

# The BROADCASTER



VOL. 1

JANUARY, 1932

No. 1

## OFFICIAL BULLETIN OF THE New York State Association of Cemetery Superintendents

To Our Members and Friends:—

The Officers, Executive and Legislative Committees of The New York State Association of Cemetery Superintendents, at a Special Meeting held in Poughkeepsie on November 17, 1931, voted to issue an Association publication, by name, "The Broadcaster" and the President of your Association was selected as Editor.

With this first issue, your President wishes to extend New Year's Greetings to each of you and yours and figuratively, although I wish I might literally, extend a hearty handclasp across the distances that separate us and Wishes for each of you, personally, a most Happy New Year filled with full measure of Health and Prosperity.

Of necessity, this issue will be principally taken up by the two Bills that we are sponsoring in the State Legislature, now in session, and by the report of The Legislative Committee relative to The Compensation Insurance Law.

We are giving you the Bills as follows:

1st—Senate Bill to be introduced by Honorable Henry I. Patrie, Dolgeville, New York (37th Sen.-District).

2nd—Assembly Bill to be introduced by Honorable Edward O. Davies, Ilion, New York (Herkimer District).

L. 1909—Ch. 49.

To amend Article 3 Public Health Law, by adding the following sections to par. 379.

Sec. 1. It is hereby declared unlawful to inter any human body in any cemetery in the State of New York on Sunday and the State Health Commissioner, his deputies and assistants are hereby forbidden to and prohibited from issuing a permit for the interment of a human body upon Sunday within the limits of the State of New York provided, however, that the provision of this law shall not apply

(1) To cases in which the deceased died of a contagious disease.

(2) Nor shall this law apply in case of a person or persons who because of religious beliefs or convictions observe some other day of the week than Sunday as a day of worship and because of such religious belief does not conduct funerals on such other day.

(3) And in any and all such cases funerals may be held and permits issued for interment on Sunday.

(4) The provisions of this law shall not prohibit the shipment of human bodies to points outside of the State of New York in case the remains are being shipped to a distant point for burial, nor shall this law prohibit the interment of the remains shipped from outside of the State of New York to a cemetery in the State should the health laws require such interment.

Sec. 2. Any person or persons, firm, corporation or association violating the provisions of this law shall upon conviction thereof be deemed guilty of a misdemeanor and shall be fined

in any sum not less than twenty-five dollars nor more than one hundred dollars for each offense.

This law shall take effect and be in force immediately.

With the exceptions No. 1, 2, 3 and 4, we see no just reasons why this Bill should not pass.

Sunday is the day that the Friends and Relatives usually visit the Cemetery to pay their respect to their departed, loved ones and the Cemetery Officials endeavor to have the grounds free from litter and noise of machinery, workmen, etc., in order to maintain an atmosphere of quiet and beauty and only too often is this made impossible by one or more funerals which cause further sorrow to those visiting the Cemetery.

Furthermore, we all know that Sunday is a busy day for those in the Ministry, so why add other burdens to their labor?

Many and large Cemeteries in our State, by action of their own Directors, have no Sunday interments and haven't had for years, others make an extra charge for Sunday interments. Those of The Catholic and Jewish Faith observe their Sunday most religiously with no Sunday interments. Aside from all of this, is the unnecessary Sunday labor affecting thousands of employees who are entitled to their Sabbath the same as those in other lines of work.

The passage of this Bill will help to some extent, the Unemployment situation.

Upon receipt of this Broadcaster, please wire, write, phone or call personally, upon your Senator, Assemblyman, Ministerial Association, your Pastor, the Undertakers, the three latter of which are favorable to the Bill, and obtain the support from every source affected.

3rd. Senate Bill to be introduced by Hon. Henry I. Patrie.

4th. Assembly Bill to be introduced by Hon. Edward O. Danis.

To amend Par. 90, Article 9 of the Membership Corporation Law.

"Taxation of Lot Owners by Corporations", by striking out the words "wholly outside of a city of the first or second class", in section 1.

The section to read:

(1) If the funds of a cemetery corporation, applicable to the improvement and care of its cemetery, or applicable to the construction of a receiving vault therein for the common use of lot owners, be insufficient for such purposes, the directors of the corporation, not oftener than once in any year and for such purposes only, may levy a tax on same basis, to be determined by the directors of such corporation, but no such tax shall exceed two Dollars on any one lot, except that with the written consent of two-thirds of the lot owners or by the vote of a majority of the lot owners present at an annual meeting, or at a special meeting duly called for such purpose, such tax may be for an amount which shall not exceed a total of five Dollars per annum per lot, and the tax on any one lot

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PRES. E. A. HOFFMAN, Editor and Business Manager  
TROY, NEW YORK

ASSOCIATE EDITORS

Past Presidents C. T. PERKINSON and WM. W. HOWELL,

shall not exceed five dollars per annum, but the taxes may be levied upon each lot in the first instance for a sum sufficient for the improvement and care of the lot, but no greater sum than five dollars shall be collected in any one year. The whole tax levied may be collected in sums of five dollars in successive years in the manner herein provided.

This Bill explains itself. On account of the large increases in the cost of materials, labor, etc., in operating Cemeteries compared with conditions years ago when Burial Lots were sold for very small amounts with Perpetual Care and not cared for in the manner as maintained to-day, many Cemeteries, especially those in the cities of the First and Second Class, are finding it difficult to operate and maintain their Cemeteries in the high class manner expected by their Lot Owners, therefore, we hope that this Bill will have the support of every member of our organization in the same manner as the former Bill.

Our Association should be and is behind every right movement for the better maintenance of every Cemetery in the State not alone our own but our neighbors.

## Should Cemeteries Carry Compensation Insurance?

At our Convention in Utica, you will recall that The Legislative Committee was requested to secure reliable information as to whether or not the Compensation Insurance Laws applied to Cemeteries.

This Committee has investigated this matter very thoroughly and briefly their report is as follows:

The definition of "Employment" in Section 2, subdivision 5 of The Workmen's Compensation Law gives as follows:

"Employment" includes employment only in a trade, business or occupation carried on by the Employer for pecuniary gain or in connection therewith, except where the employer and his employees have by their joint election elected to become subject to the provisions of this chapter as provided in Section 3".

In the Workmen's Compensation Law, there is listed a group of employments or business set forth in groups 1 to group 16 which are considered hazardous

and which come within the meaning of the act and in which compensation must be carried by an employer where there is one or more employees provided that there is employment within the meaning and definition of the term as above specified.

Included in the hazardous group are Group 2—Care of Buildings, Grounds, Trees.

Group 3—Construction of Sewers, Structures of all kinds, Highways.

Group 7—Operation of Gasoline Vehicles, rollers, engines, trucks, Vehicles and Wagons.

Group 12—Work as—Chauffeurs, teamsters.

Group 13—Work at—Awning erection, carpentry, concreting, Grave digging, road building, Tree moving, planting, trimming and surgery.

Also Group 18 becomes hazardous group when four or more workmen are regularly employed.

Group 18—All other employments, except persons engaged in a clerical, teaching or non-manuel capacity in or for a religious, charitable or educational institution, notwithstanding the definition of employment in subdivision five of section two, firm or corporation in which there are engaged or employed four or more workmen or operatives regularly, in the same business or in or about the same establishments either upon the premises or at the plant or away from the plant of the employer under any contract or hire, express or implied, oral or written, except farm laborers and domestic servants. A Minister, Priest, or Rabbi or a member of a religious order, shall not be deemed to be employed or engaged in employment under the terms of this section.

Even if our Cemeteries did not come under the hazardous groups 1 to 16 but if they had 4 or more employees, according to group 18, they would come under The New York State Compensation Laws.

With this report, your Committee feels that each Cemetery Superintendent can easily make his decision whether or not his Cemetery comes under the Workmen's Compensation Law and can govern himself accordingly.

Respectfully submitted,  
Legislative Committee,  
Ernst G. Schulz, Chairman  
James P. O'Hara  
C. H. Havens

President Hoffman through this Broadcaster wishes to express not only his own but the thanks of our whole Association to The Legislative Committee for this excellent report, it meant a lot of work for The Chairman and each member of The Committee and they deserve our thanks which we now give them. If any member desires any further information, they may write to Chairman Schulz and he will be pleased to advise you so far as he is able.

Although it is not news to all of us, nevertheless, we wish here to record the death on July 21, 1931, of Louis J. Poland, Supt. of Forest Hills Cemetery, Fredonia, New York. Mr. Poland was a regular attendant at our State Conventions and took an active part in our proceedings. His sudden death was a shock to all of us and we shall miss him at our gatherings. D. Russell Clark of Jamestown, New York, represented our organization at the funeral services.

## Kansas City National Convention

Those of you who did not attend The National Convention at Kansas City, sure missed a treat. No doubt you have all read more or less about it in the various Cemetery magazines and we will not take up the valuable space in this issue to report on same except to say that Messrs. C. T. Perkinson, William W. Howell, D. Russell Clark, E. A. Hoffman and Mr. and Mrs. John C. Plumb represented your State organization and from the time we left until we separated at Kansas City to return to our various homes, we had a delightful time and The National Convention knew that The New York State organization was on the map.

The National Convention goes to New York City in 1932, thanks to the efforts of The New York State delegation led by Past President Perkinson who has been elected General Chairman of that Convention. With such a Chairman, success for the Convention is assured.

Every member that can possibly get away should plan to attend 1st, our State Convention in Poughkeepsie, July 11-13 inclusive and 2nd, our National Convention in New York City, August 21-24 inclusive. More about this later.

Whether it was a co-incident or otherwise, it just happened that after our National Convention adjourned at Kansas City at noon, in the afternoon, the Hotel Management immediately removed the unholstered chair coverings in the lobby of the Hotel and also laid luxurious rugs upon the bare, marble floors. Did the management think that those of our calling were not used to such elegance?

Secretary and Mrs. William H. Howell of Newburgh, N. Y. were recent visitors at Vice President and Mrs. Harold Smith's home in Utica, N. Y. and Mr. and Mrs. Frank Smith's home in Rome, N. Y.

## Association Emblem

At a meeting of your Officers, Executive and Legislative Committees, the matter of an emblem for our Association was discussed quite extensively. Past President Perkinson was appointed a Committee of one to investigate the cost of a Bronze plaque similar to those you see in Banks, reading "Member of etc., etc."

Mr. Perkinson has investigated this very thoroughly and his recommendation is a Bronze plaque of Scrool design about 5 x 7 inches with a Palm leaf above the wording, "Member New York State Association of Cemetery Superintendent."

If we can have orders for fifty or more, we can obtain these for \$3.00 each.

We should all be proud of our Association and feel it an honor to have an emblem of this nature hanging in our Office. Let us surprise Mr. Perkinson and order one now. Address—Mr. C. T. Perkinson, 522 Fifth Avenue, New York City, New York. We are sorry that we haven't a picture to illustrate same but it is an ornament as well as an emblem of Membership in our

Association. Please send your order NOW. You will not be sorry after you see it.

The Membership Committee did a nice piece of work in getting out our new Membership Application Blanks and we herewith extend them our thanks. Every Member has received copies, please make use of them. Your neighbor Cemetery may be waiting for your invitation to join our Association.

## Convention Expenses Can be Deducted from Income Tax Returns

The Deputy Commissioner of Internal Revenue in a decision handed down September 15th states expenses incurred in attending conventions may be deducted as legitimate expenses when making out income tax returns.

The value of this decision lies principally in the recognition by Uncle Sam of the value of trade association convention to industry. This is now universally recognized since every trade, craft and profession of any consequence in this country is now organized for its own protection and advancement, and Uncle Sam is not showing a lead; he is just following after.

## A Pleasant Visitation

On November 10th a group of Cemetery men consisting of Mr. J. J. McEwen, General Manager and Secretary of Woodlawn Cemetery, John C. Plumb, Superintendent of Woodlawn, William W. Howell, Superintendent of Poughkeepsie Rural and C. T. Perkinson, Vice President and General Manager of Mount Hope Cemetery took a train to Philadelphia. At Trenton the party was joined by John Beihl, Superintendent of Greenwood Cemetery, Trenton.

When we arrived at the station in Philadelphia Mr. Charles Fitz of West Laurel Hill Cemetery met us. He was accompanied by Mr. W. B. Jones, Secretary of the American Association. John White of Philadelphia was also there.

After a very pleasant lunch we traveled by auto to West Laurel Hill Cemetery where Mr. Charles Fitz showed various features of the Cemetery particularly the new mausoleums which are rented by the month to individuals families. He also explained some very unusual planting of lots and showed the exceptional memorials in stone with different ideas in landscaping. Then we were shown various developed and semi-developed property. A very comprehensive talk on development, planting, landscaping and memorials was given during these expositions. Finally Mr. Fitz took us to the high point in the Cemetery and showed lots which had been sold by him at prices ranging from \$50,000 to \$125,000 each. At this location he gave an exceptionally interesting talk on the psychology of selling which can be summed up in the words that he visualized for the purchaser exactly how the lot can be made to look by use of suitable memorials and various plants and landscaping. This talk alone was

well worth the trip to Philadelphia.

By this time it was growing dusk and we adjourned to the office in the Cemetery where we were joined by Mr. John Crimmins of Westminster Cemetery. Mr. Fitz gladly explained the system for filing all particulars of each lot in envelopes. He also showed the system that was used where there were unpaid bills against the lots.

Finally, as the guests of Mr. Fitz we were taken to a very fine Club for dinner which was served round table in a private room. During the dinner various discussions took place.

At nine o'clock we took a train back to New York. The return trip was also as beneficial as the visit for Mr. McEwen explained in great detail the system in vogue at Woodlawn for the care of endowed lots which is exceptionally fine. Any Cemetery man who is in doubt about the way to operate his permanent care fund should have a talk with Mr. McEwen in regard to this matter.

Those who went on this visit to Philadelphia were more than repaid in new ideas and thoughts they received as well as the friendly companionship which developed by this visit.

ONE WHO WAS THERE

1932 Convention

Just a word to our every member to urge you to make your plans early to attend our Convention at Poughkeepsie next July. It will be 4 years ago that our Association was born in Poughkeepsie and we should do honor to Past President Howell who served so ably the first two years as President of our Association, by attending this Convention 100 per cent strong.

A Suggestion

We hope that The Convention Chairman will not forget one of the fine singers that we enjoyed at our banquet at Kansas City and perhaps we all may have that pleasure at Poughkeepsie. Without mentioning any names, we would suggest that our Chairman consult with Mrs. John C. Plumb, wife of our own John C. No, Bill, dont ask John, go right to the Boss.

While this Convention talk may be a little previous, nevertheless, it is quite important.

With our Immediate Past President Perkinson as Chairman of the 1932 Convention of National Association of Cemetery Superintendents and the Convention being held in New York City, our State Association in connection with The Metropolitan Association of Cemetery Superintendents are hosts to this Convention. Chairman Perkinson, you know from experience without my telling you, that you will have the loyal support of The New York State Association in any way that we may be of assistance to you. President Hoffman.

Dr. Emil Muller of New York City has purchased one of the finest sites in The Poughkeepsie Rural Cemetery, Poughkeepsie, New York overlooking the banks of The Hudson River and commanding a view of the river and surrounding country from the Storm King Mountains on the South to The Catskills on the North.

1932 Officers and Committees Meet

A Special Meeting of your Officers, Executive, Legislative and Convention Committees was held at the Office of William W. Howell, Supt. of Poughkeepsie Rural Cemetery, Poughkeepsie, N. Y. on Tuesday, November 17, 1931.

With one exception we had 100% attendance and while C. H. Havens was unable to be present, yet he has done such fine work on the Legislative Committee, that he was excused from this meeting. Such attendance shows the co-operative spirit in our organization.

After enjoying a luncheon and social hour at The Nelson House, which, by the way, will be the headquarters for our Convention next July, we motored to Supt. Howell's Office where a very interesting business session was held and much good was accomplished.

Some of the Members had to leave early but those remaining enjoyed the hospitality of a dinner hour as guests of Mr. and Mrs. Wm. W. Howell.

O Yes! Some of the boys brought their wives and their presence, as always, added beauty and charm to our social hour. You are always welcome, Ladies, and we hope that more of you will accompany your husbands, not only to our Executive meetings but to our Conventions. Bring them along, Boys.

FIRE DESTROYS HOME AND FURNISHINGS

The Editor is sure that he speaks for every member when he expresses our sympathy to Mr. and Mrs. David J. Eddy, in the loss of their home by fire which occurred in November last. While they suffer a heavy financial loss, nevertheless, they may be thankful, as are we, that they both escaped safely and also the pet cat.

In this, our first issue of The Broadcaster, we wish to extend our Greetings to The Cemetery Trade Journals, The Monument and Cemetery Review, Mrs. Harry A. Bliss, Editor and Proprietor and an Honorary Member of our State Association; The American Cemetery, Mrs. Edith E. Prettyman, Publisher and Park and Cemetery, O. H. Sample, Editor. To all of these who have extended our Association every courtesy and reported so completely our Convention doings and news items, we extend our sincere thanks and want to assure them that this "BROADCASTER" in no way is meant to replace their Publication to our Membership, in fact we hope through the means of this Broadcaster to increase the subscriptions to these Magazines among our Members. With this end in view, we are asking each of our Members to advise to which of these Magazines they are subscribers.

Please fill in this blank, cut out and mail to—

Mr. William H. Howell, Secy.-Treas.

New York State Association of Cemetery Superintendents

Cedar Hill Cemetery Newburgh, New York

We are subscribers to—	Check here
The Monument and Cemetery Review	[ ]
The American Cemetery	[ ]
Park and Cemetery	[ ]

Shall we continue the Broadcaster? Yes or No.

Signed.....

Supt..... Cemetery