

# Special Commission on State Institutions

September 12, 2024

2:30PM - 4:30PM

Virtual / Zoom

**Evelyn Mateo**

**Co-chair**

**Matt Millett**

**Co-chair**

# Agenda

1. Welcome
2. Recap of last meeting
3. Vote to approve minutes from 7/18/24 meeting
4. Update from Workgroups
5. Burials and Burial Locations: Summary of Draft Report
6. Next steps
7. Vote to adjourn

# Welcome

- ▶ Introductions and Goodbyes:
  - ▶ Welcome Lauri Medeiros-Mass Families
  - ▶ Thank you, Rania Kelly-Mass Families
  - ▶ Welcome Caitlin Ramos- Mass Archives
- ▶ Recap of Last Meeting:
  - ▶ Fall Meeting times: 2:30PM - 4:30PM
  - ▶ Fall Meeting dates: 10/17, 11/14
- ▶ Vote to approve 7/18/24 meeting minutes

# Updates from Workgroups

- ▶ Records and Records Access
- ▶ Burials and Burial Locations
- ▶ Framework for Remembrance
- ▶ If you would like to join a workgroup, please contact CDDER at:  
**[SCSI\\_Support@umassmed.edu](mailto:SCSI_Support@umassmed.edu)**

# Records and Records Access Workgroup

## ▶ Scenarios for Law Clinic Students

### ▶ Discussion:

- ▶ Does the Commission have preferences about which questions matter most to us to have them figure out?

## ▶ Response to the Letter of Inquiry

### ▶ Discussion:

- ▶ Does the Commission have additional input?
- ▶ Does the Commission want to write a follow up letter?

# Burials and Burial Location Workgroup

- ▶ Foxborough State Hospital Cemetery Records Project
- ▶ Burial Report Outline
- ▶ Tewksbury Hospital - The Pines:
  - ▶ Memorandum of Understanding between the State and the Town of Tewksbury
  - ▶ Walking trails have been established on the cemetery grounds
- ▶ Discussion:
  - ▶ Does the Special Commission want to take any action regarding the Pines Cemetery?

# Framework for Remembrance Workgroup

## ► Updates:

- Attended a presentation by the California Memorial Project on August 8<sup>th</sup>.
  - Discussion of Presentation
- The working group is invited to a talk with Pat Deegan from the Danvers State Memorial Committee on September 25<sup>th</sup>.

# Five-Minute Break



# Burials and Burial Locations

## Summary of Draft Report

# Warning of Use of Words

- ▶ The upcoming slides use words to describe people with disabilities that are offensive.
- ▶ The words will be shown as they were used in the past to label schools, asylums and other institutions to show the full history of institutions in the state.

# Burials and Burial Locations: Major Topics

- Burial of the Poor
- Burial of People Living in Institutions
- Deceased Inmates
- Funding of Burials
- Death Record Laws
- Cemeteries
- Areas for Additional Research

# Burial of the Poor

# Burial of the Poor (Historical Timeline)

- ▶ In the 1800s, state and town institutions called almshouses took care of the poor, which included people who were disabled, mentally ill, or sick.
- ▶ The people who lived in the state almshouses in Tewksbury, Bridgewater, and Monson were called “state paupers.”
- ▶ Many people with a mental illness or a developmental disability lived in these Almshouses. They were not served in separate facilities.
- ▶ By the 1860’s, these groups of people made up a large part of the almshouse population.

# Burial of the Poor (State Almshouses)

## ▶ Simple Burials:

- ▶ People who didn't have a religion or family or friends that could afford a burial were buried in places called potter's fields, paupers' graves, or common graves.

## ▶ Burial Locations:

- ▶ These graves were often located next to the almshouse or within a separate section of the town cemetery.

## ▶ Grave Markers:

- ▶ Most graves were unmarked and had no gravestones. If there was a marker, it would be small and only have a number and/or letter for religion.

## ▶ Burial Methods:

- ▶ At first, bodies were wrapped in cloth (shrouds, robes, and sheets) and buried in the ground. Later, pine coffins were used.

# Burial of the Poor: Questions/Feedback?

# Burial of People Living in Institutions



# Burial of People Living in Institutions (State Hospitals & Schools)

These institutions cared for the insane and feeble-minded. Since many of the patients spent the rest of their lives in these places and had no family resources, institutions provided end-of-life services like religious ceremonies and burials.

## ► Religious Services:

- In 1836, the Trustees of the State Lunatic Hospital at Worcester asked the state to pay for these services to help with overall treatment and provide comfort for the sick and dying.
- It was common for institutions to have an onsite chapel and Chaplains who often led funerals and visited and delivered special prayers to the sick or dying (e.g., anointing of the sick and last rites).
- A report on chaplain services were often included in institutional annual reports.
- In 1956, the Trustees of the Boston State Hospital reported that these religious service were still available for both Catholic and Jewish patients.

# Burial of People Living in Institutions (State Hospitals & Schools)

## ► Burial Practices:

- Institutions bought burial plots from town cemeteries or had a cemetery built somewhere on the grounds of the institution (undeveloped woods or fields).
- Inmates often dug up burial spots and made burial coffins and clothing (burial shrouds, robes, sheets) in industrial and sewing workshops.

## ► Grave Markers:

- Graves had little information because of the stigma around mental illness and disabilities at that time.
- Grave markers varied. For example, some were small concrete slabs with no names, while others had the patient number and/or a “C” or “P” for Catholic or Protestant.

# Burial of People Living in Institutions: Questions/Feedback?

# Deceased Inmates

# Deceased Inmates (Family & Friends)

## ▶ Claimed Body:

- ▶ Family and friends who could pay for a burial could claim the body of their deceased family member or friend.
- ▶ These families would choose a funeral director (also called an undertaker or sexton) responsible for getting all removal and burial permits as needed.
  - ▶ Removal permits were required if the body was to be buried in another town from where the death occurred.

## ▶ Example:

- ▶ The *Third Annual Report of the State Lunatic Hospital, at Taunton* (1857) stated:
  - ▶ “Most of those deceased have been removed by their friends for burial; a few who were without friends, or were destitute of means, have been interred on the hospital grounds.”

# Deceased Inmates (Family & Friends)

## ► New Law Proposed:

- In 1939, the *Report of the Special Commission on the Burial of Inmates of Institutions* proposed a new law to help families who couldn't claim the body of their relative because they couldn't afford to bury them.
- The new law would have the state pay up to \$100 in burial expenses for these families so they could have the "...privilege of taking care of their relatives." This included but wasn't limited to choosing a funeral director and cemetery.
- Families had to be US citizens and residents of Massachusetts, and the cemetery of choice had to be within an approved distance within the state.
- It is unclear if the law ever passed.

# Deceased Inmates (Anatomical Sciences)

## ▶ Early 1800's:

- ▶ Doctors and medical students wanted to learn more about the human body but did not have a sufficient supply of cadavers (dead bodies) to do so. As a result, grave robbing and selling of dead bodies from pauper cemeteries or institutional morgues to medical schools became part of the black market.

## ▶ Massachusetts Anatomy Act (1831):

- ▶ Allowed unclaimed bodies of poor people to be used for dissection in medical schools and hospitals.
  - ▶ In the late 1800's, administrators at the Tewksbury State Almshouse were accused of selling bodies to Harvard and other medical schools

# Deceased Inmates (Anatomical Sciences)

## ▶ Law Changes (1921):

- ▶ Under *Chapter 113 of Massachusetts General Law – Promotion of Anatomical Science*, the state required all unclaimed bodies to be given to medical schools.

## ▶ Current Law (MA General Laws Ch. 113, 2024):

- ▶ The law is still in effect but doesn't apply to veterans or those who choose not to have their body donated.



# Deceased Inmates: Questions/Feedback?

# Deceased Inmates (In-House Autopsies)

- ▶ Many state hospitals had onsite pathology departments that performed medical examinations on dead bodies (autopsies or post-mortem exams).
- ▶ Autopsies were performed to collect statical data around institutional deaths and to verify and correct original causes of death, if necessary.
- ▶ The laws require consent from next of kin to perform an autopsy
- ▶ In 1900, the Report of the Pathologist in the *Twenty-Third Annual Report of the Danvers Hospital* also pushed to remove the part of this law that required institutions to get permission from families before any medical exams could be done on a dead body.

# Deceased Inmates (In-House Morgues)

- ▶ In 1871, during the expansion of the Bridgewater State Almshouse's hospital facilities, it was reported that a "...remainder of the new area was used as a room where deceased inmates are prepared for burials."
- ▶ In 1886, the Westborough Insane Hospital requested funds to build a dead-house within the institution. It was built in 1890 and had one room for autopsies and another for holding bodies awaiting on-site burial or removal to an offsite cemetery. The term "morgue" was included in the Hospital's 1895 Treasurer's Report.

# Deceased Inmates: Questions/Feedback?

# Funding of Burials

# Funding of Burials

## ▶ Immigration & Ship Masters:

- ▶ In the mid 1800's, The Board of Commissioners of Alien Passengers and State Paupers required ship captains to report and pay a fee for immigrant passengers who were very ill or disabled.
- ▶ If the captain failed to do so and the passenger died while getting state services within 10 years of their arrival, the state would make the captain pay a \$500 fine, plus the burial expenses.

## ▶ Other Transportation Companies:

- ▶ The same reporting requirements applied to other transportation companies that brought foreigners to the state like railroads.
- ▶ However, these companies would be charged a \$20 fee for each immigrant they failed to report properly. And, if the person ended up dying at a state institution within a year of their arrival, the state had the right to recover the burial cost from the transportation company.

# Funding of Burials

## ▶ Town & City Paupers - Legal Settlement:

- ▶ Under *Lunatic Hospital Finances* burial expenses of city and town paupers that died in state hospitals would be paid back (reimbursed) to the institution by the person's town of legal residence.
- ▶ Under *Laws Relating to the Massachusetts Hospital for Dipsomaniacs and Inebriates*, burials of city or town paupers dying in state hospitals paid up front were reimbursed to the state by the person's legal settlement (in effect until January 1904).

## ▶ State Paupers - Family or the State Treasury:

- ▶ Under *The Burial of State Paupers and Person Found Dead*, state pauper burials with no legal residence would be paid back to the state institution by a legally responsible family member.
- ▶ If a state pauper didn't have family or they weren't able to pay, then the state would pay back the state institution \$5 for state paupers over the age of 12 and \$2.50 under that age. In 1867, the payback increased to \$10 for state paupers over the age of 12 and \$5 under that age.

# Funding of Burials: Feedback/Questions?



# Death Record Laws

# Death Record Laws (mid-1800's)

At this time, official town registries of births, marriages, and death records were required. Certified copies of these vital records were shared annually with the State Secretary.

## ▶ **Revised Statutes, Chapter 15, Sections 46 & 47:**

- ▶ In 1842, keepers of state institutions, except state almshouses, had to report deaths within six months to the town registry. If not, they'd be charged a \$5 fine per offense.

## ▶ **General Statutes, Chapter 21:**

- ▶ Section 1, required death records to include personal and death-related facts, e.g., name, sex, place of birth, death and burial, disease or cause of death. Undertakers (person in charge of burial) reported these facts to the town clerk.
- ▶ Section 4, undertakers paid ten cents for a *Certificate of Registry of Death* (burial permit) by the town clerk. Burials without a permit resulted in a \$20 fine.
- ▶ Section 3, required physicians to issue a *Certificate of Cause of Death* upon request.
- ▶ Section 8, required superintendents of the three state almshouses to report births and deaths directly to the State Secretary.

# Death Records

The University of Massachusetts Amherst Library has reported where vital records, including death records, would be stored based on the time in history.

- ▶ **Pre-1841 Records:**

- ▶ Records exist at the municipal level only.

- ▶ **1841 – 1910 Records:**

- ▶ Records exist at local and state levels for most vital records since 1841.
- ▶ The Massachusetts Archives "holds the registration books of births, marriages, and deaths for all Massachusetts cities and towns" for 1841-1910. Later records are transferred to the Massachusetts Archives at 5-year intervals.

- ▶ **After 1910:**

- ▶ Vital records after 1910 remain in municipal clerks' offices or at the Massachusetts Department of Public Health, Registry of Vital Records and Statistics.

# Death Record Laws Feedback/Questions?

# Cemeteries

# Cemeteries (Epidemics)

## ▶ Spanish Flu Epidemic (1918)

- ▶ Increases in inmate deaths due to Spanish flu epidemic in 1918 caused lots of state institutions to use mass graves or develop onsite cemeteries.

## ▶ Examples:

- ▶ *Worcester State Hospital's 86<sup>th</sup> Annual Report (1918) stated:*

- ▶ “The number of deaths from terminal cases and the epidemic of Spanish influenza made burial in the lot at Hope Cemetery no longer possible. A retired, attractive spot at Hillside farm has been prepared for the interment of patients without friends or family ties.”*

- ▶ Medfield State Hospital

- ▶ In 1918, the Town of Medfield requested the state hospital to build its own cemetery because it could no longer accommodate the larger number of flu-related deaths in the local town cemetery (Vine Lake Cemetery).

- ▶ *Massachusetts School for the Feeble-minded 72<sup>nd</sup> Annual Report (1920) stated:*

- ▶ “The past year has been a trying one, beginning with a recurrence of the dread epidemic of influenza, when in February at the colony we had 245 cases with 15 deaths. For the first time since we moved our big boys to Templeton, we had occasion for a burial lot and so purchased one in the local cemetery.”*

# Institutional Cemeteries

- ▶ Listing of cemeteries where people from institutions were buried
- ▶ Cemetery Profile Examples

# Cemeteries Feedback/Questions?



# Areas for Additional Research

- ▶ Cemetery for bodies donated to science:
  - ▶ Pine Hill Cemetery Tewksbury
- ▶ Examples of institutions with possible unmarked graves:
  - ▶ Anecdotal evidence:
    - ▶ Fernald
    - ▶ Belchertown
  - ▶ Documented evidence of unmarked graves:
    - ▶ Northampton
    - ▶ Tewksbury
    - ▶ Foxborough
    - ▶ Bridgewater
- ▶ Other related information:
  - ▶ Names of people buried in the cemetery have been publicly available.

# Next Steps

▶ Vote to Adjourn