPC governmental reform, they both supported a stronger state with more regulatory powers. As relatively early advocates of expanding municipal regulation in America's largest city, these reformers set a precedent for later Progressive activists. Their actions in the early 1890s led to the creation of the Lexow Committee, and the evidence uncovered by the committee

²⁰ Parkhurst, *Our Fight*, 23.

and its SPC lawyers built a movement that overthrew Tammany Hall for a time and brought Progressive moral reformers, including Theodore Roosevelt, into positions of power on the city's police commission.

Decades of moralist criticism of police indifference to vice led to the rise of these societies and, ultimately, the restructuring of the New York City Police Department in the mid-1890s. Their critiques of partisan corruption dated to the creation of municipal police departments in the mid-nineteenth century. Organized in 1845, the New York City Police Department became a political football in the Civil War era as the state and the city competed to control it.²¹ In 1870, the city, governed by the Democratic Party, regained authority over the Department. Almost immediately Republicans accused the police of serving as partisan tools of Tammany Hall.²² Hiring practices that rewarded partisan operatives with jobs on the police force enmeshed it in the larger operations of the Tammany machine, giving its managers a say in who could be exempt from police interference and encouraging officers to take bribes in exchange for lenient enforcement. This unreliability persuaded many businesses to hire private security to protect their property. Some argued that private police saved money compared to paying higher taxes for an unreliable municipal force, a practice that helps explain why Gerry, the wealthy philanthropist, decided to create his own police force rather than increase the role and size of the municipal police department.²³

In the late antebellum era private philanthropists established several organizations, such as the Children's Aid Society, that sought to improve lives of neglected slum children by moving

²¹ Eric H. Monkkenon, *Police in Urban America: 1860-1920* (Cambridge: Cambridge University Press, 1981), 42; James F. Richardson, *The New York Police: Colonial Times to 1901* (New York: Oxford University Press, 1970), 109.

²² Samuel Walker, *A Critical History of Police Reform* (Lexington: Lexington Books, 1977), 3.

²³ Walker, *A Critical History*, 25, 29, & 31.

them into “better homes” and training them in industrial schools. Meanwhile city police lacked a clear mandate to intervene in what the state viewed as the private relationship between parent and child. Elbridge Gerry’s New York Society for the Prevention of Cruelty to Children aimed to fill the gap between child welfare philanthropy and municipal police.²⁴ In 1874, a church volunteer named Marietta Angell Wheeler visited a dying woman in a tenement house who complained of screams and cries coming from a little girl in the room next door. Concerned for the girl’s wellbeing, Wheeler interviewed the woman’s neighbours, who indicated that the child experienced abuse. Not knowing who to bring this information to, Wheeler went to charitable institutions, unspecified members of the clergy, and the police, all of who stated that they could not assist the child for one reason or another. She decided to try one last organization, the American Society for the Prevention of Cruelty to Animals, founded only a few years prior. ASPCA President and founder Henry Bergh acted upon Wheeler’s information and sent an officer of the society to investigate the child and her living situation.

Inside, the officer found Mary Ellen Wilson lying on a small piece of carpet, shivering, with little to no clothing. The woman living with her, Mary Connolly, had admitted the officer, stated that the child was under her care, but made no further explanation. Upon receiving the report, Bergh consulted with the society’s lawyer, Elbridge T. Gerry. Subsequently, the Society took possession of Mary Ellen and convicted Mary Connolly of assault.²⁵

²⁴ See Nicolette Severson, “‘Devils Would Blush to Look’: Brothel Visits of the New York Female Moral Reform Society, 1835 and 1836,” *Journal of the History of Sexuality* 23, no. 2 (2014): 226–246; Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (New York: Knopf, 1986), 193-216; John E. B. Myers, *Child Protection in America: Past, Present, and Future* (New York: Oxford University Press, 2006), 34.

²⁵ Elbridge T. Gerry, “The Origin, Growth and Progress of Societies for the Prevention of Cruelty to Children,” July 29, 1897, the NYSPCC Archive, New York Society for the Prevention of Cruelty to Children, New York; Elbridge T. Gerry, “Address to the American Humane Society,” 1908, The NYSPCC Archive, NYSPCC, New York, 6. For a more in depth look at the case of Mary Ellen Wilson, see Eric A. Shelman and Stephen Lazowitz, *The Mary Ellen Wilson Child Abuse Case and the Beginning of Children’s Rights in 19th Century America* (Jefferson, NC: McFarland & Company, 2005).

Because this case and others like it did not come under the official functions of the ASPCA, Bergh and Gerry called a meeting of fifteen “leading men of the city” that December which included people like one of New York’s first millionaires, Peter Cooper, president of the National Temperance Society and one of the nation’s most successful metals merchants, William E. Dodge, and Episcopal clergyman Reverend Stephen H. Tyng Jr., to come up with a solution.²⁶ The group founded The Society for the Prevention of Cruelty to Children at that meeting, and incorporated the Society in January, 1875.²⁷

In its first annual report, the NYSPCC’s first president, John D. Wright, stated that organizations like the Children’s Aid Society, The New York Infant Asylum, and the Society for the Protection of Destitute Children, assumed the care and control of children only after they had been placed in their custody. The NYSPCC, however, promised “to seek out and to rescue from the dens and slums of the city those little unfortunates whose childish lives are rendered miserable,” by “human brutes who happen to possess the custody or control of them.” Despite its actions in the years following its founding, Wright stated that ample laws focused on the protection of children existed, however, he asserted that no organization enforced these laws, “[Other societies] have as much as—nay, more than they can attend to. [...] The police and prosecuting officers of the people are necessarily engrossed in securing the conviction and punishment of offenders of a graver legal stripe; and [...] can hardly be expected to seek out and prosecute those who claim the right to ill-treat children over whom they have an apparent legal control.”²⁸ With the police and other societies occupied, the NYSPCC had a duty to protect

²⁶ Sven Beckert, *The Monied Metropolis: New York City and the Consolidation of the American Bourgeoisie, 1850-1896* (Cambridge: Cambridge University Press, 2001), 32, 54.

²⁷ Gerry, "The Origin."

²⁸ The New York Society for the Prevention of Cruelty to Children, *First Annual Report*, January 1876, 6.

children from their parents or guardians. Wright's phraseology and the particulars of the society's founding, however, raise questions about the NYSPCC's apparent altruistic intentions.

Although the NYSPCC later denied it, its early work concentrated almost exclusively on the poorest neighbourhoods in New York. In its first annual report, Wright proclaimed that the Society aimed to rescue children "from the dens and slums of the city."²⁹ Although a noble thought, abused children did not all live in the dens and slums of the Lower-East side. NYSPCC annual reports from 1876 through to 1900 rarely mention middle- or upper-class families who had their children taken away. The Gerry Society intervened in the lives of lower-class, immigrant families. Although the classist actions of the Society persisted throughout the late nineteenth-century, what it chose to police, and what it thought detrimental to a child's wellbeing changed dramatically in the Society's first fifteen years.

The Society's interest in protecting the moral wellbeing of children grew in correlation to the power it gained from the state. By 1876, the NYSPCC's first full year of operation, the Society already had two sister societies in the state. That same year, New York's state attorney general and New York City's district attorney made it the state's and the city's representative in all child abuse cases.³⁰ In 1880 Gerry said that the Society "enforces the laws of the State enacted for the protection of children by [referring] complaints and aiding in bringing the facts before the Court or Magistrate having jurisdiction." He added that "The vigor with which this is done, and the fact that no political, pecuniary, or other influences avail to stay its action, greatly diminishes the number of cases of cruelty by causing among offenders a wholesome dread of

²⁹ The New York Society for the Prevention of Cruelty to Children, *First Annual Report*, January 1876, 6.

³⁰ Gilfoyle, *City of Eros*, 188; The New York Society for the Prevention of Cruelty to Children, *First Annual Report*, January 1876, 54.

it.”³¹ Due to the endemic battles over corruption and jurisdictional control of the police, Gerry declared the success of his organization hinged on neither politicians nor the courts standing in the way of the NYSPCC to enforce these laws.

Although the NYSPCC’s 1882 annual report presented saving children from “physical pain, suffering, disease and death,” as its primary concern, that same year Gerry told a public audience that child welfare philanthropists should concentrate on protecting children from immorality rather than physical harm.³² Worried about threats to the “intellectual, moral or physical strength” of Americans, Gerry believed that men should “be competent to bear arms for the protection of the republic,” women should “be physically capable of bearing children,” and both sexes should “be so educated and trained that the [...] moral status of the Sovereign People shall not only remain unimpaired by lapse in time, but shall increase in strength.” Therefore, “So long as vice and crime and evil passions exist in the community, [the Society’s] utility must also exist.”³³ Gerry thus connected protecting children to defending the nation. Creating a strong generation willing and able to procreate and fight for the “moral status” of the United States would stave off foreign threats embodied by immigrants as well as rival empires. These societies had the opportunity to save their country from moral degradation by rescuing children from the tenements and placing them in institutions in order to “reform their vicious habits,” and “give them moral and intellectual training.”³⁴

This moralizing rhetoric only increased after 1888 when the NYSPCC’s agents received the right to arrest anyone violating child protection laws. In 1891, Gerry stated that children of

³¹ The New York Society for the Prevention of Cruelty to Children, *Sixth Annual Report*, January 1881, 5.

³² The New York Society for the Prevention of Cruelty to Children, *Eighth Annual Report*, January 1883, 5-6.

³³ Elbridge T. Gerry, “The Relation of Societies for the Prevention of Cruelty to Children and Child-saving Work,” in *The New York Society for the Prevention of Cruelty to Children, Eighth Annual Report*, January 1883, 54 & 57.

³⁴ The New York Society for the Prevention of Cruelty to Children, *Sixth Annual Report*, January 1881 5.

the poor needed boys' clubs and girls' sewing classes so that "the young may meet without danger of contamination and may be lured from the brothel and the saloon, always open to receive fresh victims."³⁵ And by the summer of 1894, the year the Lexow Committee compiled evidence against New York's police, Gerry said that the moral upbringing of children had become his Society's primary focus. Addressing New York's constitutional convention, Gerry said, "Vice is an infectious and contagious disease. The child who becomes exposed to its evil influence and becomes saturated with the poison, cannot be changed from that poison merely by removing it from vicious surroundings. [...] The poison is in the child himself." Gerry's cure for the problem was simple: "[The poison] can only be permanently eradicated by the application of definite religious teaching, morning, noon and night, until the child becomes a man."³⁶ Physical space poisoned children with immorality, however, once a child had been removed from the immoral space, they had to be instilled with the teachings of God and religion to be cured and become a functional member of society. Using the language of "poison" and "disease," Gerry conjured up a popular trope of the Gilded Age used against immigrants for sanitation and anti-tenement movements.³⁷ For Gerry and his ilk, vice spread to different areas because of its infectiousness, and that infection could destroy a child's entire life.

Gerry believed that the immigration surge from southern and eastern European immigrants had caused immorality to flourish and threatened anarchy if left unchecked. In the same 1894 testimony, Gerry asserted that "foreigners" carried "the prejudices which exist in the

³⁵ The New York Society for the Prevention of Cruelty to Children, *Seventeenth Annual Report*, January 1892, 8.

³⁶ Elbridge T. Gerry, "Remarks of Mr. Elbridge T. Gerry Before the Joint Committees on Education, Taxation, Charities and Legislative Powers of the Constitutional Convention," July 11, 1894, The NYSPCC Archive, The New York Society for the Prevention of Cruelty to Children, New York, 22.

³⁷ Carl S. Smith, *City Water, City Life: Water and the Infrastructure of Ideas in Urbanizing Philadelphia, Boston, and Chicago* (Chicago: University of Chicago Press, 2013), 163, 170; Richard White, *The Republic for Which it Stands: The United States During Reconstruction and the Gilded Age, 1865-1896* (New York: Oxford University Press, 2017), 694.

effete and worn-out governments of the Old World,” where parents taught their children “that there is no God for them to worship, no religion to profess.” He stated that “Christendom needs all its forces united against this influx of unbelief. Anarchy is the legitimate result of the suppression of religion. Anarchy recognizes no God and unless you have a definite fixed form of religious teaching the child does not know what it does believe.”³⁸ The children of immigrants, according to Gerry, would grow up with their parents’ values from the “Old World,” and instill them in American society. Therefore, the NYSPCC had to closely watch these newcomers and their children to ensure their acculturation. This concern helps to understand the NYSPCC’s growing interest in the commercial sex trade.

The NYSPCC linked vice to the social ills of low-income tenement districts where disorderly houses flourished. According to its 1892 report, disorderly houses’ “polluting presence in the midst of families of women and children complete the long list of evils inseparably connected with and constantly flowing out of the tenement-house system.”³⁹ Closing disorderly houses was only one step in child-saving work. Children in vice-ridden tenements had to be removed from the diseased “atmosphere” and the “influences of Religion” needed to be “applied systematically and without stint,” in order to stop “the infection” of criminality.⁴⁰

Although the Society did not print statistical reports including the number of arrests it made and for what reason until 1895, by 1889, the first full year it had the ability to issue warrants and arrest individuals, the Society highlighted six cases in its annual report involving disorderly houses. Of these six cases, only half actually involved children being used for “immoral” purposes, while the Society simply closed, or assisted in closing, the other three

³⁸ Gerry, “Remarks Before the Joint Committees,” 14-15.

³⁹ The New York Society for the Prevention of Cruelty to Children, *Seventeenth Annual Report*, January 1892, 16.

⁴⁰ The New York Society for the Prevention of Cruelty to Children, *Sixteenth Annual Report*, January 1891, 6-7.

disorderly houses. In the cases involving children, the Society sent a suspected fifteen-year-old Polish prostitute to the House of Mercy and arrested two brothel keepers, one for employing and kidnapping two young girls, and the other the owner of a massage parlour who employed a young girl.⁴¹ Suggestive of the NYSPCC's nativism, its agents removed the Polish immigrant from her home but left that brothel keeper unpunished, whereas the latter cases, which involved native-born white girls, resulted in charges for their employers and the release of the girls.

More revealing are the cases involving disorderly houses. In March, the Society received numerous complaints about "certain dens of vice conducted under the guise of 'Cigar Stores' in the basement of tenement houses." Cigar stores represented a "new source of contamination that thus menaced the morals of our youth in their very homes." The Society believed one of these stores likely doubled as a brothel or house of assignation in the evening and the Justice at the Essex Market Police Court agreed. Unlike two of the previous cases involving child prostitution, in this case the court fined the proprietor \$100 and closed her shop.⁴² A similar case on October 11th concerned a saloon that doubled as a "bawdyhouse," located in a tenement. The Society's officers descended upon the saloon, witnessed "the vice," arrested the sex workers, and closed its doors. The court fined that Madam \$50.⁴³

These two cases exemplify the majority of the NYSPCC's actions against disorderly houses. The Society had more success in closing down brothels operating in tenements than it did in closing down the houses where children actually worked. Despite lacking evidence of

⁴¹ The New York Society for the Prevention of Cruelty to Children, *Fifteenth Annual Report*, January 1890, 15, 34, 54.

⁴² The New York Society for the Prevention of Cruelty to Children, *Fifteenth Annual Report*, January 1890, 26.

⁴³ The New York Society for the Prevention of Cruelty to Children, *Fifteenth Annual Report*, January 1890, 54.

children being directly impacted by the disorderly houses, the Society closed them down because of their proximity to families.

Unlike the other cases in the 1889 report, the single incident involving Chinese new Yorkers began with a racist diatribe. Describing the Chinese neighborhood centered on the intersection of Mott and Pell Streets, the report said “Everything is Chinese here, the signs on the outside and the matting on the insides of the houses, the Pigtails gazing stoically out of their oblique orbs on the sidewalk, and the Pigtails within throwing rice into their capacious maws with chopsticks.” Echoing the anti-Asian rhetoric that drove racial violence in California mining camps and led to the Chinese Exclusion Act of 1882, the report went on to say that a stranger rightly:

Pictures these places as dens of vice and sinks of depravity; he fills them with Chinese demons whose special delight is to favour fair young maidens, like that ancient God of mythology. Indignant and horrified he rushes to the authorities, tells the police and writes to the Society, and confidently expects to see within a week all Chinatown razed to the ground, and all the Chinese thereof hanging to the nearest lamppost or lodged within the Tombs.⁴⁴

To that end, on 12 December a dozen of the Society’s officers and a squad of police raided six Chinatown houses. The Society described that it found “squalid misery and occidental luxury, simple living rooms and wicked gambling rooms, old Chinese smoking opium and young Chinamen courting old women and young women [...], but absolutely not one female under the age of twenty!” The Society, therefore, had no business to attend to and left the matter to the police and the courts.⁴⁵

⁴⁴ The New York Society for the Prevention of Cruelty to Children, *Fifteenth Annual Report*, January 1890, 58.

⁴⁵ The New York Society for the Prevention of Cruelty to Children, *Fifteenth Annual Report*, January 1890, 59.

The Society attended the raid because it assumed children were present in the disorderly houses, however, not only were no children present, but the Society used half a page to describe the viciousness and immorality that engrossed Chinatown. It showcased this episode and others like it in order to exploit anti-immigrant sentiment.

In every annual report the Society highlighted at least one case involving someone of Chinese descent, despite the fact that it arrested very few Asian people. In 1895, the NYSPCC arrested 12,816 white people, 286 Black New Yorkers, and four people of Asiatic descent.⁴⁶ In 1896, the numbers were even more dramatic with 19,654 whites, 385 Blacks, and one Asian person arrested.⁴⁷ The Annual Reports for 1897 and 1898 placed people of Asian decent and Black New Yorkers into the same category, but arrests of “colored people” remained less than two percent of the total.⁴⁸ The Society attacked Asian New Yorkers without evidence that they represented a threat to child welfare.

Because fundraising was one of the primary purposes of the Gerry Society’s annual reports, it likely included anti-Chinese rhetoric in order to secure more funds from its donors. The 1889 Annual Report did not uniquely showcase the Society’s successes in saving children, it did the opposite in some instances. However, it did highlight issues that could entice donors: placing a feeble-minded Polish girl into an institution, closing disorderly houses that operated in tenements, and raiding a Chinese neighbourhood. The Society stated that it wanted to save children from physical and moral harm, but it took a decidedly illiberal course of action.

⁴⁶ The New York Society for the Prevention of Cruelty to Children, *Twenty-First Annual Report*, January 1896, 56-57.

⁴⁷ The New York Society for the Prevention of Cruelty to Children, *Twenty-Second Annual Report*, January 1897, 53.

⁴⁸ The New York Society for the Prevention of Cruelty to Children, *Twenty-Third Annual Report*, January 1898, 58; The New York Society for the Prevention of Cruelty to Children, *Twenty-Fourth Annual Report*, January 1899, 64.

Privately funded and using government given powers to survey and regulate New York's sexual conduct, the NYSPCC became an enforcer of public morality at a time when the police chose to generally ignore issues of vice and morality.

While the NYSPCC began its career helping physically abused children and slowly moved into the policing of morality, the Society for the Prevention of Crime got its start by assisting the police to enforce laws relating to vice. The first mention of the SPC occurs in the *New York Daily Herald* in 1877, when William Regan stood trial for selling and exhibiting "obscene pictures" in his saloon. Regan had escaped conviction after an 1875 arrest by Anthony Comstock's Society for the Suppression of Vice, but in 1877 the Society for the Prevention of Crime instigated a new trial where the jury ultimately could not come to an agreement.⁴⁹

In an 1878 *New York Times* advertisement, the Society opposed lifting a ban on Sunday alcohol sales and on changing restrictions on selling alcohol "to minors, habitual drunkards, Indians, and inmates of any Poor or Alms House."⁵⁰ Society President Howard Crosby made the same argument to the State's Committee on Internal Affairs.⁵¹ Crosby and the SPC wanted the excise laws enforced as they had been written, but not total temperance. Prior to its formal incorporation in October, 1878, the Society had a hierarchy and a set of moral convictions influenced by Crosby's Presbyterian background, however, it rarely received any press and had limited funding from Crosby's church and millionaire Peter Cooper who, as with the NYSPCC, helped to found the SPC.

⁴⁹ "Obscene Publication Arrests," *New York Daily Herald*, December 2, 1875; "General Sessions—Part 2," *New York Daily Herald*, March 9, 1877.

⁵⁰ "Society for the Prevention of Crime," *The New York Times*, January 12, 1878.

⁵¹ "Excise Discussion," *New York Daily Herald*, February 7, 1878.

The Society's October 1878 Certificate of Incorporation set down its broader objectives. The SPC aimed, first and foremost, "To promote, in all proper and suitable ways, the removal of sources and causes of crime."⁵² The SPC's paternalistic attitude towards the poor manifested in its promise to "protect" the "weak and helpless" by enforcing "the laws regulating the sale of intoxicating drinks." It believed that people tempted to drink needed to be protected from the saloon keepers as well as the "temptations of crime," which include the vices of alcohol, sex, and gambling. The Society imposed its views of morality onto those it viewed as weak, most notably the poor and immigrants.

The leadership of the Society for the Prevention of Crime included clergy, anti-Tammany politicians, and professionals, but unlike the NYSPCC it had fewer benefactors among the long-tailed families of upper-class New York.⁵³ Ten years after its incorporation, the SPC struggled financially, especially compared to the NYSPCC. In 1888, the SPC only received \$1,400 in donations, but spent over twice that amount, with only \$153.97 in the bank for 1889.⁵⁴ Comparatively, for the year 1889, the NYSPCC spent \$55,003.13 and had a balance of \$2,650.76 going into 1890.⁵⁵ Additionally, the Gerry Society owned its building on East 23d Street which cost the Society \$43,000 in 1880, and only owed \$20,000 on its mortgage in 1889.⁵⁶ "Often crippled by a deficiency in the treasury," the SPC's limited funds hampered its ability to affect change.⁵⁷ The NYSPCC had the ability to pay for detectives and numerous other staff, as well as

⁵² Certificate for the Incorporation of the Society for the Prevention of Crime, 29 October, 1878, Flat Box 598, Society for the Prevention of Crime Records, Rare Book and Manuscript Library, Columbia University, New York.

⁵³ Certificate for the Incorporation of the Society for the Prevention of Crime, 29 October, 1878, Flat Box 598, Society for the Prevention of Crime Records.

⁵⁴ Society for the Prevention of Crime, *Twelfth Annual Report*, 1888, 7.

⁵⁵ The New York Society for the Prevention of Cruelty to Children, *Fifteenth Annual Report*, January 1890, 10.

⁵⁶ The New York Society for the Prevention of Cruelty to Children, *Sixth Annual Report*, January 1881, 13; The New York Society for the Prevention of Cruelty to Children, *Fifteenth Annual Report*, January 1890 10.

⁵⁷ Society for the Prevention of Crime, *Twelfth Annual Report*, 1888, 4.

a building. The SPC relied on volunteers to conduct its business, and even in that endeavour the Society struggled.

By the end of the 1880s, the SPC had failed to accomplish its objectives, primarily because the police refused to enforce morality laws. Although Crosby lauded the Society at the beginning of the report and congratulated its volunteers “on the improved state of the city,” particularly in the curtailment of the number of saloons, the report of the Committee on Enforcement of Law painted a gloomier picture of the Society’s efforts.⁵⁸ When the Society notified the captains of four police precincts of multiple pool halls running illegal lotteries, the Committee complained that the police “failed to stop or break them up, and allowed them to continue their nefarious business.” On a similar note, the Society received thirty-two complaints of houses of ill-fame, of which the police raided six, however in nearly every instance, “the complainant refused to go to the front, and no action was taken.”⁵⁹ Unable to force the police to act on the complaints it received, the SPC struggled for relevancy. That changed with the death of Howard Crosby in 1891 and Charles H. Parkhurst’s ascension to the role of President.

Parkhurst’s membership in the SPC began only a few months prior to his presidency. Born in Massachusetts in 1842, Parkhurst attended Amherst College where he received his Bachelor’s, Masters, and Doctor of Divinity degrees. After serving as principal of Amherst High School, he studied theology in Germany and taught at Williston Seminary in Massachusetts before being called to New York as the pastor of the Madison Square Presbyterian Church in 1880.⁶⁰ Crosby, a fellow Presbyterian minister, asked Parkhurst to join the Society after reading one of his sermons. On April 30, 1891, one month after Crosby died, the SPC elected Parkhurst

⁵⁸ Society for the Prevention of Crime, *Twelfth Annual Report*, 1888, 3.

⁵⁹ Society for the Prevention of Crime, *Twelfth Annual Report*, 1888, 13.

⁶⁰ “Dr. Parkhurst Dies of Fall in his Sleep,” *Times Union*, September 8, 1933.

president on the condition that the Society treat the police department as its arch-antagonist, “making with it no alliance and giving it no quarter.”⁶¹ Additionally, Parkhurst changed the Society’s primary concern from the Excise law and saloons to sex work and disorderly houses. Parkhurst chose to use disorderly houses and sexuality as a vehicle for wider police reforms for several reasons including his personal theological interpretations and how conspicuously the police allowed commercial sex to flourish in the city.

According to Parkhurst, the municipal government’s corruption tainted the morals of its citizens and impaired the ability of reformers to save their souls. In a well-publicized 1892 sermon, Parkhurst stated that reformers focused on the “moral betterment of this city” confronted a “damnable pack of administrative bloodhounds that are fattening themselves on the ethical flesh and blood of our citizenship.”⁶² Parkhurst insisted that all Protestants had a stake in saving New York City. “It would count more in the moral life of the world to have this city, where the heart of the country beats,” than it would to evangelize all of Africa.⁶³ Because of New York’s influence, the city’s rampant immorality and the police’s unwillingness to enforce Protestant morals contributed not only to its own moral degradation, but to that of the world.

Parkhurst thoroughly believed that he and his congregation had a duty to save the city. In that same sermon, he attacked idle Christians: “If your Christianity is not vigorous enough to help save this country and this city, it is not vigorous enough to do anything toward saving you.”⁶⁴ By this logic, reforming New York’s police was a Godly movement that had the power to save souls. This school of thought was not unique to Parkhurst. As historian Ian Tyrell points

⁶¹ Parkhurst, *Our Fight*, 3-5.

⁶² Parkhurst, *Our Fight*, 10.

⁶³ Parkhurst, *Our Fight*, 19.s

⁶⁴ Parkhurst, *Our Fight*, 20.

out, the moral movements of the Progressive era criticized American global expansion when it deviated from evangelical morals.⁶⁵ Although Parkhurst concentrated uniquely on New York City, the connection between his work in New York and that of other reformers including Elbridge T. Gerry is unmistakable.

Parkhurst and Gerry both wanted to “save” the people of Gotham, but they simultaneously had an eye on the rest of the world. The Gerry Society had successfully exported its model across the globe with sister organizations across the United States as well as the UK, France, Spain, Cuba, Colombia, Canada, and Australia by the end of 1892. While the SPC focused on creating a strong local organization in the early 1890s, by 1903 the Society worked with numerous likeminded organizations in Europe and Canada to suppress immorality.⁶⁶ The limits of geography did not concern this movement, its concern was the betterment of all mankind in accordance with Protestant moral teachings.

Parkhurst’s theology formed a part of the Social Gospel movement. An offshoot of developments in American Protestantism, the Social Gospel sought to apply a progressive theological vision to society.⁶⁷ As Parkhurst explained:

I am moved [...] by the respect which I have for the Ten Commandments, and by my anxiety as a preacher of Jesus Christ, to have the law of God regnant in individual and social life; so that I antagonize our existing municipal administration, because I believe [...] that administration to be essentially corrupt, interiorly rotten, and in all its combined tendency and effect to stand in diametric resistance to all that Christ and a loyally Christian pulpit represent in the world.⁶⁸

⁶⁵ Ian Tyrell, *Reforming the World: The Creation of America's Moral Empire* (Princeton: Princeton University Press, 2010), 5.

⁶⁶ The New York Society for the Prevention of Cruelty to Children, *Eighteenth Annual Report*, January 1893, 98; Society for the Prevention of Crime, *Report of the Society for the Prevention of Crime*, 1903, 7.

⁶⁷ Christopher H. Evans, *The Social Gospel in American Religion: A History* (New York: New York University Press, 2017), 2.

⁶⁸ Parkhurst, *Our Fight*, 61.

This sentence represents Parkhurst's core thesis. He affirmed that he based his actions in the ultimate power of God and the Bible while simultaneously acknowledging his "anxiety as a preacher" that God did not speak these ideas directly to him, but that he performed these duties as a vessel of God. Parkhurst saw the municipal government as an opponent to the word of God and the followers of Christ, with the police department and the mayor's office representing evil incarnate. Consequently, stopping that evil required placing a Godly government in place of the ungodly one.

Parkhurst argued that rooting out corruption in the police and the city government would aid in the public's salvation. In his 1892 sermon, he stated that the church needed to engage in politics to "save" the sex workers of New York: "If we are not, as a church, transcending our jurisdiction by attempting to convert Third Avenue prostitutes from their harlotry, then surely we are within the pale of our authority as a church when we antagonize [...] an administration the one necessary outcome of whose policy is to breed prostitutes."⁶⁹ In Parkhurst's mind, there existed little reason to even attempt to rid New York of commercial sex with Tammany Hall in charge as its policies led more people to become sex workers than any other force. The actions of the police and the municipal administration in the Summer and Fall of 1893 only reinforced of Parkhurst's beliefs.

Like the Gerry Society, Parkhurst wanted to close disorderly houses and halt commercial sex, but ultimately for a different reason. Parkhurst aimed his crusade against an immoral municipal administration, one he called "essentially corrupt, interiorly rotten, and in all its combined tendency and effect to stand in diametric resistance to all that Christ and a loyally

⁶⁹ Parkhurst, *Our Fight*, 23.

Christian pulpit represent in the world.”⁷⁰ Closing down disorderly houses served as a means to the end of joining law enforcement to Christian ethics. As Parkhurst said in 1895, going after sex workers and disorderly houses “was the easiest means by which police indifference to blatant crime in this city could be brought to light and made public.”⁷¹ His “crusade” did not prioritize “sexual vice” in and of itself, instead its “warfare was only against the police considered as the salaried protectors of vice.” Parkhurst believed that trying to eradicate commercialized sex work would only “confuse the issue and [...] sidetrack the entire movement.”⁷² Although obviously immoral to Parkhurst and the SPC, sex workers themselves bore less responsibility for the spread of vice than did the government that allowed it to fester and grow. Exposing the enormity of commercial sex in New York enabled the Society to show the rampant corruption that ran through the police and the municipal administration.

In August 1893, Parkhurst and the SPC launched a new campaign to persuade New Yorkers of the need for police reform. In letters copied to the mayor, police commission president, and Police Superintendent Thomas Byrnes, the SPC listed fifty-three alleged disorderly houses and fifteen gambling houses in the Eleventh Police Precinct run by Captain William Devery, who also received a copy. The letters reminded the officials of the police department’s “Rules and Regulations” and city’s Consolidation Act which “obliged and empowered” the police to “observe and inspect all houses of prostitution,” and “with or without warrant, to arrest all persons guilty of violating any law pertaining thereto.” Parkhurst then called

⁷⁰ Parkhurst, *Our Fight*, 61.

⁷¹ Parkhurst, *Our Fight*, 154-55.

⁷² Parkhurst, *Our Fight*, 154.

on the police to “proceed at once to close the following places which, as we have learned by repeated inspection made for us, are now being used for lewd and obscene purposes.”⁷³

The media publicized Parkhurst’s letters but disagreed about his charge of police corruption. *The Evening World* described the letters as “another crusade against vice and immorality,” while the *New-York Daily Tribune* stated that they deal “with facts, figures and addresses in such a way as to leave no doubt that the society has been conducting an exceedingly searching crusade in that quarter of the city.”⁷⁴ *The New York Times*, a supporter of conservative voices within the Democratic Party, called the letters “an absurdly rhetorical performance, which naturally inclines any reader of it to sympathize with the object rather than with the author of the ‘charges.’”⁷⁵ Although the *Times* took the side of the police and believed that the letters ultimately hurt Parkhurst’s cause more than assisted it, the *Tribune*’s praise of Parkhurst show some popular support for his crusade. Additionally, the letters gave the Parkhurst Society the media attention it sought, even if police leadership did little in response.

Two months later, the Society sent a new batch of letters to the police leadership. The disorderly houses, it claimed, were still in operation. “Whether [Captain Devery] visited them or not, they were in operation prior to that date; they were in operation subsequent to that date, and they were all of them in full blast on October 4th.”⁷⁶ The Society had made the effort to return to the disorderly houses Devery stated he himself had inspected and found that the situation had not

⁷³ Charles H. Parkhurst to Thomas Byrnes, undated, Box 252, Papers of Thomas F. Gilroy, New York City Municipal Archives, New York.

⁷⁴ “Dr. Parkhurst’s Crusade,” *The Evening World*, August 10, 1893; “Dr. Parkhurst and the Society for...,” *New-York Daily Tribune*, August 11, 1893.

⁷⁵ “Dr. Parkhurst and Capt. Devery,” *The New York Times*, August 13, 1893.

⁷⁶ Charles H. Parkhurst to William S. Devery, October 12, 1893, Box 252, Gilroy Papers.

changed one iota. That being the case, the Society believed a second letter, also sent to the media, would hopefully bring additional scrutiny to the police.

The Society saved its harshest criticism for Police Commissioner James J. Martin. Opening with “Whatever may be the incapacity or duplicity of the agencies through which you aim to secure the enforcement of law, you will be obliged to concede that the responsibility for the condition of this City in that particular still rests with yourself and your colleagues.” The letter went on to accuse the Commission of keeping Devery in his position despite gross incompetency and criminality. “However you may see fit to explain it, the criminals in that district expect more from the protection of your Department than they fear from its inflictions.” Parkhurst accused the Police Commission of failing to follow the law, called the police commissioners duplicitous, and charged Devery and his subordinates with criminality. Based on its evidence, the Parkhurst Society believed that the police left disorderly houses alone in exchange for bribes.

These letters show the extent of Parkhurst’s illiberal tactics and the use of his personal theology to push for greater enforcement of moral laws, without input from those being policed nor widespread popular support. In the short-term, Parkhurst wanted the police to either admit to their corruption or obtain popular support against the police. In the long-term, however, Parkhurst wanted the police to enforce a Protestant morality. While Parkhurst and Gerry pursued this same general objective, Gerry focused on child protection rather than crime at large, but Parkhurst desired greater reach for his moral reforms. Parkhurst wanted the police across the city to be more vigilant when it came to crimes that conflicted with his moral code.

Parkhurst and the police department’s antagonism towards one another climaxed on October 27, 1893 with what Parkhurst called the “Broome Street Mob.” Four Parkhurst agents

claimed that a group of two-hundred to fifteen-hundred men chased them after they left the Essex Market Police Court where they had testified against Eleventh Precinct disorderly houses. With police refusing to help, the agents escaped onto a horsecar.⁷⁷

Initially “disgusted” by the news, Superintendent Byrnes looked past his conflict with Parkhurst and promised to take “action against any one who was responsible for” the mob.⁷⁸ After an investigation, however, he concluded that no mob existed, and if it had, the Society’s agents simply sought to “make a mountain out of a molehill” to influence public opinion.⁷⁹ Likely both sides exaggerated their version of the event. Given the Department’s hostility, the Society decided against lodging a formal complaint and instead prosecuted the case in the press.⁸⁰ As Parkhurst said of the Broome Street mob, “Nothing [...] has occurred in the history of our dealings with the high police officials [...] that has made more friends for our cause.”⁸¹

The animosity shown in the Broome Street Mob incident helped bring about the Lexow Committee. At an impasse, neither side would willingly allow the other an inch of space to plead their case. Additionally, the growing discord between Albany Republicans and New York Democrats, as well as Parkhurst’s public image campaign against the police led to a year long battle between the police and Parkhurst aligned Republicans who sought to undermine Tammany Hall’s Police Department. This immediate consequence of Parkhurst’s crusade brought short term reforms enacted by Martin’s successor at the Police Commission, Theodore Roosevelt, who

⁷⁷ Parkhurst, *Our Fight*, 206-210; Thomas Byrnes, Report to Police Commission on Broome Street Mob, November 3, 1893, Box 252, Gilroy Papers, 3-5.

⁷⁸ “Superintendent Byrnes Vexed,” *The New York Times*, October 29, 1893.

⁷⁹ Byrnes, Report to Police Commission, 7 & 15.

⁸⁰ Byrnes, Report to Police Commission, 17;

⁸¹ Parkhurst, *Our Fight*, 210.

took on the moral problems Parkhurst and Gerry had called attention to over the previous decades to various success.

Most consequentially, the behaviours Parkhurst and Gerry decried as immoral became more widely viewed as such because of their societies' enforcement of religious morality. The New York police who had previously been scorned by the SPC soon followed its lead when it came to policing sexuality. From raiding disorderly houses in the nineteenth-century to raiding the Stonewall Inn in 1969; the New York Police Department went from a force that refused to enforce morality laws to one that notoriously did so.

Politically, Gerry's and Parkhurst's argument for using the state to regulate influenced people like Theodore Roosevelt, who even after his time as president of the Police Commission consulted with Parkhurst and the SPC on policy. The state's role in regulating sexual encounters became more stringent and more widely accepted in the twentieth-century as governments and police passed and enforced laws restricting sexual encounters, particularly with the rise of the idea of "white slavery" and the Mann Act of 1910.⁸²

This illiberal search for a moral order advocated by Gerry and Parkhurst had far reaching consequences for New Yorkers, and Americans more generally. Their crusade for state enforcement of Protestant morality helped to entrench a heteronormative binary, one where only "pure," feminine women attracted masculine men and vice versa. Motivated by concern for the welfare of innocents, these reformers chose to push for a more restrictive city, one that would reflect their own personal beliefs to the detriment of those they sought to "save." However, like

⁸² See Nancy Unger, "Gender Politics in the Supreme Court's Lochner Era: Interpreting the Constitution to Uphold Efforts to Limit Revolutions in American Morality," in *Les constitutions: des revolutions a l'épreuve du temps en Europe et aux États-Unis/Constitutions: On-Going Revolutions in Europe and in the United States*, eds. Marie Bolton and Marie-Elisabeth Baudin (Paris: Centre Michel de l'Hospital, 2017): 317-336.

so many other Progressive Era reformers, their actions had unintended consequences. From queer people being accused of “grooming” children simply by proximity, to bathhouse raids and the suppression of sex workers, the moral order pursued by Parkhurst, Gerry, and similar people has had a ruinous effect on the lives of millions.

Chapter 2

Tammany in Trouble

On November 20, 1894, the Chamber of Commerce of the State of New-York held their annual banquet at the famous Delmonico's. Between courses of sliced sea bass, terrapin stew, and foie-gras, the Chamber's former president, Charles S. Smith, congratulated its members for their role in electing a reform mayor in New York City and encouraged them to continue their mission: "We are bound to reconstruct the government of this City, and you, gentlemen of this Chamber, are pledged by every consideration of duty and honor to do this work, for you created the Lexow Committee, and sustained it by your money. You were among the first causes of this grand revolution in City affairs." Smith also praised Charles Parkhurst and *Evening Post* editor E. L. Godkin for their roles in the election, "During the earlier days, when Rev. Dr. Crosby commenced the crusade which Dr. Parkhurst carried to so successful an issue," Smith said, "Mr. Godkin was his most faithful ally and supporter. [...] When the history of the rise and fall of Tammany is written, as a warning to our posterity, Mr. Godkin's name must have an important place among those who were the first to fight for the redemption of New-York City."¹

New York's municipal election of 1894 was largely influenced by the results of the Chamber funded Lexow Committee. Struck in January, 1894, the Lexow Committee, colloquially named for its chairman Senator Clarence Lexow but formally known as The Senate Committee Appointed to Investigate the Police Department of the City of New York, had two primary goals: to uncover police interference in elections and to expose police complicity in blackmail, extortion, and corruption in general. Frequently meeting throughout the year, the

¹ The Chamber of Commerce of the State of New-York, *CXXXVI Annual Banquet* (New York: Press of the Chamber of Commerce, 1894), 4, 28-29

Committee examined 678 witnesses and its final report numbered over ten-thousand pages, the majority of which revealed the New York City police's encouragement of vice to their financial benefit and to the benefit of those connected to Tammany Hall.² Heavily influenced by Charles Parkhurst's crusade during the previous two years, the Committee primarily focused on the issues Parkhurst highlighted, namely gambling, intemperance, and commercial sex.

The Committee also relied on Parkhurst and the Society for the Prevention of Crime's (SPC) investigations from 1892 to 1894 as a basis for its creation. It employed lawyers with deep connections to the Society (most importantly Frank Moss, the Society's lawyer and later, Parkhurst's successor as president of the SPC), and examined people the Society previously investigated, from madams and sex workers to police officers and politicians. The Lexow Committee, unlike the SPC, had the ability to subpoena witnesses from all walks of life, allowing its members to confront those accused of corruption and force them to take the stand, providing often sensational testimony that New York's newspapers quickly printed. While the SPC supplied two years' worth of rhetoric, the Lexow Committee supplied action, empowered by the state Legislature and New York City's Chamber of Commerce.

The Chamber of Commerce of the State of New-York held a central role in not only asking for a committee to be struck to investigate New York's Police Department, but when the Democratic governor of New York vetoed the funding bill for the Lexow Committee, the Chamber allocated nearly \$20,000 to ensure its success.³ Like Parkhurst, the Chamber wanted to

² New York State Legislature, *Report and Proceedings of the Senate Committee Appointed to Investigate the Police Department of the City of New York*, (Albany: New York State Legislature, 1895), 1: 4 & 15.

³ Daniel Czitrom, *New York Exposed: The Gilded Age Police Scandal that Launched the Progressive Era* (New York: Oxford University Press, 2016), 168; The Chamber of Commerce of the State of New-York, *Thirty-Sixth Annual Report*, May 1894, xiv.

defeat Tammany but not for all the same reasons. The Chamber wanted to elect a “business government” in New York aligned with the ideas of self-styled reformers.

The principles surrounding reform movements of the late nineteenth have long been the subject of historical debate. The lines between progressivism, populism, and reform as distinct ideologies in the late nineteenth-century are not always clear. For instance, while Richard Hofstadter defines populism and progressivism as two different entities, Kenneth Finegold argues that successful reform coalitions in New York, Cleveland, and Chicago required populist economic policies to motivate the working-class and progressive ideals to motivate the middle-class and second-generation European immigrants.⁴ Like progressivism, the reform movement did not have a concise ideology, but largely defined itself in opposition to urban political machines, specifically Tammany Hall in the case of New York City. Although most reform movements were instigated by those in the upper- or upper-middle-class (with Chicago the primary exception), contemporary scholars argue that these movements had the backing of a wider range of citizens than previously thought by Hofstadter and historian Samuel P. Hays.⁵ Most recently, James J. Connolly and Ariane Liazos have highlighted the cross-class efforts of what Finegold calls the “traditional” reformers to achieve their goals of electing a “business government”: a non-partisan administration focused on lowering taxes, building municipally-owned infrastructure, expanding social welfare for the “deserving” poor, and ending corruption with less influence from the state legislature.⁶ This cross-class coalition required the traditional

⁴ Richard Hofstadter, *The Age of Reform* (New York: Alfred A. Knopf, 1955), 5; Kenneth Finegold, *Experts and Politicians: Reform Challenges to Machine Politics in New York, Cleveland, and Chicago* (Princeton: Princeton University Press, 1995), 13.

⁵ Samuel P. Hays, "The Politics of Reform in Municipal Government in the Progressive Era," *The Pacific Northwest Quarterly* 55, no. 4 (October, 1964): 157-169.

⁶ Finegold, *Experts and Politicians*, 15-18; Ariane Liazos, *Reforming the City: The Contested Origins of Urban Government, 1890-1930* (New York: Columbia University Press, 2020), 12-14; James J. Connolly, *An Elusive Unity: Urban Democracy and Machine Politics in Industrializing America* (Ithaca: Cornell University Press, 2010), 192.

reformers to engage the upper working-class, the literate members of the working-class who had greater job security than their middle and lower working-class counterparts. Early-twentieth-century reform movements also pushed for city charters, city managers, and wanted to move away from ward-based systems of municipal representation to city-wide at-large boards, but the reform campaigns of the 1890s primarily focused on ending corruption, particularly New York's 1894 municipal election thanks in large part to the work of the Lexow Committee.

Additionally, unlike Connolly's example of Seth Low's successful 1901 reform campaign for mayor of New York City and Liazos's broader look at the National Municipal League, New York's 1894 reform campaign was successful despite the Committee of Seventy's failure to engage the upper working-class and not because of a cross-class unified ticket. Similar to its 1871 predecessor that ousted the Tweed Ring, the 1894 Committee of Seventy followed Hays's and Hofstadter's model of a disproportionately native-stock and elite reform movement. While Hays, Finegold, Connolly, and Liazos all agree that Hofstadter's methodology concentrated too heavily on the reform leaders, the general theory that the reform candidates succeeded in 1894 solely or primarily due to the Committee of Seventy's ability to unite different classes and ethnicities through a populist, progressive platform ignores the Lexow Committee's effect on the literate working-class. Finegold argues the upper strata of the working-class was most likely to switch their votes to reform candidates from Tammany Hall because they were better educated and could be "more easily roused by policy appeals," as occurred during Henry George's run for mayor in 1886.⁷ Policy appeals were not the only motivating factor for this class, however, for in 1894, the upper-lower class was motivated by appeals to morality. In the municipal election that year, this group switched their votes from

⁷ Finegold, *Experts and Politicians*, 18.

Tammany to the reform ticket because of the evidence provided to the Lexow Committee of the Democratic regime's complacency towards lasciviousness in lower Manhattan, and not because of any policies put forward by the Committee of Seventy.

A reconstitution of the 1871 group that helped to oust the Tweed Ring from power, the 1894 Committee of Seventy was formed by Chamber of Commerce leaders and just over one-third of the Committee of Seventy also belonged to the Chamber giving it tremendous sway over the Committee. The SPC, on the other hand, only had three of its members on the Committee of Seventy, two of whom were also members of the Chamber.⁸ The Chamber sought to elect a reform administration, and like many Chambers of Commerce throughout the United States, it wanted an administration it could control unlike previous Tammany administrations that often catered to the vote rich working-class.

As discussed in the previous chapter, illiberalism is an encroachment on liberal ideals, such as social openness, tolerance, and self-governance.⁹ Historians have noted the illiberalism of late nineteenth-century reformers, and as Finegold argues, reformers wished to change not only the people in office, but the institutions in which those office-holders operated.¹⁰ This group of nineteenth-century reformers, particularly those affiliated with Chambers of Commerce, sought to institute changes that would benefit them both financially and electorally and later, in the early twentieth-century, tried to make greater changes by establishing city charters and city managers, taking power away from elected councillors and aldermen and placing it into the hands of unelected "experts." Although the Chamber had no plan of creating those institutions

⁸ E. L. Godkin, *The Triumph of Reform: A History of the Great Political Revolution, November Sixth, Eighteen Hundred and Ninety-Four* (New York: The Souvenir Publishing Company, 1895), 9, 13, 102, 215; The Chamber of Commerce of the State of New-York, *Thirty-Sixth Annual Report*, May 1895, 145-167.

⁹ András Sajó and Renáta Uitz, "A Compass for Illiberalism Research," in *Routledge Handbook of Illiberalism*, eds. András Sajó, Renáta Uitz, and Stephen Holmes (New York: Routledge, 2022), 976-977.

¹⁰ Finegold, *Experts and Politicians*, 3.

during the 1894 municipal election, they did seek to create other entities which placed powers in their hands to the detriment of New York's democratic institutions. While the Lexow Committee wanted to hold public officials accountable for blackmail and corruption, the solutions brought forward by the reformers in the Chamber and the SPC did not seek to improve self-governance within New York City. The Chamber of Commerce desired control more than a democratic victory. The Lexow Committee therefore gave it the opportunity to show the failures of self-governance in New York, the corruption of Tammany Hall, and how much better the city would run if businessmen, rather than politicians, were in charge.

While reformers claimed Tammany to be tyrannical, those within Tammany Hall argued that they served an important role within New York society. As famed Tammany defender George Washington Plunkitt insisted, "If I have a good thing to hand out in private life, I give it to a friend. Why shouldn't I do the same in public life?"¹¹ Tammany expertly divided civil service appointments amongst its constituents in exchange for support at the polls. Additionally, in times of strife, Tammany politicians made sure their constituents had the necessities of life and the ability to get back on their feet. Plunkitt specifically talks about poor families in his district whose homes had burned down. He states "If a family is burned out I don't ask whether they are Republicans or Democrats, and I don't refer them to the Charity Organization Society [...]. I just get quarters for them, buy clothes for them [...], and fix them up till they get things runnin' again. It's philanthropy, but it's politics too—mighty good politics."¹² The type of immediate welfare given by Tammany men to their constituents differed considerably from that afforded to the working-class from charity groups like the Society for the Prevention of Cruelty

¹¹ William L. Riordon, *Plunkitt of Tammany Hall: A Series of Very Plain Talks on Very Practical Politics* (New York: New York Evening Post, 1905; New York: Penguin, 2015), 5.

¹² Riordon, *Plunkitt*, 26-27.

to Children. Tammany sought votes, and so they did not choose between a “deserving” and an “underserving” poor. These were the “friends” to which Plunkitt referred. He, and other Tammany leaders, enriched themselves through public office, and so to ensure they retained those offices they shared the wealth with their constituents.

Plunkitt describes the money he made as “honest graft.” He never stole a dollar from the city treasury, but he saw “opportunities and took them,” like buying up land and selling it to the city or a private company at a massive profit to himself.¹³ “Dishonest graft,” on the other hand, came from “levyin’ blackmail on disorderly houses, or workin’ in with gamblers and lawbreakers,”¹⁴ the types of behaviour people like Charles Parkhurst and the Chamber of Commerce accused the police of doing. When it came to the relationship between Tammany and the Police Department, one historian states that the police leadership “tolerated Tammany,” but did not necessarily agree with them nor their tactics.¹⁵ They had a symbiotic relationship, Tammany tolerated the police’s “dishonest graft” while the police tolerated Tammany “honest graft.” Their tolerance of one another is partly why they became the focus of the ire of the SPC, upstate Republicans, and the Chamber of Commerce.

The history of the Lexow Committee and the 1894 Committee of Seventy is a story of reform. Although one historian calls the Lexow Committee the beginning of the Progressive Era, politically, the Committee had its greatest impact in the short-term, specifically the 1894 mayoral election.¹⁶ That year, Tammany Hall faced its most fulsome post-Reconstruction defeat at the hands of the Committee of Seventy’s fusion ticket. Although Tammany retook the mayor’s

¹³ Riordon, *Plunkitt*, 5.

¹⁴ Riordon, *Plunkitt*, 6.

¹⁵ Jon C. Teaford, *The Unheralded Triumph: City Government in America, 1870-1900* (Baltimore: The Johns Hopkins University Press, 1984), 171.

¹⁶ Czitrom, *New York Exposed*.

office two years later, the reformers who won the election hailed it as a major victory for their movement, with E. L. Godkin publishing a book about Tammany's defeat titled *The Triumph of Reform*, in which he called the victory "the great political revolution."¹⁷ The reformers thoroughly believed that they had defeated Tammany Hall once and for all, when they had simply won a singular election. As Plunkitt put it in 1905, the reformers of 1894 were "gone for good, and Tammany's pretty well, thank you."¹⁸ While the victory did not amount to the revolution the reformers thought it to be, it informed future reform administrations and had far reaching consequences for issues like rapid transit and the consolidation of New York City. While other issues arose prior to the 1894 election, more so than anything else, the media attention given to the Lexow Committee and their uncovering of police and administrative corruption united the multiple factions and paved the way for their victory over Tammany Hall that year.

Although several books touch on the Lexow Committee and its consequences, few have emphasized the important role of sexuality and the Chamber of Commerce in that process. Warren Sloat's detailed history of the Lexow Committee borders on hagiography when discussing Charles Parkhurst and fails to offer a coherent thesis.¹⁹ Daniel Czitrom's *New York Exposed* is the most fulsome scholarly exploration of the affair. Czitrom concludes that the Lexow Committee had an enormous impact on everything in the Progressive Era and beyond, from the mayoral elections of William Strong and Seth Low in 1894 and 1901 to Herbert Asbury's *The Gangs of New York* and its 2002 film adaptation.²⁰ Although Czitrom's book is

¹⁷ Godking, *The Triumph of Reform*, 1.

¹⁸ Riordon, *Plunkitt*, 17.

¹⁹ Warren Sloat, *A Battle for the Soul of New York: Tammany Hall, Police Corruption, Vice, and Reverend Charles Parkhurst's Crusade against Them, 1892-1895* (New York: Cooper Square Press, 2002).

²⁰ Czitrom, *New York Exposed*, xi, 308.

well researched, he gives far too much credit to the Lexow investigation for initiating the Progressive Era. While Czitrom is correct in his assertion that the Lexow investigation contained many characteristics later attributed to Progressive Era reforms (he specifically mentions ideas like attacking political corruption, mobilizing citizens, muckraking journalists, and businesslike methods of governing), he engages with few scholarly works on Progressivism and reform.²¹ The broadness of his definition of Progressivism and his exaggeration of the consequences of the Lexow Committee and Charles Parkhurst's crusade detract from the more realistic outcomes of the Committee, both short-term and long-term. Additionally, Czitrom's focus on proving that Parkhurst's crusade created the Progressive era diminishes the role the Committee, the Chamber of Commerce, and Parkhurst played in police reform and the policing of sexuality.

Historian Timothy Gilfoyle, by contrast, expounds on the roles of sex work and sexuality in the 1890s and beyond. Highlighting the importance of the Committee to the policing of sexuality, Gilfoyle claims that the Committee undertook "the most extensive examination of law enforcement" in the nineteenth-century. He uses evidence gathered by the Committee to show that New York's police helped to organize "the most commercialized forms of nineteenth- and early-twentieth-century sexuality."²² Prior to Theodore Roosevelt's appointment to New York's Police Commission in 1895, police captains had minimal oversight and plenty of autonomy, allowing them to be selective in the laws they enforced. Additionally, the police relied upon certain lawbreakers for information on other criminals, creating a hierarchy that normally allowed the richest and most successful among them to maintain their positions to the detriment of small-time miscreants. Post-Lexow, Roosevelt instituted a more formal, centralized, and

²¹ Czitrom, *New York Exposed*, xi.

²² Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex 1790-1920* (New York: W.W. Norton, 1994), 251.

bureaucratic system that replaced police captains' reliance on criminals, scrutinizing individual officers' relationships with criminals.²³ These wealthy reformers, therefore, had an integral part in the reformation of the policing system in New York City based on their own class consciousness.

Following the Civil War, New York's elite class forged dense social networks and powerful institutions in order to impose their increasingly coherent worldview on the rest of New York and the country. Through their advocacy for unregulated markets and the abandonment of their wartime belief in a socially cohesive society, the upper-class distanced themselves from the working and immigrant-classes that made up the majority of Tammany Hall's powerbase.²⁴ This created a problem for the upper-class when they sought to win an election on a reform or anti-Tammany ticket. Without the support of a portion of the working-class whom they had distanced themselves from, upper-class reformers could not win an election, and New York's elite could not afford to lose the 1894 election.

As a tool of New York's upper-class, the Chamber of Commerce led the fight in 1894 against the Tammany Tiger in what came to be one of New York City's most important municipal elections. Not only was the election important because of the reformers' battle against Tammany Hall, but the ballot also had two crucial referendums. One sought to consolidate the city of New York with Long Island City, Kings and Richmond counties, as well as six other towns. The other proposed the New York City Subway. The Chamber of Commerce strongly backed both measures.

²³ Timothy J. Gilfoyle, *A Pickpocket's Tale: The Underworld of Nineteenth-Century New York* (New York: W.W. Norton, 2006), 253-254.

²⁴ Sven Beckert, *The Monied Metropolis: New York City and the Consolidation of the American Bourgeoisie, 1850-1896* (Cambridge: Cambridge University Press, 2001), 3, 5.

Founded in 1767, New York's Chamber of Commerce's political power had ebbed following the Civil War due to the strength of Boss Tweed's Tammany Hall, but surged again after Tweed's fall in the mid-1870s.²⁵ With its membership capped at one thousand of the most successful business figures in the New York area, including August Belmont, J.P. Morgan, John Jacob Astor, and Cornelius Vanderbilt, by the late nineteenth-century the New York Chamber held the unique distinction as one of if not the most plutocratic associations in the United States.²⁶ The Chamber won influence in the mayor's office in 1886 when Abram S. Hewitt, a Chamber stalwart and son-in-law of industrialist Peter Cooper, gained the Democratic nomination with the help of Tammany Hall despite being a member of the elite and anti-Tammany "Swallowtail" faction of the party. Hewitt defeated author, economist, and Urban Labor Party nominee Henry George as well as third place finisher, Republican nominee Theodore Roosevelt.

During his short term in office, Hewitt sketched a vision for New York's future that included a consolidated city (one that merged the municipalities of Brooklyn and New York) and a vast subway system, all of which was put on hold when Tammany denied Hewitt a second term in office due to his reform ideals and his refusal to tow the Tammany line. The Chamber, however, continued to advocate for the consolidation of New York and Brooklyn for a variety of reasons. Namely, the Chamber wanted to improve shared infrastructure such as the port, docks, and bridges, lower taxes in Manhattan, and reduce competition between the two cities for fear that New York would lose its position as the country's "commercial metropolis" to rivals like

²⁵ Edwin G. Burrows and Mike Wallace, *Gotham: A History of New York City to 1898* (New York: Oxford University Press, 1999), 207; Beckert, *The Monied Metropolis*, 165.

²⁶ Teaford, *The Unheralded Triumph*, 189; The Chamber of Commerce of the State of New-York, *Thirty-Sixth Annual Report*, May 1894, 146, 159, & 165

Baltimore, Boston, and Chicago.²⁷ In the early 1890s, Republicans in New York's legislature put forward several consolidation bills, but representatives from Brooklyn and Westchester consistently defeated them. Brooklynites were cool on the idea of consolidation, partly due to Tammany Hall's hold on New York. Following their defeat in the 1870s, Tammany Hall had once again built up their empire under the supervision of "Honest" John Kelly and then Richard "Boss" Croker. By 1894, Tammany held an unprecedented amount of power of New York's police department and municipal government, much to elite New Yorkers' chagrin. In February, 1894, however, a bill finally passed the legislature that simply called for a referendum to be held on consolidation that November.²⁸ The Chamber had to overcome several issues in order to get the positive vote they sought. They had to not only convince the current city of New York to agree to consolidation, but also had to prove to the other towns and cities that New York was capable of defeating, or at least standing up to, Tammany Hall.

The Chamber was equally interested in creating a new rapid transit system for the city. In February, 1894, it held a meeting to discuss a report presented by a five-member subcommittee on the idea and by April, the Chamber presented its bill to the Legislature. The Chamber believed that an underground rapid transit system would be invaluable to Manhattan, particularly since the city could only expand northward. Additionally, the makeshift Manhattan Elevated Railway, built only a decade prior, was often compared to cattle cars by Manhattanites due to overcrowding. However, the elevated railway increased population density wherever it went, and along with an increased population came increased property value, something the Chamber's

²⁷ Burrows and Wallace, *Gotham*, 1103, 1223.

²⁸ Mark Ash, *The Greater New York Charter as Enacted in 1897 with Notes* (Albany, NY: Weed-Parsons Printing Company, 1897), cvi.

members coveted.²⁹ The Chamber thus wanted to improve public transit to make it more usable and to raise their own property values along the transitway.

The question the Chamber faced was how. Since Hewitt's term as mayor, the Chamber had advocated for improved rapid transit, but various plans had failed. Hewitt even sent his own bill to the legislature but it did not even make it passed the committee phase as no one was willing to bring it to the floor.³⁰ In the early months of 1894, the Chamber crafted a new bill that would be both constitutional and beneficial to its members.

The bill fired the Rapid Transit Commission created in 1891 and replaced it with a board consisting of the Mayor, the Comptroller, and the President of the Chamber of Commerce as *ex officio* members, and four others named in the bill, three of whom were members of the Chamber. It granted the Commissioners powers of construction, operation, and to "make one or several contracts of an entire system, or parts of a system, of rapid transit." They also had the ability to reject or accept any and all bids, as to promote the public interest.³¹ The legislature added only one amendment to the bill, otherwise written in its entirety by the Chamber, which called for a referendum on building an underground rapid transit road in the November 1894 election.³² Though not necessarily against the idea of rapid transit in Gotham, the bill infuriated Tammany.³³ If voters agreed to the bill, Tammany would lose complete control over the Rapid Transit Commission. Tammany's success depended on its ability to dole out patronage positions controlled by the municipal government. The Chamber's plan took power away from the

²⁹ The Chamber of Commerce of the State of New-York, *Thirty-Sixth Annual Report*, May 1894, 91, 94, 135; The Chamber of Commerce of the State of New-York, *Thirty-Seventh Annual Report*, May 1895, 35.

³⁰ The Chamber of Commerce of the State of New-York, *Thirty-Sixth Annual Report*, May 1894, 98.

³¹ The Chamber of Commerce of the State of New-York, *Thirty-Sixth Annual Report*, May 1894, 135.

³² New York Rapid Transit Act § 752.12 (Public Service Commission: 1915).

³³ Clifton Hood, *722 Miles: The Building of the Subways and How They Transformed New York* (Baltimore: Johns Hopkins University Press, 2004), 64.

working-class supported Tammany Hall candidates and placed it in the hands of the Chamber's leadership.

Similarly, when it came to the consolidation bill, Tammany was concerned that it would detract from their strength. By consolidating Brooklyn and New York, reformers argued that they could curtail Tammany's power and write a new "reform" charter for the consolidated city.³⁴ Tammany agreed in some respects and thought it would be too difficult to control the incredibly large territory.³⁵ The unknown concerned Tammany more than anything else. Since Brooklyn tended to lean more Republican than Manhattan, Tammany would face a greater opposition than ever before under consolidation. Moreover, like upstate New Yorkers, some Tammany men believed Brooklynites could never become "real New Yorkers" as, unlike the Germans, Irish, Chinese, and Japanese, "a Brooklynite is a natural-born hayseed."³⁶ Brooklyn had its own political culture and likely would not vote for Tammany Hall in the same way that New York City did. Instead of supporting a move that could have endangered Croker and Tammany's power within the city, Tammany decided to oppose consolidation.

With the addition of these two referendums the Chamber of Commerce sought to ensure New York's bourgeoisie obtained control of the city's helm at this crucial time, however, they had a poor record when it came to winning recent municipal elections. When the Chamber did win, like in 1886 with Hewitt, it occurred when they worked alongside Tammany Hall, as opposed to against the tiger. The administrations of Hugh J. Grant and Thomas Gilroy, in particular, were beholden to New York's Swallowtail and Republican elite as both Grant and Gilroy owed much of their success to the working-class Irish and Germans. The Germans,

³⁴ Barry J. Kaplan, "Andrew H. Green and the Creation of a Planning Rationale: The Formation of Greater New York City, 1865-1890," *Urbanism Past and Present*, no. 8 (Summer, 1979): 36.

³⁵ Burrows and Wallace, *Gotham*, 1227.

³⁶ Riordon, *Plunkitt*, 40.

though not always in Tammany's camp, had swung towards Hugh Grant and the Fourteenth Street Wigwam in 1888 after Mayor Hewitt refused to be more lenient in the police's enforcement of the Sunday excise law.³⁷ Hewitt had equally enraged many of New York's Irish by refusing to fly the Irish flag above city hall during Saint Patrick's Day.³⁸ As Richard Croker's favourite candidate, Hugh Grant exemplified Tammany Hall in the late '80s and early '90s. A wealthy Roman Catholic of Irish ancestry, his story appealed to those who made up the Tammany rank-and-file as well as their working-class voters.³⁹ By 1894, as Croker once again put forward Grant's name as Tammany's candidate for mayor following Gilroy's single term, New York's elite needed to create a reason for voters to pivot away from Tammany and towards their reform initiatives. They needed a campaign that could motivate New York's working-class to abandon Tammany Hall and vote for a vision that would increase the Chamber's power and its members' property values. The Chamber found this in Charles Parkhurst's campaign against Tammany Hall and police corruption.

By 1894 the Chamber already had a history of aligning itself with moral crusaders. In the 1870s and 1880s, the Chamber had substantially funded the New York Mission and Tract Society's publications which aggressively tried to convert New York's immigrants Jews to Protestantism. Prominent members of the Chamber had also supported Anthony Comstock's Society for the Suppression of Vice which patrolled library bookshelves for anything that might corrupt New York's youth and fought against all forms of birth control. As the darling of the Chamber of Commerce, the Hewitt administration had led its own morality crusade against sex

³⁷ Edward Grosse, "The German-American Reform Union" in *The Triumph of Reform: A History of the Great Political Revolution, November Sixth, Eighteen Hundred and Ninety-Four*, ed. E. L. Godkin (New York: The Souvenir Publishing Company, 1895), 184; "A Sham and an Outrage," *The Sun*, November 8, 1887.

³⁸ "Mayor Hewitt Denounced in Ireland," *New-York Tribune*, March 23, 1888.

³⁹ Teaford, *The Unheralded Triumph*, 185.

workers in concert saloons, leading madams to set up brothels in tenement apartments in the early 1890s.⁴⁰ With a history of backing Protestant movements and the push for a more moralistic New York, coupled with a desire to defeat Tammany Hall, the Chamber of Commerce found a natural ally in Parkhurst and the SPC.

By January of 1894, Parkhurst's crusade was at its pre-Lexow height. In December of 1893, Parkhurst secured the indictment by Grand Jury of police Captain William Devery for criminal neglect of duty, delivering a severe blow to the Police Department's credibility.⁴¹ As one newspaper said, the indictment of Devery forced the police to "take a less jocose view" of Dr. Parkhurst and his Society.⁴² However, as *The Evening World* pointed out, "Dr. Parkhurst's crusade [was] producing the usual results. It is the outcast women who are suffering. The guilty men escape."⁴³ Despite the one indictment, Parkhurst's mission failed to move forward in a way that would create a tangible difference in either the lives of the sex workers he purportedly sought to save or in New York more generally. Indicting Devery boosted the morale of the SPC and Parkhurst, but without any formal support from government or powerful, well-funded organizations, a limit existed for what Parkhurst could accomplish. Parkhurst and his society were, however, undeterred, and their optimism infectious. As one newspaperman put it, Parkhurst's movement, "based on faith in God and the conscience of the city was bound to win."⁴⁴

That optimism paid off. On January 25, the Chamber of Commerce held a special meeting to discuss a resolution involving the upcoming New York constitutional convention and

⁴⁰ Burrows and Wallace, *Gotham*, 1156-1157, 1163.

⁴¹ "Police Captain Devery...", *The World*, December 3, 1893.

⁴² "Beginning to be Serious," *New-York Tribune*, December 2, 1893.

⁴³ "Dr. Parkhurst's Crusade...", *The Evening World*, December 6, 1893.

⁴⁴ "Dr. Parkhurst Undaunted," *New-York Tribune*, January 1, 1894.

the November municipal election. As the Chamber debated the problems with municipal corruption and their desire for municipal and state and federal politics to be completely separated, Gustav H. Schwab, an American-born but German educated member of the Oelrichs & Co. steamship company, presented an additional resolution.⁴⁵ The resolution stated that the Chamber should advocate for a single head of the Police Department instead of the bi-partisan board that Republican boss Thomas Platt was pushing for in Albany and, “That, in the opinion of this Chamber, there should be a thorough legislative investigation of said Department before any radical change is made in its administration.”⁴⁶

The Chamber hotly debated the original resolution and Schwab’s amendment. Those who spoke for the motion highlighted the Chamber’s desire for a non-partisan municipal election. Alexander E. Orr, the President of the Chamber after May 1894, said “from A to Z, politics has nothing to do with municipal affairs, nothing whatever,” and added that he could not understand how “we as merchants allow” a partisan police board “to interfere with the management of our own business.” Orr believed that it was the Chamber’s duty, “to come together and assert our rights and make our influence felt.” Noting that the Chamber was made up of “taxpayers,” another member argued that it was only proper that they demand an investigation into the Police Department. Others still mentioned that the condition of the Police Department jeopardized their liberties, rights, and property. The comments from the President of the Chamber, Charles S. Smith, proved to be the most salient: “I think it is time that citizens of New York had the courage of their convictions and rose above partisanship into the higher plane of citizenship. Until then we shall have no genuine reform in municipal affairs.”⁴⁷

⁴⁵ “Gustav H. Schwab Dies Not Long After Wife,” *The Sun*, November 13, 1912.

⁴⁶ Charles H. Parkhurst, *Our Fight with Tammany* (New York: Charles Scribner, 1895), 232-233; “For Good City Government,” *New-York Tribune*, January 26, 1894.

⁴⁷ Parkhurst, *Our Fight*, 235, 236, 237, 239.

The majority of the Chamber favoured reform because it was in their best interest. As Sven Beckert argues, in postbellum America, propertied northerners and southerners created the “taxpayers’ viewpoint” in order to build a unifying ideology, a viewpoint that the Chamber’s members clearly articulated during this debate.⁴⁸ More specifically, in New York City, historian Mary P. Ryan states that New York’s elite used the term “taxpayer” in order to exclude the working-class from the reform movement and to create a “special and unequal” citizenship for propertied New Yorkers.⁴⁹ As taxpayers, the Chamber had both the authority and the duty to ask for an investigation into the police department. They rejected the right of partisan board members to interfere with their lives and their businesses, and concluded that if they wanted to improve their standing, as well as that of New York City as the quintessential commercial metropolis, they needed to interfere with government in order to reform it to their liking. Additionally, due to their lack of control over institutions like the police department, the Chamber depended on class solidarity and mobilization in order to advance its interests; notably they believed that working outside the two traditional party machines, like most reform movements, was the only way to further their goals. It sought to limit the influence of partisan politics, controlled by Croker and Platt, in order to increase the number of independent elected officials who could be influenced by New York’s elite, as opposed to Tammany Hall politicians supported by the working-class.

Most of the dissenters in the Chamber, however, believed that it should avoid all questions of politics for fear that they themselves would become a part of a partisan machine. For these members, the question of reform was best solved by the good government clubs and

⁴⁸ Beckert, *Monied Metropolis*, 229.

⁴⁹ Mary P. Ryan, *Civic Wars: Democracy and Public Life in the American City during the Nineteenth Century* (Berkeley: University of California Press, 1997), 875.

other political societies as they risked turning the Chamber of Commerce into “the Chamber of Politics.”⁵⁰ Only four members spoke against the resolution, including Robert B. Roosevelt, treasurer of the Democratic National Committee and uncle to then Civil Service Commissioner, Theodore Roosevelt.⁵¹ Roosevelt had a clearly partisan reason to speak against the resolution, and one other, Oscar Straus, a solid Republican and former Envoy to the Ottoman Empire under President Benjamin Harrison, likely followed Thomas Platt’s lead in speaking against the need for an investigation. The motivations of the other two speakers, Louis Windmuller and Jacob H. Schiff, however, are less clear and according to *The Sun*, they were the most vigorously opposed.⁵²

Unquestionably, both men favoured reform. Windmuller founded the Reform Club and took an active role in the German Society as well as the election of Mayor William Strong.⁵³ Similarly, Schiff played an important role in the 1894 Committee of Seventy, serving on the Committee’s executive and finance committees.⁵⁴ While Windmuller was a moderately wealthy merchant, Schiff was one of New York’s most well-known philanthropists, donating millions of dollars to charities, particularly Jewish ones, throughout the city. Most notably in 1917, on his 70th birthday, Schiff donated \$700,000 (or just over \$16 million in 2023) to various organizations and public institutions in New York City.⁵⁵ Although both men could boast membership in New York’s elite, they spoke against their bourgeois comrades and against fellow German-American, Gustav Schwab. Both men thoroughly believed that the Chamber should not involve itself in

⁵⁰ Parkhurst, *Our Fight*, 233; “Defying Platt’s Decrees,” *The Sun*, January 26, 1894.

⁵¹ The Chamber of Commerce of the State of New-York, *Thirty-Sixth Annual Report*, May 1894, 77.

⁵² “Defying Platt’s Decrees,” *The Sun*, January 26, 1894.

⁵³ “Louis Windmuller, Old Merchant, Dies,” *The New York Times*, October 2, 1913.

⁵⁴ A. C. Bernheim, “The Committee of Seventy” in *The Triumph of Reform: A History of the Great Political Revolution, November Sixth, Eighteen Hundred and Ninety-Four*, ed. E. L. Godkin (New York: The Souvenir Publishing Company, 1895): 7-21.

⁵⁵ “Schiff Mourned by Hosts he Aided,” *The New York Times*, September 27, 1920.

politics. Schiff claimed that the Chamber entered “upon dangerous ground if we take up the subject of municipal politics.”⁵⁶ He likely believed that reform could, and should, be obtained through other means, and held that the Chamber had to be above partisan squabbles. Schiff fought against the illiberal encroachment on democracy in which the Chamber sought to engage. He never spoke against the cause of good government nor anti-corruption, however, he believed that the Chamber’s efforts were best spent engaging in issues that directly affected Chamber members, like taxation and specie. Schiff became the only member to vote against the resolution, despite the vocal objections of Windmuller, Straus, and Roosevelt. The resolution therefore passed with an overwhelming majority.⁵⁷

The New York Times applauded the Chamber’s resolution, calling it “very encouraging, because it showed the readiness of this influential body of citizen to take a united and energetic part of securing needed reforms in municipal administration, without recognizing difference of party.” Most importantly, the *Times* said that the resolution recognized that “what we call city government is a matter of business and not of politics,” and therefore it was only appropriate that the Chamber lead the way in the fight for an investigation into municipal corruption.⁵⁸ The media, by and large, also applauded this illiberal encroachment of business into politics as well, stating that city government should be run like a business and not like the partisan government which it was and continued to be. A capitalist business exists for the benefit of the owners with the goal of maximising profits. A city, on the other hand, must take into consideration ventures that are incongruous to profit, like the welfare of its poorest citizens. New York’s bourgeoisie wanted to concentrate less on the immigrants that filled the tenements and created the base of

⁵⁶ Parkhurst, *Our Fight*, 233.

⁵⁷ “For Good Government,” *New-York Tribune*, January 26, 1894.

⁵⁸ “Important to Start Right,” *The New York Times*, January 26, 1894.

Tammany Hall's support in order to increase the wealth of New York's already wealthy elite. They wanted to run New York like a business, but in normal election cycles had failed to win on that platform. An investigation into Tammany Hall's corruption, and that of the police department, had the opportunity to become an even larger story that could be used to the Chamber's benefit to convince New York's religious masses to turn against Tammany Hall.

It only took five days, including a weekend, for New York's legislature to act on the Chamber's resolution, and eight days before the Lexow Committee first met.⁵⁹ Both Parkhurst and Charles S. Smith, the Chamber's President, were invited to speak at the opening hearing and to bring suggestions for lawyers to act as the Committee's counsel.⁶⁰ In retrospect, Parkhurst said of the occasion that "Probably none of us ever attended a gathering so critical in its character that was so absolutely uninteresting and hopeless." Upon calling the Committee to order, the chairman, Senator Clarence Lexow from Nyack, called upon Smith to make the case for requesting the investigation. Oddly, Smith said that he had none, and that he supposed the senators had come to New York City to make one. The Committee then called Parkhurst who similarly stated that not only did he have no case against New York's Police Department, but he had "serious misgivings as to the wisdom of [the senators] coming down to New York anyway."⁶¹ This rather inauspicious start speaks to the amount of time and effort both the legislature and the Chamber put into this Committee. No one was particularly sure why the Committee existed or what they sought to achieve. Even Parkhurst, who had successfully indicted one member of the police for neglect of duty, did not know what a committee could accomplish and the Chamber, despite its resolution, had no clue where the committee should

⁵⁹ "The Investigation Ordered," *The New York Times*, January 31, 1894.

⁶⁰ The Chamber of Commerce of the State of New-York, *Thirty-Sixth Annual Report*, May 1894, 83.

⁶¹ Parkhurst, *Our Fight*, 244.

start. Both Republicans and Democrats in the legislature trusted the Chamber's opinions which is why they called the Committee; however, the Chamber only presented Parkhurst's evidence of police corruption because they believed the senate had the duty to find evidence, not their members. For Parkhurst's part, his crusade had been ongoing for two years, and all he had to show was the single indictment.

The Committee began collecting evidence on March 9, however, it limited itself to the matter of election fraud and proceeded rather rudderless until two events occurred later that Spring: the veto of the appropriations bill by Democratic Governor Roswell P. Flower and the appointment of John Goff as chief counsel for the Committee. On April 5th, the Senate passed an appropriations bill to fund the Lexow Committee by the tune of \$25,000 in order to pay counsel fees and other expenses. A month and a half later, Governor Flower filed a memorandum vetoing that bill. Flower reasoned that the only purpose for the Committee and its appropriation of \$25,000 was "for the manufacture of political capital or the division of political patronage." He stated that "Periodically, when the party in the minority in New York City obtains control of the State Legislature, it makes the city the target of political attack by legislative committees."⁶² Flower had a point as this had happened just a few years prior.

In 1890, the legislature struck the Fassett Committee to investigate New York's cities generally, but more keenly, New York City and the Tammany administration of Mayor Hugh Grant. The Fassett Committee examined the effectiveness of the civil service laws, and concluded that, particularly in New York City, offices controlled by the mayor "are still almost without exception, from the highest to the lowest, the prizes of political life and the rewards of

⁶² E. L. Godkin, "The Lexow Committee" in *The Triumph of Reform: A History of the Great Political Revolution, November Sixth, Eighteen Hundred and Ninety-Four*, ed. E. L. Godkin (New York: The Souvenir Publishing Company, 1895), 116-117.

party service.” The Committee stated, however, that the solution to these problems “lies not with the Legislature, but with the people themselves,” believing that it was up to those employed by the city and those elected to city government to improve the system, not the state.⁶³ This Republican controlled committee, however, did not examine the city’s Police Department, knowing full well that since the 1860s the Police Commission had been run in a bipartisan manner. Despite acquiring thousands of pages of testimony, New Yorkers quickly forgot the Fassett Committee and its conclusions, viewing its findings as just another partisan attack upon the Democratic establishment. Additionally, the Committee did not have the intended consequence as Tammany Hall once again won the 1892 state and municipal elections.

The first few months of the Lexow Committee followed the familiar methods of the Fassett Committee, investigating minor issues connected to Tammany Hall and the 1892 municipal election, without any particular purpose other than to embarrass the Tammany administration. Flower accurately characterized the Lexow Committee as lacking any real objective. The initial lead counsel for the Committee, Rochester Republican William A. Sutherland, although aware of the Committee’s initial purpose, failed to collect any damning evidence of blackmail or corruption within the Police Department, likely due to his unfamiliarity with New York City. The Republicans controlled the Lexow Committee, and only one of its six-members, the sole Democrat, Jacob A. Cantor, hailed from New York City. Flower himself was also a Gotham native, a Democrat, and heavily supported by Tammany Hall. Both the Republicans and the Democrats had initially backed the creation of this committee, but neither really wanted to see it succeed as they could both be implicated in New York’s corruption.

⁶³ New York State Legislature, *Testimony Taken Before the Senate Committee on Cities, Pursuant to Resolution Adopted January 20, 1890*, (New York: New York State Legislature, 1891), 5: 134, 135.

Flower continued his veto by stating that “no city in the State is so well governed as New York,” that New York’s lower tax rate, police regulation, and low population to crime ratio proved the city’s greatness. He conceded that “bad men sometimes get in office there,” but that was “as unavoidable in government as in a private business.” Inadvertently echoing the sentiments of the majority report of the Fassett Committee, Flower stated that these issues “are the faults of administration rather than legislation, and [...] can be cured by other means than legislation.”⁶⁴ Attacking the political nature of the Committee, Flower charged that Republicans had recently been in the press saying that the Committee would cease its investigations into local affairs if Tammany Hall surrendered a few offices to Thomas Platt. In conclusion, Flower suggested that the citizens of New York City already had the power to change their local government, “The majority rules in this country, and if the majority wants good government it can always secure it through the fearless exercise of suffrage.”⁶⁵

This lengthy memorandum touched on all aspects of city governance, but only briefly discussed the police department. The reasons behind Flower’s veto, though obviously not well received by Republican media, held water. *The New York Times* even dubbed the Lexow Committee “Mr. Platt’s Committee.”⁶⁶ Up to its break on April 14, the Lexow Committee uniquely attacked Tammany men at the top of the municipal hierarchy, trying to implicate Boss Croker as well as the city’s administrators in corruption and blackmail that occurred during and shortly after the 1892 election. The Committee claimed a noble purpose, one that the citizens of New York, for the most part, agreed with. New Yorkers believed Charles Parkhurst and the SPC, but even he and his Society did not trust that the Committee would be able to overcome its

⁶⁴ Godkin, “The Lexow Committee,” 117.

⁶⁵ Godkin, “The Lexow Committee,” 119.

⁶⁶ “Will not Stop the Investigation,” *The New York Times*, May 20, 1894.

partisanship to create lasting change in the police department, or city politics more generally. To overcome these doubts, the Committee needed a lead counsel who was untainted by partisanship, or at least one that distrusted the Republicans just as much as he distrusted Tammany Hall, and Parkhurst had just the man, John W. Goff.

While the name of nearly every prominent lawyer in New York State had been suggested to the Committee by the Chamber and other groups, Goff was the most familiar with the SPC and Tammany Hall. In 1890, Goff ran for District Attorney on the anti-Tammany “County Democracy” ticket. Founded in 1881 by New York’s wealthy Democratic but anti-Tammany swallowtails (named for their swallowtail jackets), the County Democracy had known few successes besides Abram Hewitt’s mayoralty, but sometimes worked in tandem with Tammany in order to maintain a certain amount of influence in New York City.⁶⁷ Many Irish immigrants deserted the County Democracy in 1888 after Hewitt’s nativist exploits. Goff, an Irish immigrant himself, however, ran in 1890 against Tammany man De Lancey Nicoll and was trounced by the Democrats with the rest of the County Democracy ticket. Goff then returned to his law practice where he met Parkhurst during a trial where Goff acted as counsel for one of the SPC’s detectives. Parkhurst, therefore, could think of no one better to serve as first counsel. However, he had a difficult time convincing the five Republicans on the Lexow Committee to hire a Democrat.⁶⁸

Despite their original support for another candidate, the Chamber of Commerce agreed to support Goff and Charles Smith assisted Parkhurst in convincing the Committee of Goff’s suitability for the position. Goff himself, however, did not believe the Committee capable of accomplishing its aims due to the strength of Tammany and the deference of New York City

⁶⁷ Czitrom, *New York Exposed*, 81.

⁶⁸ Parkhurst, *Our Fight*, 247.

Republicans. In an interview with E. L. Godkin in 1895, Goff said he decided to have nothing to do with the investigation until Parkhurst spoke to him. Goff said to Parkhurst, “My judgement is against you, but my heart is with you,” to which Parkhurst replied, “Then let me appeal to your heart.”⁶⁹ Apparently Parkhurst’s “eloquence” convinced Goff to lead the investigation, but not before he sent several demands to the Committee. He wanted to guarantee its perpetuation, name his associate counsel and clerical staff, have enough capital to ensure its efficiency, and, most importantly, that he not be “restricted or limited in the scope of the investigation, but shall be free to push all lines of inquiry which may be relevant or pertinent to the letter and spirit of the resolution of the committee.”⁷⁰ Not confident in the senators determination to pursue those guilty of blackmail and corruption within the police department, Goff placed these demands upon the Committee because he distrusted partisanship. He believed that without these stringent demands, the Committee would simply become another Fassett Committee: A façade for a partisan fight between Democrats and Republicans that resolved nothing and kept Tammany Hall in power in Gotham and the Republicans in power in Albany. Convinced of the city government’s corruption and supportive of Parkhurst’s crusade, Goff put aside his misgivings and allowed Parkhurst and Smith to put his name forward to be lead counsel.

Unsure if they could trust a Democrat in the position of lead counsel, the five Republicans on the Committee took their time in determining whether to give the position to Goff. These state senators considered Goff “dictatorial,” and untrustworthy.⁷¹ Even after Goff appeared before the Committee on April 13 to discuss his problems subpoenaing a police captain who planned to depart for Europe to avoid it, the Republicans remained “unsettled” over Goff’s

⁶⁹ Godkin, “The Lexow Committee,” 123.

⁷⁰ Parkhurst, *Our Fight*, 248.

⁷¹ Parkhurst, *Our Fight*, 248.

demands.⁷² Parkhurst and Smith had to intervene to convince both sides of their altruistic intentions. Traveling to Albany to convince the Republicans, and back to New York City to convince Goff, Smith and Parkhurst eventually did persuade both sides to work together and on May 21, Goff along with his associate counsel Frank Moss who served as counsel for the Society for the Prevention of Crime began the examination of witnesses in the investigation despite Governor Flower's veto.⁷³

Discussions regarding a campaign to privately fund the Committee began the day after the Governor vetoed the appropriations bill on May 18. The campaign, however, did not formally commence until after Flower approved the Rapid Transit Bill on May 22. Whether the Chamber waited for Flower to approve the measure before funding the Committee is difficult to determine. A genuine concern existed amongst New Yorkers that the Governor would veto the bill, as he had done with the majority of legislation passed by the 1894 legislature.⁷⁴ Prior to the launch of the campaign, neither Parkhurst nor Goff seemed concerned regarding the veto of the appropriations bill. According to one newspaper, Parkhurst had spoken with the president of the Chamber of Commerce in the days following the veto and "learned that well-to-do citizens who desired that there should be a full and thorough investigation were ready to put their hand in their pockets and subscribe with liberality."⁷⁵ Goff claimed he was even "delighted" by the governor's veto, calling it "a blessing in disguise":

The Governor says that the committee charged with the investigation has been under suspicion of wanting to consummate a political deal. There could be no deal except with Tammany, of course, and, as the Governor is acting for Tammany in this matter, he must have known all about it if there was a deal in contemplation.

⁷² Godkin, "The Lexow Committee," 120; "The News This Morning," *New-York Tribune*, April 14, 1894.

⁷³ Godkin, "The Lexow Committee," 120; Parkhurst, *Our Fight*, 251.

⁷⁴ "No Bi-Partisan Police Board," *The New York Times*, May 21, 1894.

⁷⁵ "The Police Investigation," *New-York Tribune*, May 21, 1894.

His action must be taken as conclusive proof that there can be no deal at all events, and we can go ahead now without being under suspicion.⁷⁶

The veto proved to Goff that no deal would occur between Platt and Croker to stop the Committee from accomplishing its work. Goff, being neither a Tammany Democrat nor a Republican, could thus enter the Committee confident that his work would not be halted. Additionally, Goff seemed unconcerned about the Committee's funding, having undoubtedly been assured by Smith and Parkhurst that it would continue and his bills would be paid.

To avoid a retaliation from the governor, the Chamber waited for Flower to sign its bill before printing an ask for funds. Between Flower's veto on May 18 and the signing of the Rapid Transit Bill on May 22, the Chamber avoided making any comment while Parkhurst's remarks on the matter were uncharacteristically calm. The Chamber's restrained appeal for funds simply stated that due to Governor Flower's veto of the appropriation of \$25,000 to the investigation of "the Police and other city departments now in progress, thereby imperilling its efficiency, the undersigned committee requests you to assist in advancing the necessary funds." The Chamber promised confidentiality to those who advanced the funds and for an application for reimbursement to be made to the next legislature for the amount expended by the Lexow Committee.⁷⁷ In total, 101 Chamber of Commerce members advanced \$17,500 to support the Committee's work, ensuring the Lexow Committee's success and fulfilling one of Goff's six demands.⁷⁸

Goff's tenure as lead counsel began in earnest on May 21. Unlike the previous lead counsel, Goff had an idea of what he wanted to accomplish and how to do it. He believed that the Police Department was corrupt, and he had men and women willing to tell him as much, but not

⁷⁶ "Legislators Insulted," *New-York Tribune*, May 20, 1894.

⁷⁷ "Funds for the Committee," *The New York Times*, May 23, 1894.

⁷⁸ Godkin, "The Lexow Committee," 119; Czitrom, *New York Exposed*, 168.

willing to testify in front of the Committee. He thus needed to quell the fears of those he wanted to testify that the Committee could protect them. Goff decided to begin with a Republican Police Commissioner, John McClave. He did so primarily to prove to New Yorkers that the Committee had no intentions of protecting Republicans.⁷⁹ Convention would have had Goff continue to question the other Police Commissioners, or those on the higher end of the police hierarchy as had been done during the Fassett Committee, however, he chose to go to the bottom of the food chain after McClave, to those who paid the bribes. As Goff put it, “We decided to follow the course of bribery from the time the bribe left the hands of the bribe-giver and we hoped to show a common well-organized system of bribery and oppression, so that when we came to examine the officers of the department the proof would be so conclusive that they could not deny its existence.”⁸⁰ Contrary to the methods used at the other legislative committees that investigated Tammany Hall, Goff believed that those at the bottom of the chain had the least to lose and the most to gain from giving evidence to the Committee. As he later found out, many of those being blackmailed paid more than they could afford to the police to ensure their success of their illegal businesses. The police’s greatest strength was its ability to close ranks. Goff, therefore, interviewed people who knew firsthand of police corruption, compelled them to testify under oath, and then once all the evidence from petty criminals and brothel keepers had been collected, interrogated the police using unsurmountable evidence.

The first obstacle that Goff faced from the witnesses, however, was their fear. Goff called fear “the great, terrible block that prevented the secrets of police corruption from escaping.”⁸¹ Goff had to inspire confidence in the witnesses and to ensure their safety from police and judicial

⁷⁹ Godkin, “The Lexow Committee,” 124.

⁸⁰ Godkin, “The Lexow Committee,” 126.

⁸¹ Godkin, “The Lexow Committee,” 125.

repercussions. Goff claimed that the Committee overcame these fears simply through its prestige, but the Committee's majority report states that its prestige was not easy to secure. According to the report, "People of all degrees seemed to feel that to antagonize the police was to call down upon themselves the swift judgement and persecution of an invulnerable force, strong in itself, banded together by self-interest and the community of unlawful gain, and so thoroughly entrenched in the municipal government as to defy ordinary assault."⁸² New Yorkers of various social standings had evidence to disclose to the Committee, but the police ensured that those summoned to the Committee knew that they jeopardized their business and lives by speaking out against this behemoth.

The Committee characterized every witness as either "reluctant" or "positively hostile," and therefore, they had to "neutralize the terrorism and despotism of the police over the community at large." The Committee claimed the police "abused, clubbed and imprisoned" witnesses who came from "the humbler walks of life" while they "harassed and annoyed" "men of business" who either supported or testified to the Committee.⁸³ In order to combat this abuse of power, the Committee worked with the courts, the district attorney's office, and the grand jury in order protect its witnesses from the wrath of the police department. Even with this work, the police still arrested and persecuted many of Lexow's witnesses, however, the Committee states that in every one of these instances, they stepped in to ensure their release, despite the massive amount of time and resources it cost them.⁸⁴ Without this work, Goff and the Committee could not have been successful in compelling so many of New York's criminals to testify against the police who they had paid protection to for years or even decades.

⁸² New York State Legislature, *Report and Proceedings*, 1: 25.

⁸³ New York State Legislature, *Report and Proceedings*, 1: 25.

⁸⁴ New York State Legislature, *Report and Proceedings*, 1: 24, 26.

New Yorkers of all classes had no interest of testifying against the police and Tammany, even if they believed the system to be thoroughly corrupted. Goff claimed that the police's misconduct only strengthened the resolve and increased the value of the testimony from many of their more unsavoury witnesses:

When the keepers of disreputable houses testified against the power which they had for years been slaves to, they testified against their own interests. They testified without hope of reward, and with all the dangers and risks of tradition staring them in the face. Certainly that testimony, given under the circumstances, should be taken at a higher value than testimony given under more favorable circumstance.⁸⁵

The testimony of sex workers and brothel keepers certainly did have a greater impact on the success of the Committee. Not only was a large part of Goff's time spent interviewing sex workers and madams between May and December of 1894, but often the interrogations of the keepers of disorderly houses or witnesses whose testimony concentrated on other aspects of sexuality (such as abortionists) on average received significantly more press attention than gambling, excise, and Green-Goods scams and only the interrogations of police officers and politicians consistently surpassed sexuality in media attention.

One of the most sensational stories occurred only days before the municipal election. Known for keeping one of the most notorious disorderly houses in the city, the Lexow Committee subpoenaed Matilda (or Mathilde) Hermann in September but she fled New York to New Jersey, then to Montreal, and ended up in Chicago where she was found amongst a "colony of New York disorderly house keepers," who, according to reports, had been induced by police to flee the city until the Lexow Committee completed its work.⁸⁶ Finally brought before the Committee on Saturday, November 3, three days before the municipal election, Hermann

⁸⁵ Godkin, "The Lexow Committee," 125.

⁸⁶ "Haughey, Ryan and Brogan," *The Evening World*, November 2, 1894.

testified that at one time she ran five disorderly houses with between six and ten sex workers in each.⁸⁷ In her testimony, Hermann accused a judge of conspiring with the police to keep a disorderly house owned by her sister open and gave detailed accounts of how much she herself paid in blackmail and protection. She also implicated her landlord who worked with police and who consolidated her rent and protection into one flat payment.⁸⁸ When it came to whether she feared political repercussions for her testimony, Hermann was nonplussed. Goff asked her directly about the election inquiring if she was restraining her testimony in case “a certain political party would succeed at the next election,” and the danger that she could be sent to prison or, at the very least, “troubled and oppressed,” should Tammany win that Tuesday. Hermann answered that this had been said to her, but she “never was afraid of it.”⁸⁹

Goff, at this point the reform ticket’s candidate for Recorder of New York City, did not only want to implicate Tammany officials as he had already successfully done throughout Hermann’s testimony, but wanted to show that Tammany’s control of the municipal administration directly or indirectly intimidated witnesses. In a similar testimony given that afternoon, Dr. Newton Whitehead testified that he had been arrested multiple times in 1894 for offering and performing abortions. He stated that one judge in particular, Judge Koch, had a near monopoly on issuing warrants for abortion cases and in a six-week span, Whitehead had been arrested three times. The first-time police arrested Whitehead, they forced him to hire lawyer Emanuel M. Friend, a member of Tammany Hall’s General Committee. Over the course of his arrests, Whitehead paid Friend \$2,825, a large chunk of which Friend demanded be paid in cash

⁸⁷ New York State Legislature, *Report and Proceedings*, 4: 4118.

⁸⁸ New York State Legislature, *Report and Proceedings*, 4: 4137; “Tried to Save her Niece,” *New-York Tribune*, November 3, 1894.

⁸⁹ New York State Legislature, *Report and Proceedings*, 4: 4155.

and fifty per-cent of which he stated went to the police.⁹⁰ Additionally, though Goff denied having prior knowledge of this, Whitehead stated that Friend suggested they wait in order to plea their case in front of his friend Judge Frederick Smyth, the city's recorder and Goff's opponent in the election, as he would give Whitehead a more favourable ruling.⁹¹

If Goff's goal was to clearly implicate Tammany Hall in the city's corruption scheme, he certainly succeeded on November 3, 1894. He chose his witnesses very carefully. The first, Hermann, had been written about in the papers since she fled New York in September and her testimony gave salacious details of police involvement in the sex work industry. That afternoon, Newton Whitehead gave his testimony regarding abortion doctors in New York, their prevalence, and just how involved the entire judicial system was in aiding and abetting abortion. Before adjourning for two weeks, Goff took a moment to thank the Committee's staff for their day's work, and stated, "that of all the terrible exposures that have been testified to before this committee, and that have shocked not only our city but the civilized world, I think the most terrible of all is that we have heard this afternoon."⁹² The media could not have agreed more.

Other than the Tammany controlled *The Sun*, New York's leading newspapers all condemned the Wigwam in the days leading up to the election, using the stories of Whitehead and Hermann as quintessential reasons why New York could no longer support Tammany. The *New-York Tribune* summed up the trials with the headline "Villany's [*sic*] Lowest Depth" while *The Evening World* lead with "Mrs. Hermann Grows Defiant: Declares She's Not Afraid of Justice Hogan or Recorder Smyth."⁹³ Tammany did everything in their power to distance

⁹⁰ New York State Legislature, *Report and Proceedings*, 4: 4231, 4246, 4551, 4262; "Emanuel M. Friend, The Lawyer, Dead," *The New York Times*, November 2, 1904.

⁹¹ New York State Legislature, *Report and Proceedings*, 4: 4270.

⁹² New York State Legislature, *Report and Proceedings*, 4: 4274.

⁹³ "Villany's Lowest Depth," *New-York Tribune*, November 4, 1894; "Mrs. Hermann Grows Defiant," *The Evening World*, November 3, 1894.

themselves from the investigation and the men being charged. In an interview, outgoing Tammany mayor Thomas Gilroy asked “Is it fair to hold Tammany Hall responsible as is sought to be done by the press and the Lexow committee, for the infamous crimes charges against members of the Police Department?” and argued that Tammany only controlled the majority on the Police Commission since 1892. Tammany mayoral candidate Hugh Grant, promised to end corruption within the police department, stating that “The root of the evil [...] lied in the system, and now that public attention has been attracted, and public support guaranteed, I shall, if elected, do all in my power to hasten the correction of every abuse.”⁹⁴ Supporters of Tammany and the Democratic Party avoided discussion of Lexow altogether but tried to rally traditional Democrats in other ways. In one editorial, a supporter sought to remind Democrats of the election of 1876 and the Compromise of 1877, and attacked mayoral candidate William Strong’s adherence to reform ideals: “What reliance, I would ask, can be placed on Strong’s promise of non-partisanship, when that vote of 8 to 7 proved so conclusively that a Republican cannot be non-partisan, even when he is a Judge of the Supreme Court of the United States and under solemn oath to be so.”⁹⁵

Many in New York were unconvinced by Gilroy, Grant, and *The Sun*. *The Evening World* succinctly said “The Lexow Committee has shown up Tammany’s hand. It is for the voters today, to sustain the Committee’s hands.”⁹⁶ In an article written for *The New York Herald* and reprinted by the *New-York Tribune* the following day, the author stated that the municipal election was no ordinary election, but “a criminal trial.” “The verdict will not be a political verdict for or against any party,” it went on. “It will not be a personal finding for or against any

⁹⁴ “The Only Democratic Candidate, Hugh J. Grant,” *New York Times*, November 4, 1894.

⁹⁵ “Remember 1876,” *The Sun*, November 5, 1894.

⁹⁶ “The Lexow Committee has...,” *The Evening World*, November 6, 1894.

candidate. It will be a verdict for or against Tammany, a verdict of guilty or not guilty.” The article had but one solution for “the appalling corruption, oppression and terrorism which the Lexow investigation has laid bare,” and that was “the verdict of an aroused people, determined to rescue the city from demoralizing misrule and restore it to honest popular government.”⁹⁷ The anti-Tammany papers did not believe this election to be one that revolved around reform policy, or even non-partisanship as *The Sun* tried to spin it, but an election centred around the issue of good versus evil.

To illustrate the point, on its page of endorsements, *The New York Times* placed an article simply titled “Tammany and the Police.” The editorial began by insisting that every “decent citizen” read Hermann’s testimony, and those who read it and still insisted on voting for Tammany could not “regard himself as a decent man.” The article went on to condemn Tammany and the police for blackmailing brothel keepers and sex workers, like Matilda Hermann:

What the woman’s testimony clearly shows is that the business of prostitution, as carried on in New-York, is a branch, and the most important branch, of the work of the police. [...] A Police Captain is mainly a keeper of houses of ill fame in his precinct. If he bought or hired the houses, employed women to keep them for a bare living, and took all the profits for himself [...] he would be doing precisely what he has for years been doing. [...] The exceptions are that he does not furnish any capital or take any risks. All that he puts into the business is the blackmail that he pays when he is appointed a Captain.

For *The New York Times*, the most salient reason for voting against Tammany Hall was its support for the police, and the police’s role in commercial sex. For the author of the article, no difference existed between keepers of disorderly houses and the police captains that protected them, in fact, they believed the police to be less virtuous than brothel keepers because they failed to put in the effort to establish and run disorderly houses. The article concluded by saying that

⁹⁷ “A Strong Presentation of the Issues,” *New-York Tribune*, November 6, 1894.

“Every man who votes [for Tammany] will deserve nothing better than to live in a city where the enforcement of the laws and the preservation of order is intrusted to a gang of thieves and thugs and pimps.”⁹⁸

All the anti-Tammany papers agreed that the primary reason to vote for Strong and the reform ticket was to get rid of Tammany, and did not mention any of the policies that made up the reform platform. It did not matter what a reform administration would accomplish, so long as it was not controlled by Boss Croker and the fourteenth street wigwam. The 1894 reform campaign did not hinge on whether the reformers could convince upper-working class members of an economic advantage they could gain from voting reform, nor whether Republicans would be better suited to lead the city than democrats. What mattered was the Lexow Committee’s steady march throughout 1894 until its climax on November 3 and whether the evidence of police corruption and a moral fury pointed primarily at sex workers could convince Tammany’s regular supporters to lend their votes to a Republican.

The unanimous condemnation of Tammany by various religious denominations undoubtedly helped the reform ticket as well. In his sermon the Sunday before the election, Parkhurst proclaimed from his pulpit at the Madison Square Presbyterian Church that the election, “will practically be nothing more nor less than a public vote on the Ten Commandments.”⁹⁹ Reverend Charles Millard of the Washington Square Methodist Episcopal Church asked his congregation two questions: “Can we in any way free ourselves from this shameful tyranny of evildoers?” and “Can we trace the responsibility for this condition of things to its guilty source? We trace that responsibility back, not to a party, but to an organization whose name is familiar to you all.” Similarly, Reverend John A. B. Wilson sermonized that “A

⁹⁸ “Tammany and the Police,” *The New York Times*, November 5, 1894.

⁹⁹ Parkhurst, *Our Fight*, 270.

vote for [Tammany] is an indorsement for all the bribery, blackmail, clubbing, kidnapping, malfeasance, and corruption in office of every kind exposed by the Senate committee.”¹⁰⁰ The Protestant condemnation of Tammany Hall and the Democratic Party more general was not that uncommon as this group tended to vote Republican in elections. The vociferousness of their castigations, however, points to the importance of this election. Parkhurst, a Presbyterian minister, started this crusade against Tammany Hall and for years, he was attacked by media, the police, and politicians. The Lexow Committee proved his assertions to be correct. The police were in league with disorderly house keepers, and Tammany Hall was at the centre of the corruption emanating from police headquarters. A vote against Tammany not only helped prove Parkhurst’s case, but also showed that New York’s citizenry had a breaking point when it came to corruption.

Most surprisingly, even some within the Catholic Church, to which many Tammany and police officers belonged, condemned its actions. The Reverend Thomas J. Ducey of St. Leo’s Roman Catholic Church, who frequently criticized Tammany Hall and attended the hearings of the Lexow Committee, said that the church had a duty not only to purify individual souls, but to “purify the community as well.”¹⁰¹ He stated, “If there was any one in the city who was not shocked and ashamed at the stories told before the Lexow committee on Saturday, he was not worthy of consideration from any self-respecting man.” In his concluding remarks, he condemned any Catholics who participated in the crimes of vice and corruption and wished to “silence the charge that we have any affiliation with corruptors, no matter how much they

¹⁰⁰ “Tammany Is Responsible,” *The New York Times*, November 5, 1894; “All Eyes Will Be on New-York,” *The New York Times*, November 5, 1894.

¹⁰¹ Thomas J. Ducey, “The Corrigan-Ducey Correspondence,” *The Independent* 46, no. 2402 (December 13, 1894): 13.

profess Catholicism.”¹⁰² If nothing else, this condemnation from a Catholic priest helped sound the death knell for Tammany Hall in 1894. Parkhurst’s crusade could no longer be characterized as a character assassination against certain members of Tammany’s administration or the police. By the November 6 election, Parkhurst’s attack upon sex workers and brothel keepers had transcended political, ethnic, and religious lines to form a coalition whose sole aim was to vote out Tammany Hall, no matter who might replace them. And the electorate did just that.

On election day, William Strong, John Goff and the entire reform ticket trounced Tammany, winning the plurality of votes in twenty-five out of thirty assembly districts in New York City.¹⁰³ The Chamber had an equally successful night. Along with supporting Strong and the reform ticket, all pro-reform papers endorsed the Rapid Transit Act and consolidation which the citizens of New York, in turn, also endorsed. The Rapid Transit Act passed by a resounding vote of 132,647 to 42,916 while the vote for consolidation in New York passed by 96,938 to 59,959. In Brooklyn, however, the vote only passed by 64,744 to 64,467, a margin of 277 votes.¹⁰⁴ Although one could only speculate exactly what turned any 277 Brooklynites to vote for consolidation, one need not have an active imagination to believe that the Lexow Committee and the work of the Committee of Seventy to oust Tammany that year could have swayed more than a handful of men to vote to consolidate the cities.

At their annual banquet, held two weeks after the election, the Chamber of Commerce invited both Rev. Parkhurst and Mayor-Elect Strong to speak. In a letter read on his behalf, Parkhurst applauded the Chamber for the role it played in funding the Lexow Committee and the Committee of Seventy, leading to “the position of splendid possibility that, as citizens of an

¹⁰² “Will Have No League with Sin,” *The New York Times*, November 5, 1894.

¹⁰³ Godkin, *Triumph of Reform*, 329.

¹⁰⁴ Hood, *722 Miles*, 66; Ash, *The Greater New York Charter*, cviii.

emancipated city, we now occupy.”¹⁰⁵ In his speech, Strong dubbed the Chamber “the real cause of the great reform movement started in the City of New-York.” He compared John Goff’s work on the Lexow Committee to that of Ulysses S. Grant during the Civil War, and demanded that others take a place in his administration in order to combat the institutional corruption he was elected to stop. Strong warned the Chamber members that, “Unless you, gentlemen, and gentlemen of your kind, will accept places and take charge of the departments in the City of New York for the Mayor whom you have elected, and help him to redeem this City, this City cannot be redeemed.”¹⁰⁶ The head of the police commission, above all else, was the position Strong needed a “gentleman” to fill. As the centerpiece of the Lexow Committee’s investigation, New York’s citizens elected Strong to change the police department and change its reputation. Strong therefore, needed a New Yorker with a history of reforming civil service positions, an upper-class gentleman who would adhere to the reform ideals of Strong’s administration, and, ideally, a Republican. Strong found his police commissioner in Theodore Roosevelt.

¹⁰⁵ The Chamber of Commerce, *CXXVI Annual Banquet*, 31.

¹⁰⁶ The Chamber of Commerce, *CXXVI Annual Banquet*, 44, 45, 47.

Chapter 3

Rum, Roosevelt, and Rebellion

On March 17, 1897, New York City Police Commissioner Theodore Roosevelt bounced up to the stage of the Social Reform Club to give one of his typically self-indulgent speeches. Introduced by the club's vice-president as "the gladiator of the [police] department," Roosevelt quickly went on to highlight his accomplishments since his appointment to the job in April of 1895. "I believe [the Police Department] is in a better condition today than it ever was. [...] As a Police Commissioner I have not striven to change the laws, but I have tried to make every policeman feel that all citizens are to be treated alike, and that it is his duty to help every man he comes in contact with that needs it." However, not everyone in the audience agreed with TR's characterization of the previous two years. Following Roosevelt's speech, a member of the Social Reform Club jumped to his feet to challenge the future President. "We all know about the great anti-saloon crusade, the Haroun-Al-[Rashid] midnight rambler, the sensational handshakes. In those breezy and bustling days Mr. Roosevelt was in the habit of brushing aside every criticism with the accusation that the critics were criminals or the allies of criminals. Result: The Raines Hotel, the 'Speak-easy' and the people's verdict in the election of 1895. Then there was another crusade against what is called the 'social evil.'" The man continued, much to Roosevelt's annoyance, "I am obliged to state emphatically that the crusaders have utterly failed in their undertaking, that the evil is more rampant than ever, and that the consequence of their work—easily foreseen by students of this phase of life—is the scattering of vice all over the residential districts of the city."¹

¹ "Roosevelt was Hissed," *The Sun*, March 17, 1897.

Roosevelt's time on New York's Police Commission consistently produced unintended consequences. Despite the laudatory praise for Commissioner Roosevelt written by Lincoln Steffens, Jacob A. Riis, and Roosevelt himself in the years following his term on the board, a majority of New Yorkers agreed with the criticisms of the Social Reform Club member. While Jacob Riis called TR's two years in the Police Department "Mulberry Street's Golden Age" (a reference to the location of the Police Department headquarters), New York's Irish, German, and poor would likely have dubbed it a tyrannical failure.²

During his time in office, Roosevelt substantially changed how the New York Police functioned. He enacted various changes to the hiring processes bringing them in line with what he previously implemented while Civil Service Commissioner, he changed the weapons used by the police to make them a more deadly (Progressives might say "efficient") force, and, most importantly, he changed the style of policing, from the watchman style to a much more rigid legalistic one.

The watchman style of policing allows for a more lenient police force. As political scientist John Q. Wilson describes it, police officers are given discretion to apply laws where they seem fit, often ignoring common, small violations and tolerating a certain amount of vice and gambling in order to maintain order, rather than to regulate conduct.³ This style had been used for decades by the New York Police Department prior to Roosevelt's term on the Police Commission. This style, however, was greatly criticized by the Lexow Committee for pushing the department and its officers towards corruption, as personal discretion, rather than legislation,

² Jacob A. Riis, *The Making of an American* (New York: The Macmillan Company, 1901), 328.

³ James Q. Wilson, *Varieties of Police Behavior: The Management of Law and Order in Eight Communities* (Cambridge: Harvard University Press, 1968), 140.

decided who and what to police, allowing officers to avoid reporting certain crimes, such as violations of the Sunday excise law or disorderly houses, for their own financial gain.

Roosevelt's legalistic style is the opposite of the watchman style. The legalistic style allows for little to no discretion on behalf of individual police officers, obliging them to enforce petty laws, even when the public order has not been breached. It sets a binary way of thinking about the law and creates a single standard for all of society, one decided upon by lawmakers. The legalistic style also encourages police officers to harass those from social, economic, or ethnic groups who they believe are "more likely than others" to commit crimes.⁴

Roosevelt's dramatic switch from watchman to legalistic method shocked and annoyed New Yorkers, the majority of whom had supported Mayor William Strong's election less than a year prior and a crackdown on police corruption. Gotham's citizens likely did not anticipate the total suppression of vice pursued by the Strong's newly appointed Police Commissioners.

Following the municipal and state elections of 1894, the new Republican-controlled legislature implemented a bill aimed at ensuring the equal division of patronage positions within the New York Police Department. In early 1894, Republican Boss Thomas Platt attempted to pass a bipartisan Police Commission bill through the legislature, one that would ensure partisan balance on the four-member board. The Democratic Governor vetoed the measure, much to the delight of Reformers like Charles Parkhurst and Chamber of Commerce President Charles S. Smith who favoured a single, non-partisan Police Commissioner.⁵ Platt tried again in the spring of 1895, after Republicans won control of all three branches of state government. After passing

⁴ Wilson, *Varieties of Policing*, 172. Note: In this quotation, Wilson uses dated and racist language, saying that certain communities are more likely to commit crimes and therefore they will interpret legalistic policing as "harassment," a word which he places in quotation marks. I have therefore adapted Wilson's interpretation. His general theory, however, is helpful to understand the legalistic and watchman styles of policing.

⁵ Daniel Czitrom, *New York Exposed: The Gilded Age Police Scandal that Launched the Progressive Era* (New York: Oxford University Press, 2016), 156 & 169.

the Assembly and Senate, the bill needed to be approved by Mayor Strong, thanks to a new section in the 1894 New York State constitution that gave New York's mayor veto power over any legislation specifically affecting the city. Before making his final decision, Strong held a public hearing on May 1, which gave reformers a chance to explain their opposition. Parkhurst, on behalf of the Society for the Prevention of Crime, spoke against the bill. In his presentation, Parkhurst introduced himself as the president of the SPC, "Which inaugurated the movement that placed you in the Mayor's Chair." He stated that those who voted for Strong, "were all tired of partisan politics. [...] For you to approve the bill in question would so far forth be a recognition and an acceptance of the principle which your election disowns and which your constituency dissents from and abhors." To hammer home his point, Parkhurst added "Bi-partisan does not mean non-partisan. Bi-partisan means partisan twice over."⁶ Like other reformers, including Theodore Roosevelt, Parkhurst wanted a single Police Commissioner rather than a bipartisan board, something that did not occur until 1901. A week after the public hearing and just four months after his election to the mayor's office, Strong made the decision to back his party over his promise for a non-partisan administration and approved the bill.

To fill the newly created bipartisan board, Strong carefully chose candidates from constituencies that supported his election. Strong first appointed Avery D. Andrews as a Police Commissioner in February of 1895, prior to the passing of the new legislation which reorganized the board. A West Point graduate, lawyer, and an anti-Tammany Democrat, Andrews had written to Strong following his election regarding ways to instill military discipline in the Police Department. Strong followed Andrews's appointment with those of Andrew Parker, a lawyer and member of the County Democracy (the anti-Tammany faction of the Democratic Party in New

⁶ Charles Parkhurst to William Strong, May 1 1895, Papers of William Strong, New York City Municipal Archives, New York.

York that supported Strong's election), Frederick D. Grant, a staunch Republican and the son of General Ulysses S. Grant, and federal Civil Service Commissioner Theodore Roosevelt, a Republican who had the ability to work with both reformers and party stalwarts.⁷

Once the three new commissioners were sworn into office at City Hall, they walked to police headquarters at 300 Mulberry Street where they attended their first board meeting. The men elected Roosevelt as president and Andrews as treasurer. Following the meeting, TR pulled Jacob Riis and Lincoln Steffens into his new office and asked "Now, then, what'll we do?"⁸ The two muckraking journalists had their offices at 301 Mulberry Street, immediately beside the police headquarters, and spent much of their time covering the police, and both had a hand in their undoing prior to the Lexow Committee. Riis himself had known TR since the release of his book *How the Other Half Lives* which Roosevelt called "an enlightenment and an inspiration for which I felt I could never be too grateful."⁹ Steffens claimed that Roosevelt often consulted him and Riis, "as if we three were the police board," much to the chagrin of the real Police Commissioners.¹⁰ Roosevelt's friends and consultants, Steffens and Riis, wrote about the time extensively in their autobiographies, and Riis did the same in his biography of Roosevelt. Unfortunately, their hagiographic version of events often dismisses the more trying times during Roosevelt's tenure on the board. Additionally, many of TR's twentieth-century biographers use Riis's and Steffens's accounts as either their sole or principal source for this part of Roosevelt's life.

⁷ James F. Richardson, *The New York Police: Colonial Times to 1901* (New York: Oxford University Press, 1970), 246-248.

⁸ Lincoln Steffens, *The Autobiography of Lincoln Steffens* (New York: Harcourt, Brace, 1931), 257-258.

⁹ Theodore Roosevelt, *Theodore Roosevelt: An Autobiography* (New York: Charles Scribner's, 1926), 169.

¹⁰ Steffens, *Autobiography*, 258.

Other than Riis, Roosevelt's biographers rarely dwell upon his time as president of New York's Police Commission. Although the most fulsome biographies often dedicate at least one chapter to these two years, shorter biographies sometimes offer a paragraph or even less.¹¹ While one historian characterized the Police Commission period as "years of immaturity" for Roosevelt, most simply see his time on the police board as an anomaly; a moment in New York working in municipal politics between longer, and arguably more important, sojourns in Washington, DC.¹² TR's preeminent biographer, Edmund Morris, offers the greatest insight into Roosevelt's life between 1895 and 1897, dedicating three chapters and nearly one hundred pages to this period. Morris gives the well-known account of TR's time on the Board: his decision to clamp down on the selling of alcohol on Sundays, his fraught relationship with two out of his three fellow Commissioners, and his distaste for the job after the first year, none of which is inaccurate.¹³

Where Morris's interpretation falters, however, is his near complete omission of Roosevelt's influence and thoughts on the policing of sex work. TR wrote extensively in his autobiography on the subject and his letters and newspaper clippings from the period point to the scandals surrounding his decision to police sex work more harshly as a primary reason why he ran into difficulties during the second year of his term.¹⁴ More importantly, when Roosevelt ran for governor in 1898, his opponents frequently reminded voters of his time on the Police Commission and how his actions inadvertently increased the number of disorderly houses in

¹¹ For short biographies, see David H. Burton, *Theodore Roosevelt* (New York: Twayne Publishers, 1972), 58; Joshua Aloysius A. Norton, *Theodore Roosevelt* (New York: Twayne Publishers, 1980), 31-33; David Hawley, *Theodore Roosevelt: Preacher of Righteousness* (New Haven: Yale University Press, 2008), 91; and Lewis L. Gould, *Theodore Roosevelt* (New York: Oxford University Press, 2012), 17.

¹² Henry F. Pringle, *Theodore Roosevelt: A Biography* (New York: Harcourt, Brace and Company, 1931), 105; Nathan Miller, *Theodore Roosevelt: A Life* (New York: William Morrow, 1992).

¹³ Edmund Morris, *The Rise of Theodore Roosevelt* (New York: Random House, 1979), 494-587.

¹⁴ Roosevelt, *Theodore Roosevelt*, 196-199.

New York City.¹⁵ Partially as a result of his time on the Commission, Roosevelt never personally won the plurality of votes in the city of New York. Not in his race for governor, vice-president, nor president. TR's presidency of the Police Commission, therefore, had far more long-term consequences than his biographers recognize and although one scholarly book and two popular histories have been written about this time, a gap remains in Theodore Roosevelt studies regarding his thoughts and actions on sex work.¹⁶

For many Progressives, sex work and disorderly houses were a failure of the traditional institutions of the church, family, and school to enforce moral order. Historian Mark Thomas Connelly called their principles "civilized morality," a moralistic code that Progressives applied to everyone and reflected the dominant orientation of American Protestantism of the late nineteenth century. The adherents of this code believed that its viability depended on an "unremitting effort to root out all opportunities for moral lapse," but while many who preached about the evils of sex work used the language of evangelical Protestantism, their ideology contained little overt theology. As Connelly writes, "It was repressive and puritanical, but its fears and concerns were distinctly those of this world."¹⁷ The concerns of the Progressives towards sex workers continued to develop in the 1890s to include early stereotypes of sex workers being conduits of disease and physical corruption, with the added conception of deserving and undeserving poor, with most white sex workers falling into the former category. Progressives' attitudes resembled those of antebellum reformers who viewed sex workers as

¹⁵ "Vice Under the Raines Law," *The New York Times*, November 2, 1898.

¹⁶ For popular histories, see Richard Zacks, *Island of Vice: Theodore Roosevelt's Quest to Clean Up Sin-Loving New York* (New York: Random House, 2012); and H. Paul Jeffers, *Commissioner Roosevelt: The Story of Theodore Roosevelt and the New York City Police, 1895-1897* (New York: John Wiley, 1994). For a scholarly interpretation see Jay Stuart Berman, *Police Administration and Progressive Reform: Theodore Roosevelt as Police Commissioner of New York* (New York: Greenwood Press, 1987).

¹⁷ Mark Thomas Connelly, *The Response to Prostitution in the Progressive Era* (Chapel Hill: The University of North Carolina Press, 1980), 7-9, 11.

conduits of disease and moral corruption, but Progressives also concerned themselves with the moral wellbeing of the sex workers themselves. Progressives differentiated between sex workers who deserved their assistance (those who were forced or coerced into sex work) or whether they did not (those who chose sex work as a vocation). Additionally, the fear of “white slavery” increasingly defined attitudes towards sex work and sex workers throughout the Progressive Era, labeling any white woman engaged in sex work as a slave to pimps and brothelkeepers. For most city police, however, sex workers of this era were often lumped into the category of “transgressors against raised expectations of public order, respectable behaviour, and decency.”¹⁸

Roosevelt’s feelings on sex work, as he wrote in his autobiography, mirrored his fellow Progressives’ general feelings towards the subject. He said combatting this social evil was “one of the saddest features of police work,” and believed that poor women’s economic situation, as well as their individual morality, played key roles in determining who pursued sex work. Roosevelt blamed miserly employers for the drift into vice. He said that when women are paid inadequately to keep them from starvation or to “permit them to live decently,” then certain of them would be forced to earn a living through vice. Roosevelt went on to say that working women ought to be given not only the necessities of life, but enough to enjoy “innocent pleasure; and that even more than the man she must not be broken by overwork, by excessive toil.”¹⁹ Roosevelt believed that by diminishing the economic burden put on women, fewer would seek the life of a commercialized sex, however, he also contended that only women who were “both strong and pure” remained unaffected by the temptation of sex work and that only women “of weak character or lax standards” yielded to sex work.²⁰

¹⁸ Catherine Lee, *Policing Prostitution, 1856-1886: Deviance, Surveillance and Morality* (London: Pickering & Chatto, 2013), 3 & 9.

¹⁹ Roosevelt, *Theodore Roosevelt*, 196-198.

²⁰ Roosevelt, *Theodore Roosevelt*, 198.

As much as Roosevelt viewed sex work as an economic issue, for him, it was more substantially a moral issue. He held the opinion that only women who are “lazy” and “hate work,” whose minds are “rather feeble” or who are of “subnormal intelligence, or women who crave “cheap finery and vapid pleasure” are always in “danger” of pursuing sex work.²¹ Society, Roosevelt stated, should not excuse women who fail to uphold their “duty” to keep themselves “pure.” He declared that society simply had a duty to “achieve the same moral level for the two sexes,” and in order to do so, society must raise the moral level for men, and not lower it for women. However, this collective duty in no way relieved individuals from improving their own moral standing.²² For Roosevelt and many Progressives, this social evil constituted a collective failure of society, both morally and economically. Roosevelt used evangelical Protestant language to explain earthly problems, but unlike Charles Parkhurst who wanted to save sex workers’ souls, Roosevelt’s goal was to build a better, more prosperous world to live in. In order to do so, society had to treat those who chose sex work as harshly as possible.

Roosevelt thought that when it came to sex work, there “ought not to be any toleration by law of the vice,” and that any sentimentality toward the “willful prostitute” was a curse.²³ His answers to the social evil encompassed everything from moral to economic and legal solutions. Roosevelt wanted the police and other government agencies to “wage stern war against the evil creatures of both sexes.”²⁴ He called for “feeble-minded” and “incorrigible” sex workers to be placed in institutions specially created for them, while younger girls and first offenders should be placed in the “charge of probation officers or sent to reformatories” where they would learn to be moral citizens. Additionally, in order to avoid having the next generation of women replace those

²¹ Roosevelt, *Theodore Roosevelt*, 198.

²² Roosevelt, *Theodore Roosevelt*, 199.

²³ Roosevelt, *Theodore Roosevelt*, 196 & 199.

²⁴ Roosevelt, *Theodore Roosevelt*, 199.

arrested and institutionalized, TR said that women needed to be encouraged to marry earlier, and taught “the single standard of sex-morality, and a strict sense of reciprocal conjugal obligation.” He also added that women who supported late marriages made it “difficult to better the standard of chastity.”²⁵

Roosevelt failed to explain exactly how society should teach girls to be chaste and understand the “conjugal obligation,” but the intention is clear. According to TR, women ought to marry early and be sexually subservient to their husbands in order to avoid being put in a position where they could become pressured, either voluntarily or involuntarily, into sex work. Although Roosevelt believed that inherently immoral women and women of certain races (he points out that the Irish furnished “conspicuously” few sex workers) were more susceptible to falling into the sex trade, he pointed out that all women had the moral fortitude to avoid it through proper education and moral teachings.²⁶ Despite failings by employers, families, churches, and schools, Roosevelt believed that only the morally irredeemable consciously chose sex work.

For those who partook or chose sex work as a vocation, Roosevelt offered several legal solutions. Firstly, TR called for men and women to be treated equally under the law for the same act, and sought the establishment of night courts and special commissions to deal with sex workers and those who hired them. Secondly, he called for the federal government to continue its mission to stop inter-state sex trafficking, something they had been doing for three years prior to the publication of TR’s autobiography with the passage of the Mann Act in 1910.²⁷ Thirdly, he

²⁵ Roosevelt, *Theodore Roosevelt*, 196-197.

²⁶ Roosevelt, *Theodore Roosevelt*, 198.

²⁷ Nancy Unger, “Gender Politics in the Supreme Court’s Lochner Era: Interpreting the Constitution to Uphold Efforts to Limit Revolutions in American Morality,” in *Les constitutions: des révolutions à l’épreuve du temps en Europe et aux États-Unis/Constitutions: On-Going Revolutions in Europe and in the United States*, eds. Marie Bolton and Marie-Elisabeth Baudin (Paris: Centre Michel de l’Hospital, 2017): 321.

called for much harsher punishments for the men and women, but particularly men, engaged in the “white slave traffic.” Roosevelt wanted the United States to follow the United Kingdom’s controversial “Criminal Law Amendment Act 1912” to reintroduce whipping as a form of punishment for male offenders who engaged in sex trafficking, believing that “the only way to get at them is through their skins.”²⁸ Though Roosevelt’s legal solutions were not groundbreaking, most had been discussed years or decades prior to the publication of his autobiography, they point to his disdain for sex work at a time when the discussion of white slavery and laws to restrict the sexual agency of women were at their height.²⁹

TR, ever the self-promoter, wrote very little about sex work before 1913 except in letters regarding closing disorderly houses during his time as a Police Commissioner. He never wrote a treatise on the subject and simply sought to enforce the law when on the commission. This section, though likely his genuine feelings and in-line with his actions while Police Commissioner, gave him an avenue to enter, once again, the national psyche on an issue about which many people felt passionate. Apart from his legal suggestions, his perceptions of the problems regarding individual vice and the corruptibility of women show that he held little concern for the traditional issue of disease and viewed sex workers as part of deserving poor. He desired to save sex workers and, in turn, save society through education and a strict moral code that would stop women from having to resort to sex work for economic stability.

As a Police Commissioner, however, TR did not concern himself with the plight of individual sex workers, but instead concentrated on the policing of brothels and disorderly houses, something he only briefly touched on in his autobiography. Roosevelt stated that the owner of any property used as a disorderly house should have their name conspicuously

²⁸ Roosevelt, *Theodore Roosevelt*, 196-197.

²⁹ Unger, “Gender Politics,” 323 & 335.

published should they remain open after an official warning fail. He also wanted brothelkeepers to be punished as severely and relentlessly as “pickpockets and common thieves. They should never be fined; they should be imprisoned.”³⁰ Finally, he called for “no toleration” of red-light districts and demanded “the most relentless war on commercialized vice.”³¹ Roosevelt’s decision to spend less time on disorderly houses can likely be attributed to the decline in brothels since at the turn of the twentieth century.

Prominent in the Civil War era as the model for organized sex work, brothels became significantly less popular by the turn of the twentieth century due to sustained attention from the media and anti-vice organizations like Parkhurst’s Society for the Prevention of Crime.³² Roosevelt’s time on the Police Commission coincided with their downward trajectory in popularity due to the general hostility towards public facing sex work, and also due in part, at least in New York, to TR’s cynicism towards sex workers and disorderly houses. As historian Katie M. Hemphill argues, the state response to brothels over time can inform historians about the politics of urban life and the marked transition from “a nascent commercial economy to an industrial one.”³³ Brothels became an easily identifiable symbol of immorality, machine politics, and police corruption in urban spaces, one that people like Parkhurst and the Committee of Seventy quickly latched onto and exploited in New York City in 1894. And although brothels were just one place where people partook in prostitution, they proved to be the easiest and least controversial target for urban reformers, because they required consistent labour from sex

³⁰ Roosevelt, *Theodore Roosevelt*, 196.

³¹ Roosevelt, *Theodore Roosevelt*, 197.

³² Katie M. Hemphill, *Bawdy City: Commercial Sex and Regulation in Baltimore, 1790-1915* (Cambridge: Cambridge University Press, 2020), 4.

³³ Hemphill, *Bawdy City*, 5.

workers and other goods and services from the underground economy (such as liquor, security, and property) in order to succeed.³⁴

Roosevelt's war against vice did not begin with disorderly houses; it began with the enforcement of the Sunday excise law (also known as the Sunday closing law). Because liquor and sex work were innately linked, his enforcement of the excise law gradually bled into the policing of disorderly houses. In areas where brothels maintained a significant foothold, like Allen Street on the Lower East Side, saloons needed to supply sex workers to stay in business. The link between sex work and alcohol was so strong that many blamed the rise and spread of sex work on saloons.³⁵ Roosevelt's crusade against alcohol on Sundays would, therefore, inevitably lead to increased policing of brothels, but it also paradoxically and unintentionally led to an increase in brothels in 1896.

Originally passed in 1857, the Sunday closing law had been reaffirmed in 1892 by a Democratic legislature as a way of placating New York's rural population, but in New York City, the law had always been unevenly applied.³⁶ Roosevelt intended to apply the law, no matter how unpopular. In an 1895 article defending the Police Commission's heavy-handed crackdown on the excise law, he called those who denounced the board's policy "demagogues" who preached "lawlessness." Roosevelt claimed to be helping the poor by ensuring they could not drink on Sunday, their only day of rest. Echoing Jacob Riis's sentiments from *How the Other Half Lives* that "those who would fight for the poor must fight the poor to do it," Roosevelt declared, "The people who try to teach [the poor man] that he has a right to break the law on one day to take

³⁴ Hemphill, *Bawdy City*, 8 & 12.

³⁵ Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1720-1920* (New York: W.W. Norton, 1992), 244.

³⁶ Morris, *The Rise*, 512-513; Berman, *Police Administration*, 105-106.

beer are doing their best to prepare him for breaking the law some other day to take bread.”³⁷ For these Progressives, impoverished persons could not take care of themselves. Their hands had to be held in order to ensure they did the right thing, whether that be stopping them from drinking on Sundays or ensuring they do not engage in sex work. The poor could not be trusted to maintain their own morality, endangering society’s collective morality so Progressives had to fight the poor in order to help them as well as the community as a whole.

TR and his Progressive allies failed to understand the importance of alcohol on Sundays to constituencies that had placed them in power, something Tammany Hall understood and exploited. In the same journal where Roosevelt published his case for enforcing the Sunday closing law, Louis Windmuller, wrote a defense of German workers who deserved a stein of lager on their only day off. Windmuller, an outspoken German-American and member of the New York Chamber of Commerce, supported his countrymen. He wrote that the wealthy and middle classes had the ability to live their lives according to their desires and could devote any day of the week to rest and religion, but the poor did not have that option. New Yorkers who worked for their livelihood only had Sundays for recreation, and since the middle and upper classes owed their “comforts of life” to this constituency, “their wishes deserve our serious consideration.” He warned that “A ruthless interference with the enjoyment of the short hours of their leisure, therefore, is neither charitable nor wise,” directly contradicting TR’s opinion on the matter.³⁸ Believing that the enforcement of the excise law encroached on the personal rights of workers and beer venders, Windmuller charged Roosevelt with reviving “a system of espionage” that empowered the police and voluntary organizations like the Society for the Prevention of

³⁷ Theodore Roosevelt, "The Enforcement of Law," *The Forum* 20 (September, 1895): 9; Jacob A. Riis, *How the Other Half Lives* (New York: Charles Scribner, 1890; New York: Penguin, 1997), 202.

³⁸ Louis Windmuller, "The Resuscitation of Blue Laws," *The Forum* 20 (October, 1895): 211.

Crime to entrap saloon keepers, something previous reform administrations like that of Abram S. Hewitt had given up on eight years earlier.³⁹

Roosevelt's strict enforcement of the Sunday closing law likely had something to do with the death of his brother, Elliott Roosevelt, less than a year earlier. An alcoholic, Elliott, the father of Eleanor Roosevelt, attempted suicide after years of battling with alcoholism at the age of thirty-four and died soon after of heart failure. Theodore blamed Elliott's moral weakness for his death, something he regularly ascribed to others who succumbed to alcohol and other vices.⁴⁰ Elliot's ruin likely influenced TR's strict enforcement of the excise law, as Roosevelt sought to save those who could not save themselves from the same demise as his younger brother.

TR believed that in order to fulfill his oath of office he could not allow police officers to use their own discretion, they had to follow and enforce the law as it was written. TR's trusty sidekick, Jacob Riis, wholeheartedly agreed with legalistic enforcement and denounced "the quiet, peace-loving Germans" whose opposition to the Sunday closing law became an obstacle in every election for good government.⁴¹ Riis even stated that on the Sundays when Roosevelt and the police enforced the law, the tenements he came to know well were full of "happy children and contented mothers" whose fathers and husbands now paid attention to them and took them on a "day's outing" instead of drinking in a saloon.⁴²

Enforcing Protestant morality may have done exactly what Riis and Roosevelt claimed it did, but the execution of the Sunday closing law was widely criticized. During the 1895 campaign for the state legislature and a few other offices, New Yorkers turned out in droves to show the Republicans and the reform administration of William Strong how they felt about

³⁹ Windmuller, "The Resuscitation," 214-215.

⁴⁰ Zacks, *Island of Vice*, 130-132.

⁴¹ Jacob A. Riis, *Theodore Roosevelt: The Citizen* (New York: Outlook Company, 1904), 139-140.

⁴² Riis, *Roosevelt*, 140-141; Roosevelt, "The Enforcement," 9.

Roosevelt's imposition, especially German-Americans. In the run-up to election day, Roosevelt engaged in a war of words with Oswald Ottendorfer, the editor of the popular German newspaper *Staats-Zeitung*. Asked by the Excise Reform Association to send a letter outlining his thoughts on the law, Ottendorfer defended the right of Germans, and all New Yorkers, to drink on Sunday. Roosevelt responded by saying, "Mr. Ottendorfer seems to be in a position which it is difficult to occupy with dignity—perched on the fence. [...] He asks: 'Why is it that a law which applies to the whole State is enforced only in New-York?' Well, I don't know. One reason is that I have no power outside of New-York City."⁴³ Asked for comment by *The New York Times*, Ottendorfer called Roosevelt "a common scold," and accused TR of hypocrisy, "He employs spies to catch the small saloon keeper selling beer on Sunday, but does not employ spies to catch members of the Manhattan or Union League Clubs drinking on Sundays." After saying Roosevelt had a "swollen head," Ottendorfer concluded his remarks by asking for "Intelligent discussion upon the best means for the poorer class of people to obtain relief from the odious oppression of a law administered partially and with discrimination will go on whether Mr. Roosevelt likes it or not."⁴⁴

Ottendorfer believed that Roosevelt unfairly enforced the closing law, concentrating on saloons on the Lower East Side while allowing private clubs like the Republican Union League Club (of which TR was a member) to continue serving liquor to the wealthy elite whenever they wanted, as they legally could. The enforcement of the Sunday closing law was not a question of right and wrong, it was a method of enforcing a certain morality upon a minority who did not have the means to travel to Brooklyn or New Jersey or join a private club for a drink on their only day of rest. Ottendorfer continued to fight Roosevelt in an article in *Staats-Zeitung* where he

⁴³ "For Better Excise Laws," *The New York Times*, October 30, 1895.

⁴⁴ "His Respects to Mr. Roosevelt," *The New York Times*, October 31, 1895.

stated, “Roosevelt is the cause of this contest of the classes because the enemies of Rooseveltism can find no other way to express their disapproval of him. The Germans who are opposed to Roosevelt and don’t care a devil for Mr. [Carl] Schurz [who recently spoke at a pro-reform meeting] and his fine speeches will be the first to vote the Tammany ticket.”⁴⁵ Ottendorfer encouraged his fellow countrymen to show their disapproval for Roosevelt and his policies at the ballot box, the only place these men without means could do it. In an address to the anti-Tammany meeting, Civil War hero and longtime Republican Carl Schurz said that a beer purchased at the “price of a victory of Tammany Hall” would “scorch his lips.”⁴⁶ Despite this encouragement to vote for reform from a prominent German-American, after the ballots were counted the papers clearly attributed the results to one particular group.

On November 6, *The New York Times*’ headline read “TAMMANY!” with the subheading “Victory Won by German Vote.”⁴⁷ But while the Tammany Tiger swept New York City and elected its entire ticket for which the *Times* attributed the “Excise Issue,” New York State remained firmly in the hands of the Republicans who promised an even stricter Sunday closing law. Elected to New York’s Forty-Second Senate district in Ontario County, John Raines became the architect of this new bill. Called an “innovation” by its supporters, “The Liquor Tax Law of 1896,” colloquially called “The Raines Law” or “The Raines Liquor-Tax Law,” aimed to place restrictions upon the traffic of liquor in order to mitigate its “evils.”⁴⁸ To curb liquor dealers’ involvement in municipal elections, the bill narrowed the definition of who could traffic liquor by power from municipally appointed excise commissioners. It also raised taxes and licencing

⁴⁵ “Fusion, Child of Corruption,” *The Sun*, November 1, 1895.

⁴⁶ “Carl Schurz’s Address,” *The New York Times*, October 31, 1895.

⁴⁷ “Tammany!” *The New York Times*, November 6, 1895.

⁴⁸ Robert C. Cumming and Frank B. Gilbert, *The Liquor Tax Law of 1896* (Albany, NY: Matthew Bender, 1896), III; John Raines, “The Raines Liquor-Tax Law,” *The North American Review* 162, no. 473 (April, 1896), 481.

fees on liquor-saloons, with the stated goal of reducing the number of saloons by thirty to forty percent. It forced saloons to have their blinds open during closing hours, included clubs (like the Union League Club), and raised the age limit on purchasing alcohol from sixteen to eighteen.⁴⁹ In section thirty-one of the law, however, a clause was inserted that allowed for a “keeper of a hotel” to sell liquor to guests “with their meals” and defined hotel as “a building or place which is regularly kept open for the feeding and lodging of guests and in which there shall be at least ten furnished bedrooms,” no matter the time or day of the week.⁵⁰ This particular section was the impetus for what became known as “Raines Law Hotels;” saloons that hastily created ten rooms somewhere in the building in order to sell liquor between the hours of one am and five am and on Sundays, provided a “meal” was supplied.

The law came into effect on April 1, 1896. Within two weeks, saloon keepers were well aware of the hotel loophole. On April 14, prominent brewers organized a meeting of over 600 saloon keepers regarding the Raines Law. The majority of the questions asked pertained to hotels, how to convert a saloon into a hotel, and how a new hotel could continue to serve alcohol on Sundays and in the early morning hours. Attendees also severely criticized Senator Raines, Republican boss Thomas Platt, Mayor Strong, and Police Commission President Roosevelt.⁵¹ By April 21, many saloonkeepers changed their tune on John Raines, praising the law as a “boon” to the saloon business whereas temperance supporters began criticizing the law. Excise Commissioners gave out an unprecedented number of hotel licenses to former saloons and the Sunday trade in liquor, which had basically been stopped by Roosevelt and his police, began to thrive once again. When asked how the police would interpret the law, one acting captain stated

⁴⁹ Raines, “Raines Liquor-Tax Law,” 483-485.

⁵⁰ Cumming and Gilbert, *The Liquor Tax Law*, 85.

⁵¹ “Saloon Keepers Advised,” *The New York Times*, April 15, 1896.

that police headquarters made it clear that so long as a meal was being served and no disturbances existed, the police had no reason to arrest anyone.⁵²

What constituted a meal was a question of debate amongst police, but by the end of April, one judge declared that the police must consider a single sandwich as a meal, as a man can judge his own appetite.⁵³ In Eugene O'Neill's *The Iceman Cometh*, he describes the "property sandwich" given at Raines Law hotels: "an old desiccated ruin of dust-laden bread and mummified ham or cheese which only the drunkest yokel from the sticks ever regarded as anything but a noisome table decoration."⁵⁴ For his part, Roosevelt had very little choice but to follow the law as it had been written. He believed that the police had the ability to continue to enforce the Sunday law and closed several "fake" hotels in the first month, but those all occurred because the hotels did not provide a meal. TR also refused to give an opinion on "the sandwich question," simply stating that it was up to the courts to decide.⁵⁵

Crusty sandwiches were not the only by-product of the Raines Law. Saloon owners soon realized that the ten small rooms they quickly constructed could be easily used by sex workers. According to historian Timothy Gilfoyle, prostitution had previously been concentrated in either certain establishments or districts, but the Raines Law eliminated these institutional boundaries. The new law allowed sex workers to move easily between hotels, saloons, tenements, and concert halls in search of prospective clients rather than being constrained to either walking the street or a disorderly house. In only a few years, Raines Law hotels became the primary institution for sex work in New York City, leading to the formation of anti-sex work groups like

⁵² "The Raines Law 'Hotels,'" *New-York Tribune*, April 21, 1896.

⁵³ "The Raines Law 'Hotels,'" *New-York Tribune*, April 21, 1896.

⁵⁴ Eugene O'Neill, *The Iceman Cometh* (New Haven: Yale University Press, 2006), 4.

⁵⁵ "The Raines Law 'Hotels,'" *New-York Tribune*, April 21, 1896.

The Committee of Fourteen whose sole purpose was to suppress these hotels in the early twentieth-century.⁵⁶

Roosevelt likely did not care for the law. In a retrospective article published in 1897, he stated, “A bad law may seriously hamper the best administrator, and even nullify most of his efforts; but a good law is of no value whatever unless well administered.”⁵⁷ Although he did not mention the Raines Law by name, he likely had it in mind when he wrote this sentence. It seriously inhibited his ability to stop drinking on Sundays in New York and allowed saloons to return to “business as usual” for the first-time during Roosevelt’s tenure, but still, organizations like the Society for the Prevention of Crime and temperance groups continued to support him. In a meeting to protest Raines Law hotels, the Brooklyn Temperance League even praised Roosevelt for enforcing the law as best he could and decried their own “flabby, jelly-fish-backbone[d]” Police Commissioner who allowed crime to “flourish” in Brooklyn “as it does not in New-York City.”⁵⁸ At their annual meeting, Charles Parkhurst’s City Vigilance League greeted Roosevelt with a raucous round of applause as Parkhurst said from the podium, “You see what the town thinks of you.” Invited to speak, TR directly addressed the Raines Law. “On the whole,” he said “we feel that it has worked a decided improvement over the old law. We have had less blackmail than formerly, and there has been a decrease in Sunday arrests for drunkenness. But it is idle to say that we are not very much dissatisfied with the practical operations of the law, and the way it is construed by the courts and juries.” Roosevelt claimed

⁵⁶ Gilfoyle, *City of Eros*, 245 & 247; The Committee of Fourteen, *The Social Evil in New York City* (New York: Andrew H. Kellogg, 1910), XI.

⁵⁷ Theodore Roosevelt, "Municipal Administration: The New York Police Force," *Atlantic Monthly* 80, no. 479 (September, 1897), 300.

⁵⁸ “Sandwiches One Inch Wide,” *The New York Times*, October 19, 1896.

that in the seven months since the Raines Law came into effect, there had been 350 arrests in Raines Law hotels, but the police had failed to get a single conviction from a jury.⁵⁹

General opinion in New York City continued to be decidedly against Roosevelt and his legalistic style of policing. In one specific case of a Raines Law hotel, after a jury failed to agree upon a verdict, the judge in the case lectured them, saying “I don’t see how any body of men with common sense could fail to convict after hearing the evidence in this case. [...] What is the use of submitting evidence if it is not to be considered?”⁶⁰ No matter what occurred, no matter the evidence, New York City’s men continued to push against Roosevelt, the state Republican Party, excise, and temperance. Republicans could pass as many laws as they chose, and Roosevelt could arrest as many men who violated the law as he wanted, but despite pockets of support, the majority of Gotham’s men chose to break the law and drink. This failure was compounded by Roosevelt’s fight with the city’s Tammany aligned comptroller, Ashbel Fitch.

The Police Commission sent a resolution on April 14, 1896 requesting a transfer of \$11,663.76 from the Board of Estimate and Apportionment in order to pay for “various unexpended balances” for the fiscal year. The expenses were used to obtain evidence against disorderly houses, saloons, police shops, bucket shops, and gambling houses as well as an assortment of other expenses including pictures of criminals, meals for prisoners, travel, postage, telegrams, and the like.⁶¹ As head of New York’s Department of Finance, Fitch had final say regarding whether these expenses would be paid, and since much of the funds were used to procure evidence against saloon, disorderly house, and gambling house keepers, people that traditionally supported Tammany Hall, Fitch had no incentive to give Roosevelt the money. In

⁵⁹ “Hot Shot for Tammany,” *The New York Times*, November 10, 1896.

⁶⁰ “Won’t Convict for Sunday Sale,” *The Sun*, November 21, 1896.

⁶¹ Avery D. Andrews to William Strong, April 28, 1896, Papers of William Strong, New York City Municipal Archives, New York.

fact, he suggested that the Police Commission obtain a writ of mandamus in order to force the finance department to pay the Police Department.

At one meeting where Roosevelt had to fill in for Avery D. Andrews, the Police Commission's treasurer, Roosevelt got into a heated argument with Fitch. On May 6, *The World*, never a friend of Commissioner Roosevelt's, printed an article with a play-by-play of the altercation, coupled with a large caricature of the event (Fig. 3.1). In it, a furious Roosevelt, teeth gritted, can be seen banging his fist on a table looking at a very calm and collected Fitch while Mayor Strong, who chaired the committee, is seen at the end of the table trying to settle Roosevelt down. *The World* called the quarrel "long expected," as it was only a matter of time before Roosevelt chose an antagonist in another municipal department to fight with.



FIGURE 3.1. "Row Between Roosevelt and Fitch in the Mayor's Office," *The World*, May 6, 1896.

By the time of their meeting, Roosevelt was the third member of the Police Commission to plead their case in front of the Board of Estimates. TR charged Fitch with disobeying the Board of Estimates' decisions and said he would have to answer to the police and to the people if the police refused to work because they were not paid. Fitch then interjected, "Yes, pay them for spy work. Pay them for going into a saloon Monday, Tuesday, Wednesday, Thursday, Friday and Saturday so that they can sneak past the lookout like old customers on Sunday and arrest the bartender. [...] Nay, nay, not if I know it." As Roosevelt grew angrier, Fitch grew more dismissive, even enjoying the back and forth with the Police Commissioner. Roosevelt reminded Fitch that he was keeping this money from "poor patrolmen," not from the Commissioners. Fitch fought back:

When your board met, you declared that my action was in the interest of the criminal classes. Then you shut up, and we heard no more until the next meeting when Commissioner Parker threatened me with mandamus proceedings to get the money. [...] I'm at my office every day and it wouldn't have been difficult to serve me with a mandamus if you could have procured one. But you didn't. You yourself got into a row with Commissioner Parker and forgot all about this matter. [...] If any one is to blame, you are the man.

"What you say is not true." Roosevelt replied, "You are the one to blame." The back and forth continued until Fitch insinuated that Roosevelt was too cowardly to fight, to which TR said, "Just name your weapons. What do you want? Pistols?" "Pistols or anything else you see fit," Fitch responded. Strong suddenly intervened, threatening to call the police to arrest the two men if they continued. Strong then referred the matter to the city's Corporation Counsel and Roosevelt left the room in a rage.⁶²

Fitch obviously wanted to get a rise out of Roosevelt, and he clearly succeeded. Fitch agreed with the general opinion that the police used improper tactics to entrap saloonkeepers,

⁶² "Fitch Said 'Pistols,'" *The World*, May 6, 1896.

and by extension disorderly house keepers. He did not believe that police should be able to turn barkeepers in after patronizing their establishments, and he also likely did not believe tax dollars should be going to this entrapment. He was also one of the few Tammany men in the Strong administration, having been elected prior to the Lexow Committee in 1893, and so he had the duty to represent his constituents as well as Tammany's interests in the mayor's office. At the same time, this event shows how strongly Roosevelt's willingness to use entrapment—the only way he thought he could police saloons—show his strong belief in his system of policing. Additionally, Roosevelt's decision to tell Fitch that he worked in the interest of the criminal classes did not endear him to the Police Commissioner's cause, and likely contributed to Fitch's next attack on TR.

The day after the row between the two men, Fitch met with Roosevelt's nemesis on the Police Commission, Andrew Parker, and struck a deal to go to mandamus proceedings, the result of which Fitch promised to adhere to.⁶³ Two weeks after Roosevelt threatened to duel Fitch Roosevelt announced an official deadlock on the Police Commission that would continue until the end of TR's term. The reformers, Roosevelt and Treasurer Avery D. Andrews, were stonewalled by the traditional party supporters, Frederick Grant and Andrew Parker. Meanwhile, Fitch decided to hit Roosevelt where it hurt him the most, public opinion. Fitch continued to argue that the law did not authorize him to reappropriate the funds, something that had been done every year previously, and added that police spent this money on immoral pursuits. In an attempt to further humiliate Roosevelt, *The World*, once again in line with Comptroller Fitch, happily reprinted some itemized expense claims: "For cab hire, \$5; paid May Williams, \$5; wine for [disorderly house] inmates, \$15." Another read: "For dress suit, \$5; wine, \$5; paid a woman \$10;

⁶³ "To Try Mandamus Proceedings," *New-York Tribune*, May 7, 1896.

paid a woman, \$15.” The judge in the case called the expenses “monstrous,” more than once, but granted the writ of mandamus only so that it could be appealed to the Appellate Division, a new branch of the Supreme Court of New York that held jurisdiction over New York County.⁶⁴

Public opinion quickly sided with Fitch and against the Police Commission. The *New-York Tribune* claimed that the evidence presented to the Supreme Court “have caused a change in the opinions of a great many intelligent New-Yorkers as to the merits of the dispute between the Police Commissioners and [Comptroller] Fitch.” The article concluded by saying that “the revolting and hideous details of the bills [...] were so disgraceful that many New-Yorkers remarked that Mr. Roosevelt was in the wrong, and that no such practices as those to which the detectives confessed ought to be officially approved.”⁶⁵

A writer in the Tammany aligned *The Sun* likewise attacked the Police Commission, stating that when Charles Parkhurst obtained his evidence against disorderly houses, he paid for it out of his own pocket or that of the Society for the Prevention of Crime, saving the public from paying for “the gratification of his depraved curiosity.” The author suggested that because the practice of obtaining evidence against disorderly houses demoralized and degraded the police, the SPC should take over these matters and fund them privately in order to save the city “from the disgrace of paying bills incurred by public officers at such vile resorts.”⁶⁶ These expenses did not simply make the public question whether the police’s methods were just, but people became unsure as to whether the government should be policing disorderly houses at all. The SPC had, for decades now but more stringently for the past six years, been procuring evidence against disorderly houses and sex workers using the same methods that the police used, and until it

⁶⁴ “Shocked By Reform,” *The World*, May 20, 1896.

⁶⁵ “Hideous Bills from Detectives,” *New-York Tribune*, May 21, 1896.

⁶⁶ “A Very Nasty Business,” *The Sun*, May 22, 1896.

became obvious that disorderly houses contributed to police corruption, the public had mixed feelings regarding the SPC. Now that Fitch had revealed exactly how the police investigated and procured evidence against sex workers, the public questioned tax dollars being spent on police officers procuring sexual favours from sex workers in order to arrest them. The article concluded by thanking Comptroller Fitch for “exposing the rottenness and nastiness of [the police’s] method of obtaining evidence against vice.” These practices, therefore, not only applied to procuring evidence against sex workers, but all vice, including gambling houses and saloons.

Roosevelt and Andrews did their best to defend the police’s methods. In a seven-page report sent to the mayor and the newspapers, the two commissioners stated that if they did not continue to use the methods derided by Fitch, the Police Department would be “without power to regulate or control in any manner houses of ill-fame or prostitution,” as “No conviction can be obtained in the courts without the production of testimony.” They admitted that the largest line item for procuring evidence was that for procuring evidence against disorderly houses (\$2,057.80 out of \$9,416.53), but argued that the money they requested contained other items like food for prisoners and photographs of criminals, the latter costing the department \$3,651.50.

As evidence for the necessity of the two-thousand dollars, they stated that from May, 1895 to May, 1896, the department obtained 403 convictions upon the evidence obtained through entrapment, as against 172 convictions for the year previous.⁶⁷ No one could deny that the department was arresting and closing disorderly houses more efficiently than the year previous. The problem the public had was with the methods used, something Roosevelt either could not or refused to understand. New Yorkers did not want to pay for police officers to engage in coitus with sex workers, and they were unsure if they wanted public servants to do it at all. The

⁶⁷ Avery D. Andrews and Theodore Roosevelt to William Strong, May 21, 1896, Papers of William Strong, New York City Municipal Archives, New York.

alternatives were either private organizations like the SPC procure evidence for the police, or stop policing sex work. *The Sun* even suggested that by talking about sex work and attempting to police it, the police and Parkhurst encouraged it, and it was precisely because of Parkhurst actions against sex work and against disorderly houses that sex work was becoming more pervasive.⁶⁸ Forced out of disorderly houses, sex work only became more public, whether it be in the street, tenements, or in Raines Law hotels. Roosevelt and Parkhurst could not stop sex work by closing disorderly houses, they only moved it from one location to another.

As TR admitted in his autobiography seventeen years later, people choose sex work for a variety of reasons. If a woman chose sex work because of her economic situation or if it was her chosen vocation, or any other reason for that matter, being forced out of a disorderly house would likely not change the situation. Underlying issues, such as sex trafficking, economic realities, or, in the words of TR, personal “immorality,” were reasons sex work existed. As Police Commissioner, Roosevelt never suggested policy changes to help women leave sex work, nor did he try to change the methods police used to obtain evidence against sex workers and their madams. He focused on enforcing the law with little regard for the consequences of his actions on sex workers, alcoholics, saloonkeepers, or the general public. His legalistic method and Parkhurstian ideology led him on a path of failure in his career as Police Commissioner, and doomed him politically in New York City.

By the summer of 1896, TR actively sought out a new position outside the city. He frequently wrote to his friend Henry Cabot Lodge asking for his help to leave New York City and return to Washington, DC. The board had become irreparably deadlocked because of his and Andrew Parker’s intransigence and the Republican party in New York, both those who supported

⁶⁸ “A Very Nasty Business,” *The Sun*, May 22, 1896.

his work on the Sunday closing law like John Raines and those who did not, had all but abandoned him.⁶⁹ Roosevelt set his eyes on the Assistant Secretaryship of the Navy, but had supported President William McKinley's opponent, House Speaker Thomas Reed of Maine for the GOP nomination. Additionally, New York Republican boss Thomas Platt had just been reappointed to the US Senate, held tremendous sway over the new administration, and did not care for Roosevelt. Platt, however, ultimately agreed with McKinley on his appointment, conceding that Roosevelt would be much less of a nuisance in Washington than he was in New York.⁷⁰

TR's time in New York City had a mixed ending. Good Government Club A held a reception headed by Jacob Riis on April 16, 1897 praising his time on the board, while *The World* chided that New York City would be pleased to see him depart.⁷¹ *The New York Times* called his time in the Police Department "[not] wholly popular or entirely calculated to bring political strength to the cause of municipal reform in general." More to the point they stated that his policies "interfered with [New Yorkers'] habits and with their personal liberty, and was, in fact, so annoying to them that they omitted to recognize the absolute necessity of the rigid enforcement of the law."⁷² Even Roosevelt's allies at *The Times* criticized his tenure as Police Board President. Although they believed that his illiberal actions had merit, they admitted that it interfered with their liberty.

In a public farewell letter to Mayor Strong and the city of New York, Roosevelt praised his department and the Strong administration calling it the best the city ever had. He blamed any

⁶⁹ "Raines Renews Charges," *The New York Times*, November 25, 1896.

⁷⁰ Morris, *The Rise*, 583.

⁷¹ "Praise for Mr. Roosevelt," *The New York Time*, April 16, 1897; *The World*, April 6, 1897, quoted in Zacks, *Island of Vice*, 357.

⁷² "Reform in the Police," *The New York Times*, April 17, 1897.

failures squarely on the Raines Law and the bipartisan board. He called the Raines Law “unwise legislation,” and the law governing the bipartisan board “so bad that it is impossible to make of this splendid body of men all that could be made.” Despite these obstacles, TR claimed that one of his greatest pleasures was working with the men of New York to raise the “standard of living, of morality, and of comfort among our less fortunate brethren.”⁷³ During his tenure, Roosevelt refused to admit blame for anything. While he did not write the Raines Law, his actions led the Republican party to endorse stricter Sunday closing laws. Roosevelt’s intransigence, as well as that of Commissioner Parker, deadlocked the Board, and his legalistic method of policing irritated New Yorkers so much that they they actively fought against him.

When Roosevelt returned to New York to run for governor in 1898, the papers and his Democratic opponents dogged him about his time as Police Commissioner. In one attack, Democratic boss Richard Croker reminded readers that “the Roosevelt Police Board was hunting women with the aid of policemen in hired dress suits.” Reiterating a criticism from 1896, Croker said that, “Flats were robbed while the demoralized police force, in disguise of men about town, was trying to entrap women to commit crime.” Croker then named the victims of fourteen unsolved murders and listed other crimes that went unpunished.⁷⁴ Another article blamed the Republicans for the Raines Law for the increase in disorderly houses. The same GOP that blamed the Democrats for the rise in sex work refused to repeal the bill because it generated six million tax dollars a year from New York City alone.⁷⁵ German-Americans once again gathered to condemn Roosevelt. They passed a resolution that stated the Republican Raines Law “restrained the personal liberty of the German” and blamed Roosevelt specifically for bringing

⁷³ “Roosevelt’s Leave Taking,” *The New York Times*, April 18, 1897.

⁷⁴ “Croker Talking Again,” *The Sun*, November 2, 1898.

⁷⁵ “Vice Under the Raines Law,” *The New York Times*, November 2, 1898.

“thousands of our honest business men to despair and ruin by his tyrannical interpretation of the excise law.”⁷⁶

When running for governor, Roosevelt could not escape the taunts of his past. New Yorkers seemed to care little for his exploits as the Assistant Secretary of the Navy and his Rough Riders, but wanted to concentrate on his time as Police Commissioner, which had a direct impact on their lives and liberty. City voters remembered how he forced saloons to close on Sundays, and his questionable methods for policing disorderly houses. Most importantly, they blamed the GOP for the Raines Law. Meanwhile Democrats emphasized the connection between Commissioner Roosevelt and Raines Law hotels.

When the election results rolled in on November 8, 1898, Roosevelt was crowned victorious, but by an incredibly small margin. In 1894 GOP candidate Levi P. Morton won the governorship by 52.82 percent and in 1896, Republican Frank S. Black won by 55.28 percent. In 1898, Roosevelt only won with 49.02 percent and he lost every borough of New York. In New York County, comprising of Manhattan and the Bronx where he had been a Police Commissioner, he garnered only 37.25 percent. In contrast, Morton lost New York County with 45.34 percent of the vote, and Black had won the county in 1896 with 47.59 percent of the vote.⁷⁷ Roosevelt’s unpopularity as Police Commissioner must be taken into consideration, if not entirely blamed, for the Republicans’ loss in New York County. Although his stories of fighting Spaniards may have convinced those in other parts of the state to support the Republican ticket, clearly, in New York City, his legalistic method of policing cost him votes.

⁷⁶ “German-Americans Meet,” *The New York Times*, November 3, 1898.

⁷⁷ “Official Election Figures,” *The New York Times*, December 24, 1898; “City’s Official Count,” *The New York Times*, November 22, 1896; “The City’s Official Vote,” *The New York Times*, November 24, 1894.

In his subsequent campaigns for national office, Roosevelt continued to lose New York County. In 1900, as the Republican nominee for Vice President, the McKinley ticket lost New York County with 44.16 percent. Comparatively, in 1896 McKinley had won New York with 50.15 percent. As the Presidential nominee in 1904, Roosevelt lost it with 42.12 percent. In contrast, in 1908, William H. Taft, the Republican presidential nominee, gained nearly two percentage points without TR on the ticket with 44.71 percent of the vote. Finally in 1912, despite beating Taft and Socialist candidate Eugene Debs, TR obtained only 28.58 percent of the vote, losing to Woodrow Wilson who received 47.97 percent.⁷⁸

Neither the Republicans nor Roosevelt could boast about their popularity in the city of New York, even when Tammany's strength wavered. Roosevelt's illiberal policies during his days as Police Commissioner should therefore not be viewed as the sole contributor to these election losses. However, his unpopularity since 1895 led to worse outcomes in the city of New York for the Grand Old Party. His personal magnetism and his exploits during the Spanish-American war may have improved his image outside the city, but he never convinced his own hometown to endorse his political platform.

Roosevelt had a flawed term on New York's Police Commission. However, the Commission accomplished a great deal that had ramifications for policing across the United States. Commissioner Andrews created New York's first bicycle squad and the four Commissioners together made the force more lethal by reissuing nightsticks instead of day sticks (nightsticks measured twenty-four inches long and one and three-eighth inches in diameter, while

⁷⁸ "City Vote, All Tickets," *The Sun*, November 22, 1896; "State Vote Canvassed," *New-York Tribune*, December 13, 1900; The Tribune Association, *The Tribune Almanac and Political Register 1905* (New York: The Tribune Association, 1905), 351-352; The Tribune Association, *The Tribune Almanac and Political Register 1909* (New York: The Tribune Association, 1909), 326-363; The Tribune Association, *The Tribune Almanac and Political Register 1913* (New York: The Tribune Association, 1913), 758-759.

day sticks measured only fourteen inches and tapered from one inch to one and five-eighth inches in diameter). Additionally, they implemented pistol practice for all officers and issued new, standardized, Colt revolvers.⁷⁹ Nevertheless, Roosevelt spent the majority of his time fighting with his fellow Commissioners, other departments, and newspapermen. His failures and frustration compounded by the Summer of 1896 when he actively sought an escape from his post for which he initially had so much hope and excitement. The citizens of New York also found their patience of TR and his new policies waning as his time on the Commission progressed. Only those moral reformers like Parkhurst and the SPC seemed to enjoy Roosevelt's policing methods. With Roosevelt as President of the Police Commission, the SPC saw its role and importance diminish, but simultaneously its successes increased with the police finally enforcing the laws the SPC had previously enforced. The introduction of the Raines law, however, made much of Roosevelt's work inconsequential. Sex work suddenly had a new home in Raines law hotels after the SPC and Roosevelt succeeded in shutting down a number of disorderly houses in 1895.

Roosevelt's time on the Police Commission therefore was not an abject failure, but neither was it a resounding success. As historian Henry F. Pringle says, the Mulberry Street years "were years of immaturity, but there was growth too."⁸⁰ He did damage to himself and to the reform movement politically, but he learned about the consequences of illiberal policies, about the working class, and the lengths some people will go to engage in sex and libations despite their legality.

⁷⁹ Zacks, *Island of Vice*, 219, 164; Peter Conlin to Theodore Roosevelt, January 19 1897, Papers of William Strong, New York City Municipal Archives, New York; Avery D. Andrews to William Strong, March 12 1897, Papers of William Strong, New York City Municipal Archives, New York.

⁸⁰ Pringle, *Theodore Roosevelt*, 105.

Conclusion

The policing of sexuality and morality in New York City changed substantially in the final thirty-years of the nineteenth-century. The Society for the Prevention of Crime originally sought to enforce moralistic laws in order to save the city from a Protestant hell, but when the reformers took over Charles Parkhurst's cause, it became more secular. The reformers changed policing to follow the law to the letter as Parkhurst wanted, taking away certain liberties enjoyed by many New Yorkers. The reformers did not intend on saving people's souls, but to save the city; to create a more moral society with greater social cohesion that would lead to a more economically prosperous town. They sought to lift the lowest classes out of poverty through temperance and sexual repression, and send those immoral few who could not be saved to prisons, workhouses, or asylums, as TR suggested be done with women who chose sex work.¹

The reform administration of William Strong, however, did not last. In the election of 1897, the reformers, led by Brooklyn Mayor Seth Low, lost to Tammany Hall's candidate Robert Van Wyck, a victory Democratic boss Richard Croker attributed to New Yorker's distaste for "Fake' journalism."² In May of 1898, Van Wyck appointed William Devery, the only captain indicted by the evidence procured by Parkhurst and the SPC in 1893, to serve as the Chief of Police for the amalgamated Greater City of New York.³ Devery ran the Police Department with impunity, spending most of his time leaning against a fire hydrant at the corner of 28th Street and Ninth Avenue, receiving reports from lackeys and Tammany men between the hours of 9 P.M.

¹ Theodore Roosevelt, *Theodore Roosevelt: An Autobiography* (New York: Charles Scribner's, 1926), 198.

² "Tammany Sweeps the City," *New-York Tribune*, November 3, 1893.

³ Richard Zacks, *Island of Vice: Theodore Roosevelt's Quest to Clean Up Sin-Loving New York* (New York: Random House, 2012), 358; Mike Wallace, *Greater Gotham: A History of New York City From 1898 to 1919* (New York: Oxford University Press, 2017), 107.

and 2 A.M.⁴ By 1901, the state legislature decided that New York's bipartisan Police Commission was irreparable, and replaced it with a single Police Commissioner, as previously called for by TR and Parkhurst.⁵ Devery's time as Chief of Police brought back Parkhurst's raids on disorderly houses, and a new organization, the Committee of Fifteen, worked to suppress sex work, particularly in Raines Law hotels, when the police refused.⁶

This seesaw of public to private enforcement of sexual conduct continued into the twentieth century with most reform mayors appointing Police Commissioners and Chiefs of Police who would follow Roosevelt's legalistic policing methods, and most Tammany mayors nominating more deferential men. Tammany's loose moral boundaries and the strict legalistic ideals of the reformers point to a debate that still plagues the United States today. Parkhurst and Elbridge T. Gerry would likely feel a kinship with the moral reformers of the twentieth century like Jerry Falwell and Anita Bryant, if not for their tactics, then for their ideals. And one only needs to look at the U.S. Supreme Court of 2023 to find men and women who are willing to repress their fellow citizens in the name of Protestant morality.

These moral panics have emerged more regularly since the nineteenth century, partly due to the increased size and capacity of enforcement agencies. The story of Roosevelt and Parkhurst shows a moment of change in the methods of policing sexuality. Moral reformers prior to Parkhurst wanted to enforce anti-sex work laws, but failed to motivate municipal administrations to do so in a substantive way. Roosevelt took up Parkhurst's mantle when he was appointed to the Police Commission and enforced the repressive, moralistic laws that had been on the books for years to an unprecedented degree, taking away agency and liberties of citizens who

⁴ James F. Richardson, *The New York Police: Colonial Times to 1901* (New York: Oxford University Press, 1970), 270-271.

⁵ Richardson, *The New York Police*, 275.

⁶ Richardson, *The New York Police*, 279 & 283.

previously bought and sold sexual favours with little oversight. The moral panic created by Parkhurst in 1892 to 1894 dissipated by 1896, when suddenly New Yorkers began to question the police's methods towards policing disorderly houses instead of questioning sex work itself.

Sexuality in New York City at the turn of the century was therefore not limited by the state's capacity to police sex work, but by the citizens' unwillingness to endorse the methods used by Parkhurst and Roosevelt to police sex work. The reformers won the municipal election of 1894 because the evidence procured by the Lexow Committee created a moral outrage. Police corruption and complicity in sex work made Tammany's hold on the city government untenable. However, once Strong appointed Roosevelt, and once TR suppressed drinking and sex work, New Yorkers rebelled. They may not have wanted a corrupt police force, but they wanted to continue to enjoy a stein of beer on Sundays. TR's methods of policing equally disturbed Gotham's residents. When Parkhurst and the SPC entrapped sex workers, they used private funds and private detectives, but when the publicly funded police engaged in undercover work, citizens labeled the practice as disgraceful.⁷

As is the case today, people did not know what the role of the state should be when it came to sexuality. In 1890s New York, however, the public clearly did not care for the methods used to police sexuality, but they simultaneously did not want the city overrun with brothels, the most identifiable symbol of sex work. As Raines Law hotels continued to expand, sex workers found less of a need for brothels and operated more independently, and disorderly houses soon disappeared. The conversation regarding sex work then shifted, from closing down disorderly houses to saving white women from "White Slavery." Enforcing sexual boundaries more broadly

⁷ "A Very Nasty Business," *The Sun*, May 22, 1896.

became the next logical step for reformers who proceeded to bar interracial relations and engage in anti-homosexuality campaigns.⁸

Moral reformers chose to attack sex work in New York because of how blatant it was, particularly on the Lower East Side of Manhattan. Sex work, however, was only the beginning. Since Parkhurst's crusade, moral reformers have continued to attack other groups who deviated from sexual and gender norms, norms that Protestant reformers dictated. Additionally, globalisation and colonialism ensured that these ideas did not solely remain in the United States. Preventive societies like the NYSPCC helped to establish sister organisations in places as far as Algeria, India, Colombia, and Australia where they spread their ideology and restrictive ideas on sexuality.⁹

These preventive organizations continued to hold sway in New York City and the United States well into the twentieth century, but exactly how much influence they had over other governments requires more research. Nevertheless, their attacks on sex workers in the Gilded Age and Progressive era and the institutionalization of these attacks by Progressives like Theodore Roosevelt had far reaching consequences still felt today.

⁸ See Jane Dailey, *White Fright: The Sexual Panic at the Heart of America's Racist History* (New York: Basic Books, 2020); Gail Bederman, *Manliness & Civilization: A Cultural History of Gender and Race in the United States, 1880-1917* (Chicago: The University of Chicago Press, 1995); Anna Lvovsky, *Vice Patrol: Cops, Courts, and The Struggle Over Urban Gay Life Before Stonewall* (Chicago: University of Chicago Press, 2021); and Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton: Princeton University Press, 2009).

⁹ The New York Society for the Prevention of Cruelty to Children, *Twenty-Fifth Annual Report*, January 1900, 100-101.

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