

J.R.H. 2 (Joint Resolution)

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Testimony: April 22, 2021

INTRODUCTION

The Vermont State Archives and Records Administration (VSARA), a division within the Office of the Secretary of State, administers the Statewide Records and Information Management Program, which provides a broad range of records and information management services to Vermont public agencies. One of those services is serving as the official, permanent repository (the “State Archives”) for inactive state public records and information, regardless of format, that have continuing value to the State and its residents. Another service is providing legislators with historical context, from records in the State Archives, regarding matters of legislative interest and concern.

RELEVANT RECORDS IN THE STATE ARCHIVES

The State Archives, which date from the 1760s through the current year, contain public (government) records and information from (and about) all three branches of state government. They range from records of the General Assembly (original and published acts and resolves; house and senate journals, committee files), case files of matters heard and decided by Vermont’s courts, and a wide range of records and information produced or acquired in the course of Executive branch business. The State Archives also preserves and provides access to a small number of records that were not created by state government but were transferred to the custody of Vermont State government due to their historical significance and continuing value.

The existence of the following sets of records, dating from 1910 to 1970, provide historical information and context legislators may find relevant to J.R. H. 2:

1. Legislative bills and final acts related to communicable diseases, marriage licenses, children conceived out of wedlock, and sterilization, including written accounts of public hearings.
2. Records of the Eugenic Survey of Vermont, including pedigree charts and general histories of Vermont families and individuals and Dr. Henry Farnham Perkins’ own historical sketch of the Survey, titled “A Resume of an Eleven Years’ Study.”
3. Records of the Vermont Commission on Country Life, including committee and subcommittee work products and Commission minutes, reports and publications.
4. Record inventories of the records of the Eugenics Survey of Vermont and Vermont Commission on Country Life as prepared by the Federal Historical Records Survey of the Works Projects Administration’s (WPA) between the years 1938 and 1942.

5. Sterilization certifications filed with the Commissioner of Public Welfare pursuant to Act 174 of 1931, including correspondence with physicians, overseers of the poor and others.
6. Legislative bills and final acts requiring compulsory evaluation, reporting, and registration of “mental defectives” and those with communicable diseases.
7. Case files (incomplete) of individuals at Vermont state institutions, specifically the following institutions and their predecessor institutions: Brandon Training School; Weeks School; Vermont State Hospital; Vermont State Prison; and Women’s Reformatory.
8. Case files (incomplete) of matters heard and decided by Vermont courts, including those pertaining to involuntary commitments and guardianships.
9. Supreme Court briefs and printed material, including In re Marcia R., 383 A.2d 630 (1978).
10. Annual or biennial reports and bulletins (incomplete) of State boards, commissions committees, and administrative departments, reporting on matters and providing statistics on various legislative mandates.
11. Records (incomplete) of elected officials and administrative departments of the Executive branch, generally formal correspondence, reports and recommendations.
12. Vermont newspapers of record, providing contemporaneous reports of legislative matters as well as the actions of state and local government from the view of reporters and members of the public

Supplementing the above, state publications, such as House and Senate Journals, the published version of the Acts and Resolves, and the Legislative Directory, are also available at the State Archives. Both the Acts and Resolves and the Legislative Directory provide information on the organizational structure of Vermont state and local government at any point in time.

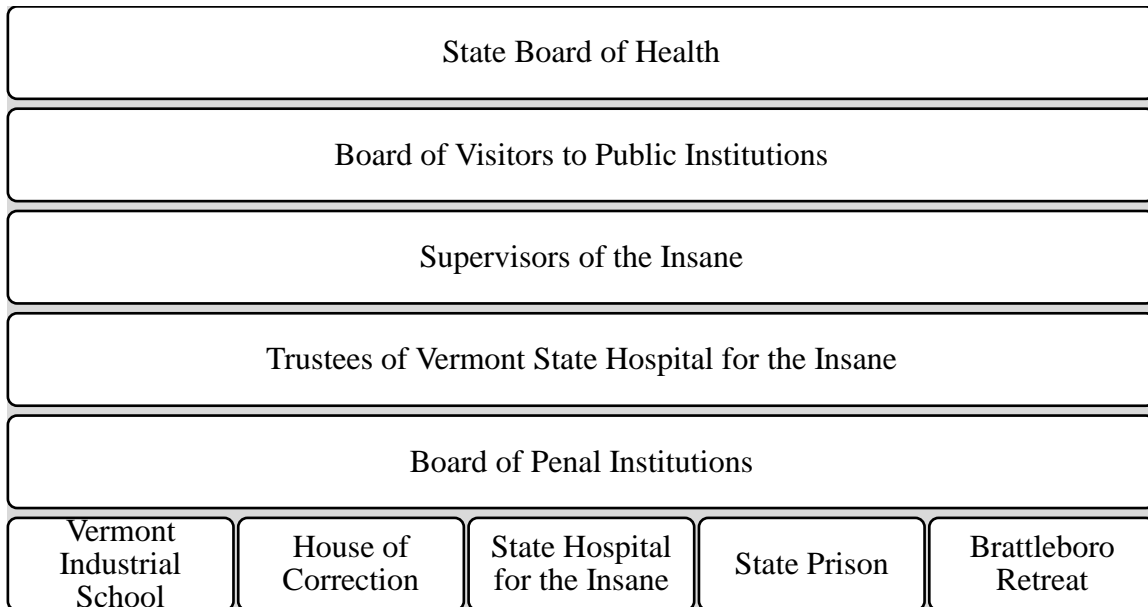
Scanned images of original records from some of the sets of records listed above are include at the end of this document starting on page five (5). The Vermont State Archives and Records Administration is able to provide additional information and research to legislators as requested.

Members of the public have access to an online guide to records in the State Archives to assist them in identifying records pertinent to their own research on this subject and on other matters. Some records and information are exempt from public inspection or copying under the Public: sos.vermont.gov/vsara/research/guide

STATE GOVERNMENT: ORGANIZATIONAL STRUCTURE (1913 AND 1931)

Year: 1913

The organization structure on January 31, 1913, when Governor Allen M. Fletcher transmitted his veto message to the Senate in regard to S.79 (An act to authorize and provide for the sterilization of imbeciles, feeble-minded, and insane persons, rapists, confirmed criminals and other defectives) for “reasons set up in an opinion of the Attorney General,” consisted of boards, supervisors, trustees, and superintendents.



Year: 1931

The organization structure on March 24, 1931, when S.64 (An act for human betterment by voluntary sterilization) was approved consisted of the Department of Public Welfare (1923-1947), served by a commissioner appointed by the Governor with advice and consent of the Senate, and superintendents of state institutions appointed by the Commissioner of Public Welfare. The Governor in 1931 was Stanley C. Wilson, who superseded John E. Weeks. The Commissioner was William H. Dyer of Montpelier and the Assistant Commissioner was Don C.G. Beebe, also of Montpelier.

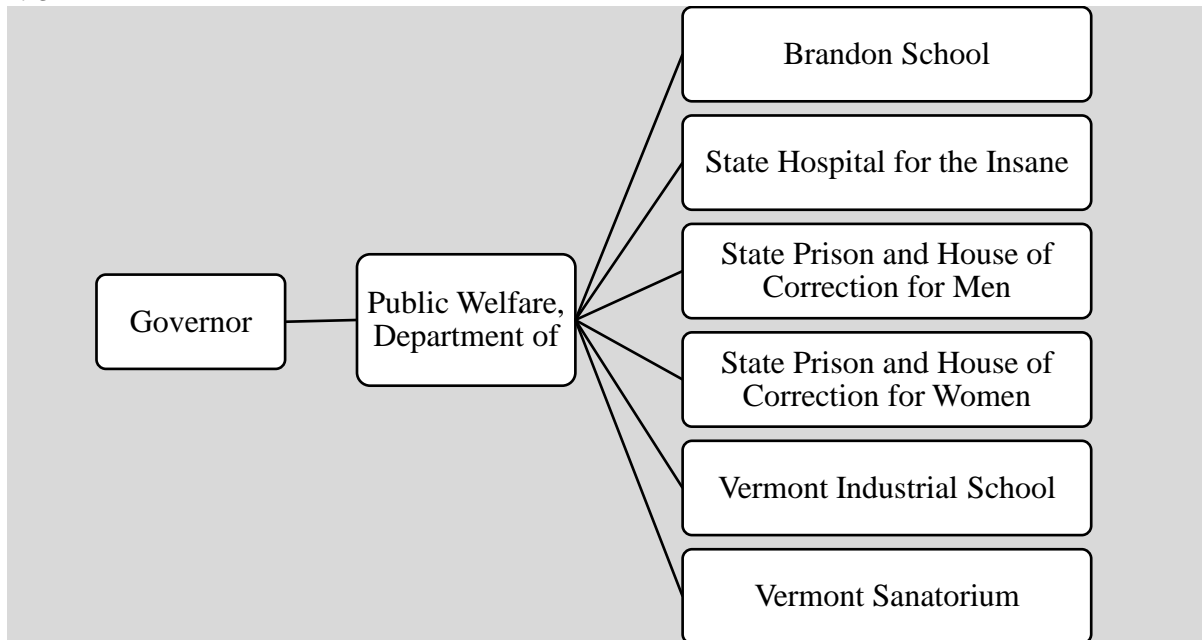
The Department, as described in the 1931 *Legislative Directory*:

“Principle duties – The department of public welfare is charged with the administration of charitable and penal institutions, tuberculosis hospitals, School for the Feeble Minded, the State Hospital for the Insane, and the Vermont Sanatorium; care and instruction of the deaf, dumb and blind, idiotic, feeble minded or epileptic children of indigent tuberculosis persons;

such administration and care including the provision of humane and scientific treatment and care of our unfortunates, the education so far as possible of such dependents and the study of causes of such dependency and delinquency, mental, moral and physical defects with a view to a cure and ultimate prevention.

“**Note** – The department of public welfare has general supervision of the State Hospital for the Insane and of the insane not in confinement, through the state board of supervisors of the insane; also inspects the Brattleboro Retreat. Prior to the creation of this department, the major part of the powers and duties of said department were vested in the director of state institutions, board of charities and probation, supervisors of the insane, trustees of tuberculosis hospitals, and the governor. The commissioner of public welfare is ex officio commissioner of indigent tuberculosis persons.

1931



EUGENIC SURVEY OF VERMONT (1925 – 1936)

The Eugenics Survey of Vermont was neither initiated nor organized by Vermont state government or the University of Vermont; however, the University of Vermont provided administrative overhead support and state officials served on the Survey's advisory board; the documented purposes for the Survey were to "cooperate with social agencies, State departments and institutions in eugenic effort; and promote legislation having eugenic objects."

An extensive inventory of the records of the Eugenics Survey of Vermont was initiated in 1936 and continued by the Works Progress Administration's (WPA) Federal Historical Records Survey. The WPA's 1942 draft inventory report, also in the State Archives, consisting of more than 350 pages and including Dr. Perkin's own historical sketch, titled "A Resume of an Eleven Years' Study," which outlines both his interests and his actions in organizing the Survey, and an appendix of the forms (blanks) used:

- Marriage Pedigree Sheet
- Birth Pedigree Sheet
- Death Pedigree Sheet
- State Hospital Pedigree Sheet
- Prison, Jail and Reformatory Pedigree Sheet
- General History Pedigree Sheet
- Questions in Regard to the Effect Upon Unfruitful Marriages of the Adoption of a Child.
- Pedigree Face Sheet
- Brandon Waiting List
- Questionnaire Interview for Nationality Groups
- Questionnaire Interview for Clubs
- Residents
- Emigrants

Excerpt from Perkin's "A Resume of an Eleven Years' Study"

Charts were made of sixty-two families and some of these families were selected for a description in the first report, issued in January, 1927. More than forty-six hundred individuals were included, going back in some cases six or even seven generations. The earlier generations having long since passed out of the picture, it was necessary to set down the records as they could be obtained from living members of the family, prison records, poor master's lists and many other official and semi-official sources.

Out of the forty-six hundred individuals seven hundred sixty-six had definite poor relief records and three hundred eighty were pretty conclusively shown to be or to have been feebleminded, while one hundred nineteen had been, or were at the time, in prison. In addition to these known cases there were unquestionably many others that would have been included had the facts been accessible.

Pedigree Chart

#1 Pedigree

DATE	NAME	EXPENSE		BY		TOWNS		TOTAL
				S.D.P.W.				
1800-1921	Isaac		1381.68					1381.68
1884-1914	Allen		660.38					660.38
1715	Ed		45.10					45.10
1884-1917	Harvey		814.00					814.00
1918-1924	Mrs. H.F.		297.21					297.21
1906-1907	Mrs. J.E.		62.25					62.25
1910-1911	James B.		57.10					57.10
1917-1921	Ruby		81.65					81.65
1887	Rose		21.75					21.75
1913	Walter		87.00					87.00
1917-1921	Warren		370.14					370.14
1925-1926	Mrs. H.K.			10.02				10.02
1917-1919	Family			594.47	64.41			658.88
1920-1923	Myrtle			147.71	108.66			256.37
1718	Mr and Mrs.			42.14				42.14
		3700.24		10.02	784.32	173.07		4821.65

Family General History

#1 GENERAL HISTORY

GENERATION V (CONTINUED).

CHILDREN OF [REDACTED] IV, #40, AND [REDACTED] IV, #41.

#59. ----- [REDACTED] (female).
 This child was stillborn in [REDACTED] 1907.

#60. [REDACTED].
 [REDACTED] was born in [REDACTED] 1903.
 [REDACTED] is also called [REDACTED].
 [REDACTED] was at one time at the Home for Destitute Children. From there she was transferred on Sept. 28, 1917, to the Vermont State School for the Feeble-minded. At the time of her commitment to V. S. S. her mother had been dead for over a year. [REDACTED] was paralyzed and helpless.
 [REDACTED] Reynolds was transferred to the V. S. H. on June 14, 1918. At V. S. H. it was said that she was rather noisy and restless and that it was necessary for an attendant to assist her in dressing and undressing.
 At V. S. H. her case was diagnosed as Psychosis with Mental Deficiency. She was considered a low grade imbecile.
 [REDACTED] is supported by the State.

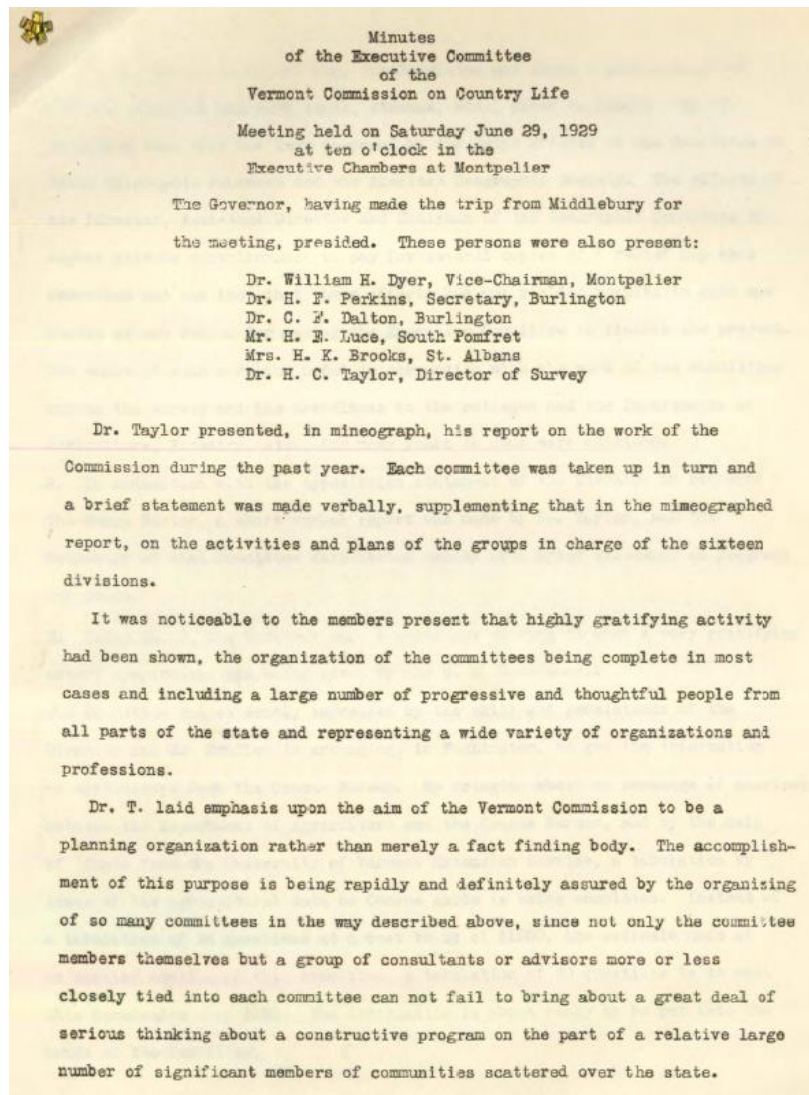
#61. ----- [REDACTED] (male).
 This child was stillborn in [REDACTED] 1908. This was a premature birth.

VERMONT COMMISSION ON COUNTRY LIFE

The Vermont Commission on County Life was organized in May 1928 to serve as an unofficial rural planning commission with reportedly with 100 members and Governor John Weeks was selected as chair. The Vermont Agricultural Extension Service of the University of Vermont (UVM) provided administrative and cooperative support to the Commission as did many organizations outside of the State of Vermont.

Approximately \$85,000 from the Rockefeller Foundation, secured by UVM's Social Science Research Council, supported 30 committees under the Commission for a period of three years, resulting in a 1931 report titled "Rural Vermont: by Two Hundred Vermonters." The eugenics survey became a subcommittee under the Commission's Committee on the Human Factor.

Meeting Minutes



DEPARTMENT OF PUBLIC WELFARE

The Department of Public Welfare was established by Act 7 of 1923 as the successor to the Board of Charities and Probation and Director of State Institutions. The Department was superseded by the Department of Social Welfare in 1947. In 1970, the Department of Social Welfare became a department under the newly established Agency of Human Services (Act 272). It was dissolved upon the creation of the Department of Prevention, Assistance, Transition, and Health Access in 2000, which was superseded four years later, in 2004, by the Department for Children and Families and the Office of Vermont Health Access (which became the Department of Vermont Health Access in 2010).

Correspondence

April 22, 1938

Mr. G. L. Macdiarmid,
Overseer of the Poor,
Newport City, Vt.

Dear Sir:

I have informed Mr. Frank W. Goodhue, Director of Division of Aid and Relief of Boston that under the provisions in Vermont, that the city of Newport will be obliged to take care of [REDACTED]. Mr. Goodhue is mistaken in regard to the statement that we advised that we would accept this girl into the school. We did state to him that we consider this girl should be sterilized at the time we wrote to Mr. Goodhue and before we made a social investigation. We mentioned the fact that this operation might be performed at the Brandon State School but Dr. Woodall has advised us that he can not take adults. Of course, you have the authority to have this operation performed on the advice of two doctors if you so desire. We have advised Mr. Goodhue that the procedure that should be taken, would be to return [REDACTED] and her baby to Newport and that we understand that you are agreeable in this move.

Very truly yours,

Commissioner

A:wed

Sterilization Certificate

We, V. W. Waterman and L. R. Goodrich, physicians and surgeons legally qualified to practice in the State of Vermont, hereby certify that on the 27th day of September, 1933, we examined [REDACTED] a resident of Vergennes, Vermont, and decided:

- (1). That ~~he~~ he is an ~~imbecile~~ ~~feeble-minded~~ ~~person~~ ^(Strike out inappropriate words) and likely to procreate ~~imbecile~~ ~~feeble-minded~~ ~~persons~~ if not sexually sterilized: ^(Strike out inappropriate words)
- (2). That the health and physical condition of such person will not be injured by the operation of ~~castration~~ salpingectomy; ^(Strike out inappropriate word)
- (3). That the welfare of such person and the public welfare will be improved if such person is sterilized;
- (4). That such person is _____ of sufficient intelligence to understand that ~~he~~ he cannot beget children after such operation is performed.

Signed in duplicate this 27th day of September, 1933.

[Signature]
L. R. Goodrich

STATE OF VERMONT, }
Addison County. }

At Vergennes this 27th day of September, 1933, personally appeared V. W. Waterman and L. R. Goodrich and made oath to the truth of the above certificate by them subscribed.

Before me, [Signature]
F. Lucile Anderson
~~Notary Public~~ Notary Public.

I, [REDACTED], the person named in the above certificate, hereby request that the surgical operation of ~~castration~~ salpingectomy be performed on me. ^(Strike out inappropriate word)

Dated this 27th day of September, 1933.

I, [REDACTED], the ~~natural~~ guardian of [REDACTED] the person named in above certificate, request that the surgical operation of ~~castration~~ salpingectomy be performed upon ~~her~~ her. ^(Strike out inappropriate word)

[Signature]
Natural Guardian.

I, Sydney Allen, a physician and surgeon legally qualified to practice in the State of Vermont, hereby certify that on the 28 day of September, 1933, at Barre, Vermont, I performed the surgical operation of ~~castration~~ salpingectomy on [REDACTED] the person named in the above certificate. ^(Strike out inappropriate word)

[Signature]
Sydney Allen M.D.
Physician and Surgeon.

DIRECTIONS. The applicant must sign a request that the operation be performed, if of sufficient intelligence, otherwise the natural or legal guardian of such person must sign. The applicant must voluntarily submit to the operation. The physician and surgeon performing the operation must decide that the welfare of such person and the public welfare will be improved by such operation. The physician and surgeon must mail one of the duplicate certificates to the Commissioner of Public Welfare, Montpelier, Vt., and keep the other. These blanks can be obtained from the Commissioner of Public Welfare.

Sterilization Act of 1931.

NEWSPAPERS OF RECORD

Newspapers of record are designated annually by the Secretary of State for the publication of notices. Under prior laws, newspapers of record printed public acts and were required to provide issues to the State Library for preservation purposes.

Rutland Daily Herald, January 18, 1934

**Eighty-one Sterilization Operations
Performed in State Under 1931 Law**

(Special to The Herald.)

MONTPELIER, Jan. 17.—A total of 81 sterilization operations have been performed in Vermont, under the law passed in 1931, according to figures in the office of William H. Dyer, commissioner of public welfare.

The operations have increased from 10, performed from June 26 to December 31, 1931 to 47, performed last year. There were 24 performed during 1932.

Fifty-five women and 26 men

submitted to the operation. In 1931 the number of women sterilized was nine as compared with one man. The figures for the past two years are: 1932, women, 19; men, 5; 1933, women, 27; men, 20.

According to information from the welfare commissioner's office 10 of the operations were performed upon imbeciles, four upon insane persons and the balance upon feeble-minded persons.

Burlington Free Press, December 15, 1942

**Nearly 900 Mental Defectives
In State Already Classified**

**Report Made of Survey Begun by New
Sub-Divisions of Department of Public
Welfare; Report Made by Mrs. Ainsworth**

Special to the Free Press

MONTPELIER, Dec. 14.—Survey of mental defectives in Vermont begun by a new sub-division of the department of public welfare reveals that some 900 cases were classified between Sept. 1, 1940 and June 30, 1942, but at that time was not yet complete.

The figures are included in a report made by Mrs. Lillian M. Ainsworth, secretary of the Vermont board for control of mental defectives and will be included in the complete biennial report of the department of public welfare which will be issued soon.

Set Up By Legislature

This board was set up by legislative act at the 1941 session and includes members of three state departments, health, education and welfare and its duties broadly are to register and supervise all known mental defectives in the state besides making a cumulative census of sub-normal persons.

Commissioner T. C. Dale as chairman of the board arranged for a survey of the public schools to determine all children over three years old who are retarded and the reasons for their backwardness, the report shows.

Those On File

The cases of mental defectives on file at the end of the biennial period are largely those of persons who had been committed to institutions and those examined by clinics.

Included in the report are two recommendations by the board: 1, that a system of parole for inmates of Brandon State school be authorized by the legislature; 2, that a social service department be planned at Brandon State school so that a placement and parole program may be put into operation as soon as legal authority is obtained.