

## Burial “Rights”

**Lesson Developer:** Kathleen Vest, retired middle school teacher currently working with pre-service teachers at UMKC.

**Grade Levels:** 7--12

**Time Allotment:** One to two class periods

### Overview:

This lesson coincides with your study on civil rights or cultural traditions. For a variety of reasons, some cemeteries have been reserved for special groups of people. These cemeteries were designed for the deceased of a certain faith, ethnic group, or organization. National cemeteries, honoring our military men and women, are limited to those who have served their country, their spouses and their minor children. Using video segments from *Stories Under the Stones* students will analyze reasons for these separate cemeteries in the past and research to determine what types of cemeteries still have special restrictions. Using a set of documents pertaining to an incident where a cemetery refused burial of an American Indian killed during service in the Korean War, students will analyze the situation and respond by writing an editorial.

**Subject Matter:** Social Studies—American History and Communication Arts

### Learning Objectives:

- After viewing several segments of the video, *Stories Under the Stones*, students will discuss the pros and cons of separate burial areas for different groups of people based on certain criteria. Questions will be provided to focus the discussion.
- Students will analyze a series of documents regarding the burial policy of one cemetery which refused the burial of Sergeant Rice, a Winnebago Indian, who was killed in the Korean War.
- Students will write an editorial regarding the Sergeant Rice incident.
- Students will research their local cemeteries to determine which ones are publicly owned and which are privately owned; which have restrictions on burial; and which are set aside for special groups of people.

### Standards:

Social Studies: Students will gain--

- Standard 6:3 Knowledge of how cultural traditions, human actions, and

institutions affect people's behavior.

- Standard 6:4 Knowledge of how laws and events affect members of and relationships among groups.
- Standard 6.6 Knowledge of how ideas, concepts, and traditions have changed over time.

Communication Arts: Students should be able to—

- Standard 1:6 (a) Read, view, listen to and respond to a variety of cultural and historical texts and videos.
- Standard 1:3 (a) Recognize different viewpoints, biases and propaganda

**Media Components:** The video segments run a total of 11 minutes. View the following sections of the video, *Stories Under the Stones*:

- The short segment on the burial site of Dred Scott, which is in the Burial Becomes Them toward the end of that part. (1 minute)
- The segment on those of the Jewish faith purchasing a special section for burials found in the part called For Everything There is a Season , about 2 minutes into that section. ( 45 seconds)
- The section All God's Children Got Wings about  $\frac{3}{4}$  through the video. ( 5 minutes)
- The section called Stones of Honor. (2 minutes)

**Materials and Equipment:** Television with VCR or DVD; duplicated copies of the documents and questions provided in this unit for groups of students to analyze; the KCPT video *Stories Under the Stones*; computer lab for research, overhead projector for day one introductory activity, overhead transparency

### **Prep for Teachers:**

For day one, preview the tape segments listed in Media Components and mark them for viewing. Read over the lessons and select the parts you want to use. Make an overhead transparency of the brief histories of some individuals buried in Woodlawn Cemetery.

For day two, decide on the number of groups needed for the Inquiry Lesson. Photocopy sets of documents for groups to analyze. The set includes one copy per group of the Newspaper Excerpts page, the Memorandum, Telegrams, Questions for Memorandum and Telegrams, and the Background Information page plus four copies of the Statement from Memorial Park for each group.

### **Day One Introductory Activity:**

Ask students if they visit a cemetery sometimes with their family, perhaps on Memorial Day. Have students share the names of the cemeteries they visit and list them on the board or an overhead. Ask students if they think that the cemetery they visit is public or private. What is the difference between those two categories? We are going to be viewing a segment of a video today called *Stories Under the Stones* about the history of local cemeteries. The segment we will be seeing focuses on types of cemeteries for different groups of people and how some cemeteries only allow certain groups to be buried at their site. But before you see this video segment I want to tell you some information about a public cemetery in Independence, Missouri. In this cemetery the following people are buried. Let's read about their brief histories as written on this overhead.

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### **Overhead for Day One**

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**Samuel Weston** ( b. 1783 d. 1846) was the founder of the Weston Blacksmith and Wagon Shop where wagon trains for the Santa Fe, Oregon and California trails were outfitted.

**Harvey Merrick Vaile** made his fortune by owning a mail route and other enterprises. His home is the Vaile Mansion, which had flushing toilets, a 48,000 gallon wine cellar, and a built-in 6000 gallon water tank, all of which were very uncommon at that time

**James Andrew 'Dick' Liddil**, (b. September 16, 1852 d. July 13, 1901) rode with the James Gang after the Civil War and participated in several train robberies. He secretly hated the James brothers and testified against Frank James at his trial.

**John Taylor Hughes** ( b. July 25, 1817 d. August 11, 1862)

served as a colonel during the Civil War and was killed in action during the first battle of Independence.

**Emily Fisher** (b. 1808 d. 1898) was a successful African American businesswoman. She was born a slave and operated an Oregon Trail hotel in Missouri. She also developed and marketed a healing salve. She was the Great-Grandmother of Vietta Garr, Harry S. Truman's cook.

**Thomas Wood** served as the doctor to the Jesse James Gang.

**Hiram Young** ( b. 1815 d. January 22, 1882) was a former slave who purchased his own freedom and then built the most successful wagon building business in Independence, Missouri. His wagons and oxen yolks were considered superior and were favored by the pioneers heading West. He "bought "slaves and allowed them to work for him to pay him back, thereby earning their freedom.

Day One Introductory Activity Continued:

Tell the students---The only thing that this group of people has in common is that they are all buried in the same cemetery. Some are very rich, some fought for the Confederate Army, some were former slaves, some lived noble lives, others did not---but they are all buried in the same place. However, as we view the upcoming video section, I want you to also think about this cemetery and why it might be unusual.

Day One Learning Activities:

Viewing Activity: (day one)

1) Show students the video segments from the parts *All God's Children*, *Burial Becomes Them*; and *For Everything there is a Season* and ask them to take notes about what is said. After viewing, use the questions listed below for class discussion.

**Questions:**

- **What did you notice about the people buried in the cemeteries mentioned in this video segment and the people buried in the Woodlawn Cemetery we read**

about before viewing this video?

- **What had happened to the cemetery for African Americans? Why did this happen? How were their headstones constructed?**
- **What plan was a developer making for the land containing the Black cemetery? What did the teacher do to stop the plans? Why was he interested in this cemetery? What did you notice about the group of students who decided to restore the cemetery?**
- **How did the cemetery area for people of the Jewish faith look? How do you know that the people chose to be buried separately from the other people in the cemetery and were not forced to be buried separately?**
- **Why were Dred Scott's and Charlie "Bird" Parker's grave sites so carefully attended and honored when other African American tomb stones or cemeteries were ignored?**

2) Show students the video segment called *Stones of Honor*. This segment features national cemeteries reserved for those who have served our country and in many cases died defending our freedom. Ask the students to think about these questions while viewing the segment and then discuss these question afterwards.

- **What is the "criteria" for being buried in these national cemeteries? How is that criteria different from other cemeteries that are segregated by race or faith?**
- **Does it matter what faith a person practices when buried at a national military cemetery? How is one's faith represented on a headstone?**
- **Why are all the headstones alike?**
- **Are any of your family members buried at a national cemetery?**

3) Final Discussion Question for the Viewing Activity:

- **Under what circumstances is it appropriate to have separate burial sites for certain groups and when is this practice considered discrimination?**

Day Two Introductory Activity:

Read aloud to the students the first three paragraphs of the **Background Information** about Sergeant Rice's life, military service, and death. Discuss his service to our country. Ask students to discuss their initial reaction to the information you just read. Tell them they will be learning more about this incident. (Students will receive the full copy of the Background Information to use in their groups)

## Day Two Lesson Activities:

Document Based Activity: This document based activity has 4 types of documents for students to read and analyze as a group: a memorandum, three telegrams, a series of newspaper editorial excerpts, and a summary of Memorial Park's position. The goal is to have students analyze a series of documents regarding the burial policy of one cemetery which refused to bury Sergeant Rice, a Winnebago Indian, who was killed in the Korean War. They are to assume the role of a news magazine's editorial team and after reading the documents, decide on the time table of the events pertaining to this incident and what impact this incident had in the community and nation. They are to then write a group editorial stating their opinion of the incident and of President Truman's intervention to have Sergeant Rice buried at Arlington Cemetery. (Note: You may need to define the word Caucasian)

1. Divide the students into groups of three or four students. Provide each group a copy of each the following documents and information, but provide three or four copies of the Summary of Memorial Park's views.
  - **Newspaper Editorial Excerpts with questions (one copy per group)**
  - **Department of the Army—Memorandum to Major General Vaughan (one copy per group)**
  - **Telegrams from President Truman (one copy per group)**
  - **Summary of Memorial Park's View of Sergeant Rice Incident with questions (three/four copies per group).**
  - **Questions for Memorandum and Telegrams**
2. Tell the students that they are part of a news magazine editorial team. Their goal is to research the information surrounding an incident at a cemetery in Sioux City, Iowa, and write a group editorial stating their opinion of the incident and of President Truman's intervention to have Sergeant Rice buried at Arlington Cemetery.
3. Hand out the Student Directions to each group. Go over the directions as a class so that all groups understand what is expected. Walk around to work with groups as needed.
4. When students have finished their tasks they will turn in their group editorial and time line to you for grading.
5. Bring the class together and discuss what each group basically decided to write about in their editorial. Then hold a class discussion using these final questions:
  - **What is the difference between publicly owned and privately owned cemeteries?**
  - **Did Memorial Park have “the legal right” to refuse burial to this soldier?**

- **Was it “morally right” to refuse burial to this soldier?**
- **How do you think Sergeant Rice’s family felt?**
- **Why do you think his widow first selected a cemetery in her own community rather than a national cemetery?**
- **What would you have done if you had been the manager of this cemetery?**
- **What is your opinion of what the president did in this case?**
- **How did this incident raise awareness of American Indian rights?**

**Culminating Activity:**

Read the following information about the funeral:

Members of the American Legion Post in Winnebago set up a 24 hour honor guard at Rice’s casket at the funeral home while waiting burial in Arlington. On September 2 the funeral procession left the funeral home and drove past crowds of spectators lining the route from Winnebago to Sioux City. In Sioux City, Iowa officials, military honor guards, highway patrol and marching bands honored the fallen hero. The body was transported by train to Washington and the family was flown to meet it there. The funeral attracted major media attention. Six gray horses pulled the caisson containing the flag draped coffin. President Truman sent flowers, and senators from Iowa and Nebraska attended the short formal service.

Later the Winnebago Reservation wanted to build a new high school and name it after Sergeant Rice, but Mrs. Rice was finished with media attention in her life and refused to endorse the project.

Using the following web sites, have students find out additional information about Sergeant Rice and his family. <http://www.arlingtoncemetery.net/jrrice.htm> and <http://www.siouxcityhistory.org/people/>

**Cross Cultural Extensions:**

Students will research the Indian Citizenship Act passed in 1924---fifty six years after the 14<sup>th</sup> Amendment. Why did some Indians find the “act” a problem rather than a benefit?

Did the Citizenship Act help American Indians to be more accepted in American society or in what other ways did it benefit the Indians?

**Community Extensions:** Bring a telephone book to class and have students list the names and phone numbers of a few local cemeteries. Students will contact some local

cemeteries to determine which ones are public and which are privately owned; and which are set aside for special groups of people. Discuss telephone protocol to use when calling to ask any questions. Practice how to effectively get the information they need.

**Student Materials:**

1. Documents:
  - Newspaper Editorial Excerpts with questions
  - Department of the Army—Memorandum from Major General Vaughan
  - Two Telegrams from President Truman
  - Summary of Memorial Park’s View of Sergeant Rice Incident with questions.
2. Background Information Page
3. Questions for Memorandum and Telegrams

## **Sergeant Rice, Korean War Hero, Denied Burial at Local Cemetery**

### **Inquiry Based Lesson**

#### **Student Directions:**

You will be working in a team of three or four students. You will receive a copy of the following documents and information:

- **Newspaper Editorial Excerpts with questions**
- **Department of the Army—Memorandum to Major General Vaughan**
- **Telegrams from Major General Vaughan and the Sioux City, Iowa**
- **Summary of Memorial Park’s View of Sergeant Rice Incident with questions.**
- **Background Information about Sergeant Rice**

#### **Task: You are part of a news magazine editorial team.**

Your goal is to research the information surrounding an incident at a cemetery in Sioux City, Iowa and develop a time table of the events pertaining to this incident and determine what impact this incident had in the community and nation. You are then to write an editorial for your news magazine stating your group’s opinion of the incident and of President Truman’s intervention to have Sergeant Rice buried at Arlington Cemetery.

Some of the documents you will be using are from the archives at the Truman Presidential Museum and Library in Independence, Missouri.

### **Steps to Take to Accomplish Task:**

- 1. Using the Background Information your teacher just read to you, finish reading the information and list additional details to help in your task.**
- 2. One group member reads aloud the Memorandum sent to Major General Vaughn. Use the questions on the question sheet to help understand the purpose of the memo. Answer the questions orally in your group and have someone write down a short version of each answer for future reference.**
- 3. Hand out the three telegrams to three people. Read aloud each and discuss them using the questions on the question sheet.**
- 4. Pass around the Editorial Excerpts and have each member read aloud an editorial and then state whether the editorial is pro or con regarding Truman's decision. Discuss orally the questions at the end of the page.**
- 5. Give each group member a copy of the Memorial Park comments and read the page silently. When members are finished reading, discuss as a group the questions at the bottom of the page.**
- 6. Decide the order of the events beginning with when Sergeant Rice died, when his body came home, when his funeral and attempted burial were held, when news articles started, when the Army and Truman intervened, and when Sgt. Rice was finally buried at Arlington. Write these down in a time line.**
- 7. One person will serve as the group's scribe. Write a group editorial about this incident and turn it in to your publisher (teacher). Your editorial should summarize some of the events and state your group's opinion of the President's action. Use examples and expressive language.**

### **Background Information**

#### **The Burial of Sergeant Rice**

**Sergeant John R. Rice, an American Indian from the Winnebago Tribe, was born April 25, 1914, and was a descendent of Henry Rice, a United State senator from Minnesota during the Civil War. During his youth, he lived on the Winnebago Reservation and attended boarding school in Nebraska. He eventually enlisted in the Army in 1941 and fought in the Asian front during World War II, serving three years as an infantry scout. He was wounded in action and received the Purple Heart. He married after the War and continued in his military service, finally serving in Korea where he died in battle leading a squad of riflemen on September 6<sup>th</sup> 1950.**

**His body was finally brought home to Sioux City, Iowa for burial nearly a year later. Sergeant Rice's widow, a Caucasian, bought a cemetery plot at Memorial Park Cemetery in Sioux City, Iowa on August 17, 1951.**

**On August 28<sup>th</sup>, the funeral took place and the body was taken to the cemetery for burial and a ceremony by a Catholic priest. Cemetery officials noticed that there were many members of the Indian tribe present. So after the mourners left and before the body was lowered into the grave, officials asked the undertaker if the deceased was Caucasian or Indian. He responded that Sergeant Rice was of the Winnebago Tribe. The officials then notified the undertaker and the Sergeant's widow that the body could not be buried in their cemetery since they had a "Caucasian Only" policy.**

**This refusal to bury a war hero started a nation-wide series of newspaper stories which prompted President Truman to intervene and offer Mrs. Rice the choice of having her husband buried at Arlington Cemetery and for the body to be shipped and the family flown to the ceremony at government expense. When Mrs. Rice received the President's offer, she decided to accept this honor for her husband. Sergeant Rice was the first known American Indian buried at Arlington Cemetery.**

**Many newspaper editorials followed, most of which strongly supported what President Truman had done and criticized the cemetery for its policy. Memorial Park Cemetery responded with a two page statement telling their side of the story. The mayor of Sioux City responded that the city-owned cemeteries did not have this policy and that they would have been honored to have had Sergeant Rice buried in the city cemetery.**

**Sergeant Rice was buried at Arlington on September 5, 1951. His grave was the site of an Indian gathering during the Civil Rights era to protest lack of government attention to their rights. Eventually, Mrs. Rice sued the cemetery for damages, but the court delays made Mrs. Rice weary and she decided to drop the lawsuit and "get on with her life".**

#### **Editorial Excerpts Regarding the Sergeant Rice Burial Incident**

**"May we congratulate the president on taking prompt and appropriate action, and may we say to the brave spirit of the old sarge, and to his wife, that the whole country hangs its head in shame over what was done to them."**

**The Plain Dealer and Daily Leader,**

**Thursday, August 30, 1951**

**Cleveland, Ohio**

**“Army authorities said that approval or invitation by the President of the United States is not necessary for admission of a soldier’s body to Arlington or any other National Cemetery. The Army, which manages 85 of the 97 National cemeteries said any American who served honorably in the Army, Navy, Air Force, Marines, and Coast Guard is eligible for burial in a National Cemetery.”**

**Washington Times Herald,**

**September 1, 1951**

**“If the incident has shocked the American People, as we believe it has, then the name of Sergeant Rice will be twice honored: not only as a hero of Korea but also as a symbol of our fundamental rejection of that blind and stupid prejudice that would divide Americans one from another and would segregate even the valiant dead.”**

**New York Times**

**August 31, 1951**

**“President Truman put a new twist on political exploitation of human grief in the manner in which he offered an Arlington grave to the widow of the Indian soldier for her husband.....If Truman had been interested solely in honoring the Korean war hero he would have communicated privately with the widow, and not one else.”**

**New York World Telegram**

**September 1, 1951**

**Questions:**

- 1. Which papers supported Truman’s action to have Sergeant Rice buried at Arlington?**
- 2. Which papers did not support Truman’s action to have Sergeant Rice buried at Arlington?**

3. Which article seems to mainly focus on facts rather than emotion or opinion?
4. Which article most closely represents your opinion of this incident? Why?

#### **Questions for Memorandum for Major General Vaughan**

1. What is the purpose of this memorandum? Who wrote the memo?
2. How did the Army find out about the problem at the cemetery?
3. What action did the Army take to bury the body?
4. What arrangements did the Army make with Mrs. Rice?
5. Summarize point 5 of this memorandum.

#### **Questions for the Two Telegrams sent by Major General Vaughan**

1. Who received these two telegrams?
2. What is the purpose of each telegram?

#### **Questions for the Telegram from Sioux City to General Vaughn**

1. Who wrote this telegram?
2. Why was it written?
3. What point is made about city and private cemeteries?
4. What changes does this telegram indicate were made after this incident?

## Summary of Memorial Park Cemetery's Statements (1951)

In fairness to our Lot Owners and the citizens of Sioux City and vicinity, who are interested in the Memorial Park, we feel that the many false statements that have been published about this incident should be clarified by a frank statement of the truth:

1. Memorial Park never solicited the burial of Sergeant Rice. Mrs. Rice, a Caucasian, came to us and bought a cemetery plot. Nothing was said about her husband being an Indian. She received a contract for this plot with the restrictions written in the contract. The undertaker knew of the cemetery restrictions. We became aware that Sergeant Rice was an Indian when we noticed that practically all the mourners were Indians. The service was already over with when we approached the undertaker about this situation and he confirmed that Rice was an Indian.
2. The present owners and officers of the Park have no racial prejudice and were not responsible for the restriction to only members of the Caucasian race.
3. Every contract and deed to a plot carries this restriction.
4. Archaeologists have reported proof that American Indians are of Asian descent and are not Caucasian.
5. If the burial of Sergeant Rice had been permitted, every Lot Owner in the Park could have recourse against the corporation for breach of contract. The officers of the Park are legally bound to enforce and protect its contract holders.
6. Many cemeteries have a Caucasian Only policy—about 90% of private cemeteries in this country have this policy. Private cemeteries are also set up for members of the Jewish and Catholic faiths. Chinese and Negroes have their own cemeteries.
7. It was only in 1947 that racial discrimination was removed from Arlington Cemetery in Washington D.C. and yet we understand that Sergeant Rice is one of the first known Indians to be buried there.
8. We are considerate of the welfare of the Indian. Why can't he vote? Why are 60,000 Navajo and Hopi Indians living in indescribable squalor? What about the thousands of other Indians who died in their country's service without recognition?

### Questions:

1. **Why did the officials stress that they did not solicit the burial of Sergeant Rice?**
2. **Why did the officers of the cemetery say they were "legally bound" to deny burial of Sergeant Rice in Memorial Park Cemetery?**
3. **What points did the cemetery officials make about Indians?**

4. **What point did this article make about the rights of private cemeteries?**
5. **What points were made about other forms of discrimination in the United States in the early 1940's and 1950's?**

Some time after this incident, Memorial Park Cemetery changed its policy. Since then, many people of color have been buried there, and in some cases of tragedy and lack of finances, the cemetery has buried those individuals free of charge.

STANDARD FORM NO. 14A  
APPROVED BY THE PRESIDENT  
MARCH 16, 1925

# TELEGRAM

OFFICIAL BUSINESS—GOVERNMENT RATES

FROM

The White House  
Washington

Major General Harry H. Vaughan  
Military Aide to the President

X  
Family of Sergeant John R. Rice  
Winnebago Nebraska

The President regrets the unfortunate development regarding the burial of Sergeant John R. Rice. The Department of the Army X1285-X will contact you to make all arrangements for internment at Arlington if it is your wish.

STANDARD FORM NO. 14A  
APPROVED BY THE PRESIDENT  
MARCH 10, 1925

# TELEGRAM

OFFICIAL BUSINESS—GOVERNMENT RATES

FROM

The White House  
Washington

Major General Harry H. Vaughan  
Military Aide to the President

The Meyer  
Sioux City, Iowa

Please advise the family of Sergeant John R. Rice that arrangements for burial in Arlington have been authorized. The President feels that the National appreciation of patriotic sacrifice should not be limited by race color or creed.

**(Reconstructed telegram to fit onto one page)**  
**WBO46 PD**

**SIOUX CITY IOWA AUG 30 1058 A**

**MAJOR GENERAL HARRY H VAUGHAN AIDE TO THE PRESIDENT**

**THE WHITE HOUSE**

**IN ANSWER TO YOUR TELEGRAM PRESENTING THROUGH OUR OFFICE,**

**TO MRS. JOHN R. RICE OFFER TO BURY HUSBAND IN ARLINGTON**

**NATIONAL CEMETERY, WE APPRECIATE VERY DEEPLY THE**

**COMMENDABLE PROMPT ACTION OF THE PRESIDENT IN**

**AUTHORIZING ARRANGEMENTS FOR BURIAL IN ARLINGTON**

**CEMETERY OF SGT. RICE. MESSAGE ADVISING FAMILY OF THESE**

**ARRANGEMENTS WAS CONVEYED TO MRS. RICE BY ME. THE CITY**

**CONCURS WITH THE PRESIDENT THAT THE APPRECIATION OF**

**PATRIOTIC SACRIFICE SHOULD NOT BE LIMITED BY RACE, COLOR OR**

**CREED, AND THE EXPRESSION OF THIS FEELING BY THIS COMMUNITY**

**HAS BEEN AMPLY DEMONSTRATED SINCE THE OCCURENCE OF THIS**

**INCIDENT. FOR YOUR FURTHER INFORMATION YOU MIGHT BE**

**INTERESTED TO KNOW THAT THE CEMETERY WHERE THE INCIDENT  
TOOK PLACE IS A PRIVATELY OWNED COMPANY AND NOT WITHIN  
THE CORPORATE LIMITS OF SIOUX CITY. HOWEVER, CEMETERY  
OFFICERS HAVE TAKEN STEPS TO RECTIFY THE SITUATION SO THAT A  
SIMILAR INCIDENT CANNOT AGAIN OCCUR. AGAIN THANKING THE  
PRESIDENT AND YOU FOR YOUR TIMELY ACTION.**

**CLEM A. EVANS ACTING MAYOR CITY OF SIOUX CITY**