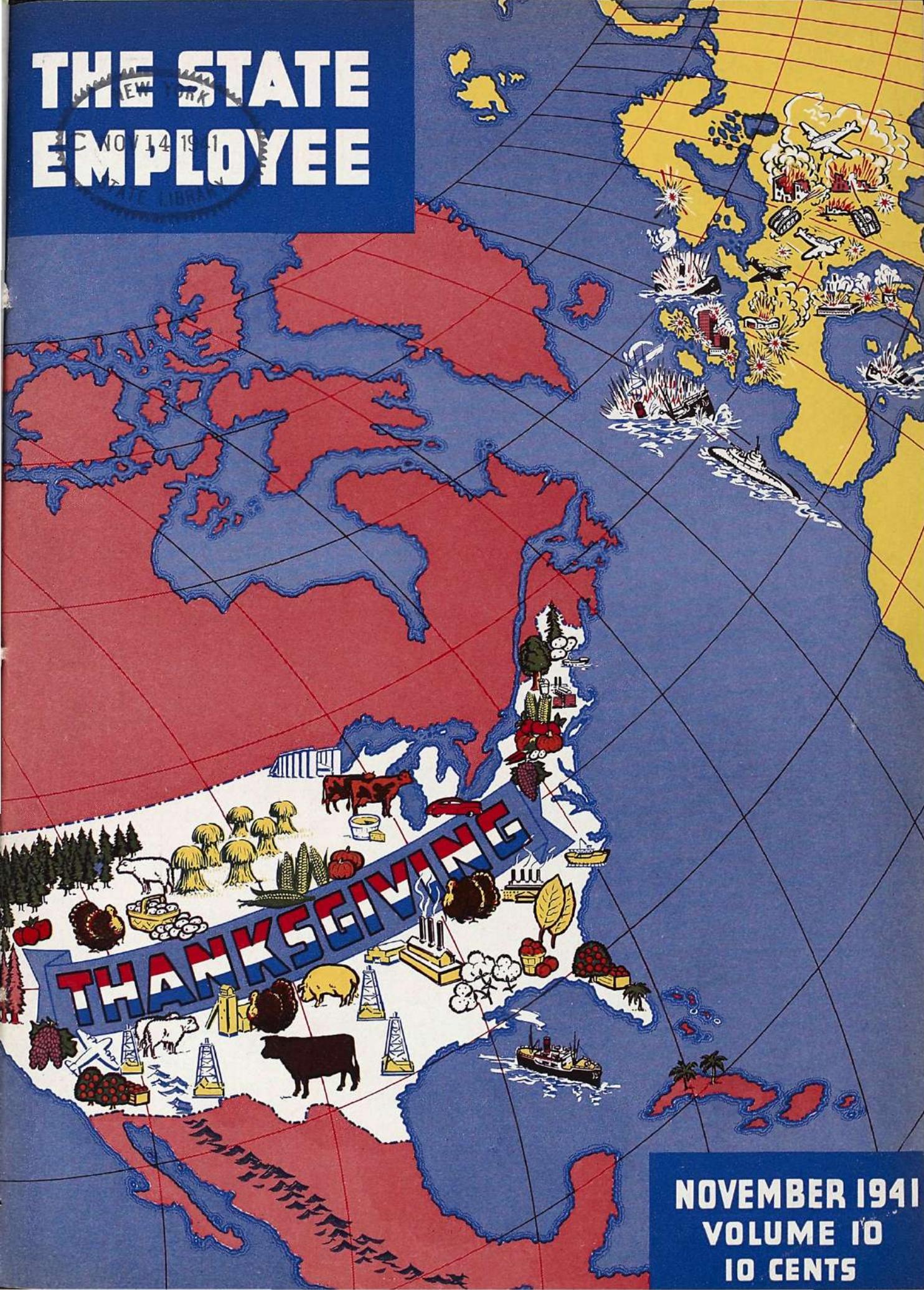


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# The State Employee

VOL. 10, Number 8

NOVEMBER, 1941

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## The President Reports

*President Harold J. Fisher delivered the following report covering the activities of the Association during the past year, at the Annual Meeting in Albany on October twenty-first.*

"This Association is organized to extend and uphold the principle of merit and fitness in public employment, to maintain and promote efficiency in public service, and to advance generally the interests of the civil service employees of the State of New York."

We recognize as a first responsibility the necessity to dedicate ourselves openly and positively to loyalty to our national and State Constitutions, and to the administrations chosen under those great charters.

Because we feel that the merit system is necessary for efficiency in a democratic government, and because we are all appointees of such a system, our first business duty as an organization is to advance the merit system in New York State and to assure that this merit system is capable and willing to meet every demand of good government.

We have carried on throughout the year with a sound, full program; with an active and responsible Executive Committee, and a body of loyal and interested employees.

Our Legislative Committee, with its always alert chairman, William McDonough, and our wise Counsel, John DeGraff, worked unceasingly. The most important legislative accomplishments include:

Chapter 934, Sick Leave. This we consider the most important single piece of legislation, improving the working conditions of every employee of the Mental Hygiene institutions, whether members of our Association or not.

Chapter 843, Military Service. Sponsored by the Association and

drawn by the Association and its counsel, fully protects the civil service rights of every State employee who has been called to military duty. It assures them that their jobs will be waiting for them upon their release from the service and it assures them, also, that there will be no lost increments because of their service. It provides that they may participate in promotion examinations by having these examinations given to them at their military camps. We believe



PRESIDENT HAROLD J. FISHER

this law protects every right and privilege to which the employee would be entitled were he actually engaged in performing the duties of his position. It is the most complete and comprehensive measure that has been enacted by any Legislature with respect to the status of public employees entering military service.

Chapter 853 which guarantees to all civil service employees, who are removed after charges, the right to a real administrative review by the Civil Service Commission or by the Courts instead of the former empty

right to file a written answer upon which the appointing officer made his determination and which was not subject to review.

Chapter 871 which extends the salary standardization board until 1943, and clarifies the provisions of Section 41 of the Civil Service Law with reference to overlapping grades. This law provides that an employee who is promoted to a position in an overlapping grade shall be entitled to receive yearly increments in the same manner as if the grade did not overlap.

Many other good measures, sponsored by our Association were enacted into law, and our careful scrutiny of all other measures brought to light many that were not for the welfare of the Civil Service employee and which were successfully opposed by us. A full legislative report is carried in the May, 1941, issue of our magazine.

Your Association office at Albany has functioned every business day throughout the year. It would be impossible to enumerate the services accomplished for members through personal contact of your officers, members of committees, and the Association Counsel with the executive, legislative, and departmental heads of government.

Our office force consists of seven competent clerks and stenographers who carry on a large volume of various activities under the direction of our efficient and able Business Secretary, Joseph D. Lochner. Our correspondence now averages 150 communications daily. We keep accounts on over \$33,000,000.00 worth of Life Insurance policies, under which beneficiaries have been paid \$206,500.00 since our last meeting on October 15, 1940. Over 95% of all these claims have been paid within twenty-four hours of the time notice of death has been received by the Association. On our Sickness and Health policies, more than \$580,000.00 has

been paid since the plan started on May 1, 1936. Over \$20,000.00 is now being paid monthly to members of this plan disabled by accident and sickness. One hundred thousand items on State payrolls are checked monthly in the Association office for insurance deductions.

Our office compiled and sold examination data in booklet form that brought a net profit to our treasury of \$1,200.00. Nine issues of *The State Employee* were edited, published, and sent direct by mail to members. These nine issues totaled 325,000 copies or about 45 tons of magazines. The compilation and publication of our magazine, with its distribution of 36,000 copies for each issue, is an outstanding accomplishment and is really a big task. We appreciate the splendid efforts of Charles Brind as its Editor, and hope he will continue in this capacity.

We are in the strongest financial position since our organization, with cash resources of \$25,000.00. While this is gratifying, it is not an excessive sum for an organization of 35,000 members. I recommend we continue to add to our reserves until we have a surplus fund of at least \$35,000.00. We must always be prepared for any emergency. We expect to hold all our gains against any and all comers.

I am happy to inform this convention tonight that the paid voluntary membership in our Association has for the first time exceeded 35,000. Tonight we have actually 35,140 members. This means 35,140 active men and women. The rolls of our membership are open at all times to any responsible government agency. The Association is proud of its members, and the members are proud of their Association.

I am grateful to the officers and workers of the various chapters for their close cooperation and their untiring efforts, the success of which is reflected in this ever-growing membership. By our continued and united efforts, I hope that it will be possible for us to have a membership of 40,000—which will be 80%, or four out of five employees, by the end of 1942.

I also wish to express my deep appreciation to my associates, the officers and members of the Executive Committee, for their whole-hearted support and cooperation, which contributed so much to the success of this past year.

The Executive Committee, meeting in extraordinary session in Albany on October 2nd, took prompt and decisive action in condemning the proposal of the State, County, and Municipal Workers of America (CIO) to resort to strikes against State, county and municipal governments. I urge the delegates at this annual meeting to unanimously confirm such action by their Executive Committee and to amend the by-laws of our Association so that our policy will be definitely established on this point.

During the past year, the Chapters of the Association throughout the State continued their steady growth and development, with increased activities in solving the numerous local problems of employees, and in contributing to the successful functioning of the State-wide Association. Of course, our New York City Chapter still remains the largest chapter in the Association with a membership approaching 4,000. The fine cohesive operation of the Association is maintained by contact with officers and delegates of all Chapters and by ready communication with over 700 representatives of the Association located in offices and institutions where no chapters exist. I would strongly urge upon all local groups and institutions the formation of chapters of the Association, for experience has proven the advantages of chapter organization. Through chapter organization, employees are better informed; local problems better cared for, and expeditious local action is possible where needed; organization work is shared and spread over a number of persons instead of the single representative where no chapter exists. Our Association will assist in every way in completing the organization of local chapters.

Our aim for next year should be to organize active strong chapters in every institution and in every city where there is a possibility of obtaining substantial membership.

We recommend that every Chapter have a Grievance Committee for the adjustment of minor differences at the source.

The Association, we hope, will have the active support of all its members in its efforts to accomplish the extension of our successful Feld-Hamilton career law to our fellow workers in the institutional service and other groups that are not now covered. I strongly recommend that

we put our entire resources behind this program, and work unceasingly until it is accomplished. If, by reason of any delay due to classification problems, time, or any other cause, it becomes impossible to make the Feld-Hamilton extension effective July 1st, the Association should sponsor and do all within its power to secure a general increase, to institutional workers and other groups not now covered, not less than the increment that would be granted had the Feld-Hamilton law become effective. We should pledge ourselves to protect the institutional employees in guarding against any unfair regulations that may be evolved to carry out the provisions of their sick leave law. We must be sure that when these regulations are submitted to the Governor for his approval, to be effective July 1, 1942, their provisions will deal as liberally and as fairly with the institutional workers as the departmental regulations deal with the departmental workers.

The Association has been giving careful study and thought to the possibility of increasing the minimum salary in State service from \$900.00 to \$1,200.00. The American standard of living, which is steadily increasing in cost, plus the additional taxes the citizen is being called upon to contribute toward the defense program, requires that the salary of the public employee be properly adjusted. Unless the State meets the demands of good living standards and keeps pace with private industry, it will be faced with the loss of many able workers. A special committee has been authorized and appointed to consider this problem in every detail. The Association will act promptly upon the basis of the facts presented by this committee, and will recommend necessary legislation or appropriations.

The truest measure of success during the past year is the fact that more than 35,000 intelligent and substantial public workers have united in one State-wide and all-State employee group devoted solely to the best interests of State service as a whole. They have sought to translate the principles of liberty and justice into their daily lives and activities, and their accomplishments have established the Association as the outstanding organization of public employees in the United States. May we continue to build on this strong and solid foundation!

# "At the Annual Meeting"

The Annual Meeting of the Association, held October 21st, in the State Office Building, Albany, was attended by delegates from all chapters of the Association, and representatives of institutional and other employee groups throughout the State. Reports of officers and committees concerning the work of the Association were presented. The report of the President and a summary of the Treasurer's report may be found on another page of this issue. Numerous resolutions relating to working conditions in State service were adopted, and comprise the planks of the Association's program for 1942. The more important resolutions acted upon are printed on another page.

The Board of Canvassers, which tallied the many ballots cast for the election of officers and members of the executive committee, had to work strenuously in order to render its report at the meeting. This Board was selected at a meeting of the Executive Committee and consisted of Albert Stevens, Chairman, Department of Labor; Isabelle O'Hagan, Department of State; Mildred O. Meskill, Department of Agriculture and Markets; Walter E. Conway, Department of Law; Leonard Requa, Department of Social Welfare; Effie DeShaw, Department of Health; and Edward S. Davis, Department of Taxation and Finance.

The Board's report showed President Harold J. Fisher reelected by a practically unanimous vote. Charles L. Campbell, Department of Civil Service was reelected First Vice-President; John Livingstone, Hudson River State State Hospital, Poughkeepsie, was chosen as Second Vice-President; J. Earl Kelly, Department of Taxation and Finance, New York City, was selected as Third Vice-President. Earl P. Pfannebecker, Department of Taxation and Finance and Janet Macfarlane of the Department of Mental Hygiene were reelected Treasurer and Secretary respectively. Mr. Livingstone is also Vice-President of the Association of Employees of the State Department of Mental Hygiene. Mr. Kelly is President of the New York City Chapter of the Association.

The following members were announced by the Board of Canvassers

as elected to represent their respective departments on the Executive Committee for the coming year: William F. McDonough, Department of Agriculture and Markets; Benjamin J. Newell, Department of Audit and Control; Elizabeth Staley, Department of Banking; Joseph Tammaney, Department of Civil Service; Arthur S. Hopkins, Department of Conservation; Harry Fritz, Department of Correction; Wayne W. Soper, Department of Education.

Charles H. Foster, Executive Department; Clifford C. Shoro, Department of Health; Harry S. Devey, Department of Insurance; Joseph F. Reilly, Department of Labor; Francis C. Maher, Department of Law; Patrick McCormack, Department of Mental Hygiene; William Hunt, Department of Public Service; Edward J. Ramer, Department of Public Works; Jesse McFarland, Department of Social Welfare; Harold J. Fisher, Department of State; and John A. Cromie, Department of Taxation and Finance.

The resolutions committee appointed to draft important resolutions and delete duplicate motions submitted by the various delegates and representatives was headed by William F. McDonough, J. Earl Kelly, Harry Fritz, J. Milford Diggins, President of the Buffalo Chapter and John McDonald, President of the Association of Employees of the Department of Mental Hygiene.

An amendment to the Constitution of the Association providing for the incorporation of the Association was presented and ordered printed in the official magazine, and appears on another page of this issue.

Among the delegates present were: From New York City Chapter: J. Earl Kelly, President; Milton Schwartz, Insurance Department, Chairman of its Legislative Committee; John Powers, State Insurance Fund, Second Vice-President; James Slavin, D.P.U.I., Third Vice-President; Lawrence Epstein, Tax Department, Treasurer; and Joseph Walla of Brooklyn State Hospital.

J. Milford Diggins, Department of State and President of Buffalo Chapter, represented that Chapter. Delegates from the Syracuse Chapter were Frederick Kruman and Mary

Potter, Syracuse State School. Leslie Winnie, Department of Social Welfare and Clarence Stott, of the Department of Public Works were delegates from Binghamton Chapter.

The Delegate from the Long Island Inter-County State Parks Chapter was Harry Lemily; from the Game Protectors Chapter, Chester Griffiths, from Albion State Training School Chapter, Mrs. Blanch Lawton and Warner Johnson; from Attica State Prison Chapter, J. A. Hyland, from Auburn State Prison Chapter, John Gleason and Ivan J. Berry; from Bedford Hills Chapter, Mrs. Dora Theroux; from Danemora State Hospital Chapter, Norman Ford; from Elmira State Reformatory Chapter, William T. Murphy and Edwin Pinckney; from Napanoch Chapter, Chester Gray and Robert Michel; from Sing Sing Prison Chapter, Jack Douvarjo and Maynard Darrow.

The Delegate from State College of Agriculture at Ithaca Chapter was Paul Swartwood; from Hermann Biggs Memorial Hospital at Ithaca Chapter were Mrs. Mabel Ford and Tracy Tobey; from Pilgrim State Hospital Chapter were Dr. Marvin S. Pearce, Mrs. Gustave Rudloff, Christopher Doscher, James Bankston and John B. LaRock; from Central Islip State Hospital Chapter was David Lally; from Kings Park State Hospital Chapter were Kenneth Borey, Emanuel Goldberg and Arthur J. Gifford; from Fort Stanwix Chapter at Rome State School were Ralph Webb and Mrs. Ruth Stedman; from Letchworth Village Chapter, George Penfield and Thomas Ahearn; from the Public Service Motor Vehicle Inspectors' Chapter, William B. Filkins, Clarence Atkinson and John S. Frawley; from the Chautauqua County Public Works Chapter, A. Morgan Whitney; and from State Training School at Warwick Chapter, William P. Downey.

Representatives from institutions and other employee groups present were John McDonald, Rochester State Hospital, President of Association of Employees of the State Department of Mental Hygiene; Mrs. Lucy Baumgras, Marcv State Hospital, who is Secretary-Treasurer of

(Continued on page 276)

# Feld-Hamilton Law Extension

Interest at the Annual Meeting was enlivened by the reading by President Fisher of a communication address to the Association from the newly appointed Director of the Budget J. Buckley Bryan. Director Bryan advised of the progress of the survey authorized by the Legislature and the Governor under an appropriation of \$5,000 placed in the Supplemental Budget for the current fiscal year at the request of the Association. The letter, which follows, indicates the serious attention which is being given to this important matter.

Mr. Harold J. Fisher, President,  
The Association of State Civil  
Service Employees of the State of  
New York,

State Capitol, Albany New York.

Dear Mr. Fisher:

"This letter is in reply to your request relative to the progress of the survey of institutional maintenance being made by my office.

"At the outset it should be stated that the survey involves much more than a tabulation and valuation of maintenance received by institutional employees. This portion of the survey has been accomplished for the most part.

"The biggest part of the job is determining what the results of the establishment of the maintenance deduction system will be if combined with a transfer of all institutional employees into the Feld-Hamilton system. The determination of probable cost in the first year and in subsequent years was first determined for "ward service" positions. This was not too difficult. It is the determination of the probable cost of moving the other institutional positions into the Feld-Hamilton system in combination with the maintenance deduction system which has proven to be by far the biggest and most complicated part of the survey.

"Headway is being made with this work and additional help has been employed to aid in its completion. However, due to the complicated nature of the work, which demands an intimate knowledge of the law, rules and procedure governing the payment of institutional and Feld-Hamilton positions, it has not been possible to merely multiply the amount

of held in order to bring the survey to a rapid completion. Trained help was just not available.

"The work has also been handicapped because so many of these positions have never been classified or allocated. The net result is that there is much detailed investigation into the duties of individual positions and much study in order to arrive at the probable Feld-Hamilton salary allocations of these positions.

"The cost estimates also involve taking into consideration present salary, including 'commutation,' 'head of family,' and 'time service' payments relative to probable Feld-Hamilton salaries less determined maintenance values.

"All these complicating factors make the chore go slowly. The work must be done, however, if the employees, the administration, and the Legislature are to have a proper picture of what such changes really mean in terms of cost and probable effect upon institutional administration.

"Because of this situation I would not venture to set a definite date at which the survey will be completed, but you may rest assured that every effort is being made to bring it to conclusion as rapidly as possible."

Very truly yours,

(Signed) J. BUCKLEY BRYAN  
Director of the Budget.

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## New Director of Budget



HON. J. BUCKLEY BRYAN  
*Director of the Budget*

Only a few minutes after he was sworn into office last month, J. Buckley Bryan, new State budget Director, was sitting in on the first of the closed hearings on the 1942 executive State budget.

Director Bryan, who succeeds Abraham S. Weber, retired, for the last five years has been chief engineer of the Budget Division, is a native of New York City, a graduate of Columbia University in both science and arts and a graduate of Harvard, where he won a master's degree in science and civil engineering.

Married, the new budget director has a daughter and two sons and lives at 25 Eileen Street, Albany.

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# *The Association Expresses it's gratitude to*

## Hon. ABRAHAM S. WEBER

*The following resolution was adopted unanimously at the Annual Meeting of the Association held at Albany on October 21, 1941:*

**"WHEREAS, Abraham S. Weber as a citizen, as a servant of the people in the high office of Director of the Budget of the State of New York, and as a member of this Association, has displayed to a remarkable degree the admirable qualities of sincerity, kindness and fair-play, and**

**"WHEREAS, In his official capacity he has rendered exceptional service to the State of New York by his outstanding support of important Association projects including appropriations for the abolition of the twelve-hour day in institutional employment, the establishment of appropriate salary schedules under the career service law, and various other constructive measures which have promoted the efficiency of State service and the welfare of State workers, and**

**"WHEREAS, Mr. Weber now seeks retirement from public office,**

**"THEREFORE BE IT RESOLVED, That this Association in annual session convened hereby expresses heartfelt gratitude to Abraham S. Weber for his generous cooperation and ever ready helpfulness in the solution of employee problems, his sympathetic interest in advancing the welfare of the Association and its membership, his conscientious service to the people of the State over a period of a quarter of a century, and also assures him that many recollections of his fine friendship will be carefully cherished together with earnest wishes of much happiness for him through many years to come."**

# Resolutions Adopted At Annual Meeting

The following resolutions were adopted at the Annual Meeting of the Association on October 21st. These resolutions cover various matters of vital importance to members, and constitute the broad and progressive policies of the Association for the coming year. Other resolutions adopted appear on other pages of this issue.

## EXTENSION OF FELD-HAMILTON LAW TO ALL STATE EMPLOYEES

"WHEREAS, the Association in drafting and sponsoring the Feld-Hamilton Civil Service Career Act, is pledged to seek the extension of this law to cover all State employees, and

"WHEREAS, the Feld-Hamilton Law at present does not apply to positions the salaries for which were fixed by statute prior to the adoption of the Career Law, and

"WHEREAS, the salary schedules of many employees such as mental hygiene institutional employees, prison guards, etc., as presently fixed by statutes other than Feld-Hamilton Law are obsolete, unscientific and inadequate, and

"WHEREAS, The Association is fully cognizant of the increasing difficulty of securing and retaining satisfactory personnel at the present inadequate salaries,

"THEREFORE BE IT RESOLVED, that the officers, counsel and legislative committee of the Association with the complete support of the State-wide membership, draft, sponsor and use every resource at the Association's disposal to have enacted legislation to extend the Feld-Hamilton Civil Service Career Law to all State employees, and

"BE IT FURTHER RESOLVED, that if the desired extension of the career law cannot be made effective July 1, 1942, that legislation be promptly prepared and sponsored to provide for payment of the affected employees of a salary increment equal to what they would have received had the Career Law been extended, and that such increment become effective at the beginning of the fiscal year, July 1, 1942, or prior thereto, as available."

## COST OF LIVING AND SALARY PLANNING

"WHEREAS, the salary schedules of State employees were adopted at a time when the cost of living was low and were based upon the cost of living in normal times and under normal circumstances; and,

"WHEREAS, during the past year the cost of living has substantially increased and there is a well-grounded belief that the cost of living will soar to even greater heights in the future; and,

"WHEREAS, State employees have been, in the past, and are in the future, likely to be seriously prejudiced by being compelled to pay higher living costs while their salaries remain stationary; and,

"WHEREAS, the constitutional requirements with reference to the preparation of the State budget require that the budget be

prepared at a period from one year to eighteen months in advance of the period when it is disbursed and, under present practice, after the passage of the budget, revision cannot be made in the light of subsequent developments; and,

"WHEREAS, employees in private industry periodically receive wage increases as to compensate for periodic increases in the cost of living,

"NOW THEREFORE, be it

"RESOLVED, that the president appoint a special committee to study and formulate legislation whereby emergency appropriations may be provided to add to the Feld-Hamilton and other salary scales and to the salaries for all positions an amount equal to the percentage increase in cost of living, such increases to be paid to employees at the earliest date available within the present fiscal year and through succeeding years as living costs justify."

## 1942 MEMBERSHIP FOR NEW MEMBERS

"BE IT RESOLVED, that eligible State employees who join the Association after October 21st, 1941, as new members, shall be admitted to full membership for the balance of this year and all of the calendar year of 1942."

## TO BRING EMPLOYEES TO MINIMUMS

"WHEREAS, the Association, in originally drafting and sponsoring the Feld-Hamilton Law, sought to establish by statute a definite minimum and maximum salary for each position, and equal pay for equal work, but, because of limited appropriations available, employees below their minimums were not increased to such minimums but were given only the annual increment for their position, and

"WHEREAS, many employees under the career law are still receiving less than the established minimum of their salary grade, which is unfair to the employees affected, especially in view of the increased cost of living, increased federal taxes, and the improved condition of State finances,

"THEREFORE BE IT RESOLVED, that the officers, counsel and legislative committee draft and sponsor legislation in the forthcoming legislative session which would provide that all employees under the Feld-Hamilton Law be brought up to the minimum of the salary grade to which their position is allocated."

## FULL COMMUTATION ALLOWANCES

"WHEREAS, due to insufficient budgetary appropriations, many employees of State institutions fail to receive commutation allowances, payable in lieu of maintenance, to which they are legally entitled, and

"WHEREAS, the employees affected are particularly in the low-income group and especially hard-hit by increased cost of living,

"THEREFORE BE IT RESOLVED, that the Association again appeal to the Governor and to the Legislature to make certain that increased appropriations are accorded to State institutions to enable full payment of commutation allowances provided by law."

## ASSOCIATION MEMBERS OPPOSED TO STRIKES

"WHEREAS, State employees everywhere throughout the State have heartily condemned the action of the State, County and Municipal Workers of America, C.I.O., in advocating the use of strike action in public employment, and

"WHEREAS, State workers generally have been unjustly criticized by the public because of the action taken by this small unrepresentative group of workers,

"THEREFORE BE IT RESOLVED, that this Association, representing over 35,000 employee members throughout the State, unanimously approves and confirms the following resolution adopted by the Executive Committee at its October 2nd meeting;

"BE IT RESOLVED, that the Executive Committee of The Association of State Civil Service Employees in fairness to the citizens of the State of New York, and in fairness to the 35,000 members of the Association, hereby denounces the action of the State, County and Municipal Workers of America as a base misrepresentation of employee thought on the subject of sound employment relationships between citizens and citizen employees of each and all divisions of government: as a wholly undemocratic suggestion tending to promote selfish and destructive pressure upon public officials charged with the responsibility for high public service; as a defiance of the principle of preserving complete freedom of action on the part of executive, legislative and administrative heads of government under the Constitution and basic laws in the interest of the protection of life and property and the promotion of the welfare of all citizens; as an act inimical to the intelligent functioning of government; and as a direct threat to the application of the merit system in public employment, and

"BE IT FURTHER RESOLVED, that this Association reiterates its long established policy of unalterable opposition to strike action by government employees."

## A NEW "NO-STRIKE" BY-LAW

"WHEREAS, this Association has been consistently opposed to strike action by government employees and has made public announcement of its policies on innumerable occasions in the past, and

"WHEREAS, it would be desirable to incorporate this principle in the by-laws of the Association, I move that the by-laws of the Association be amended by renumbering present Article V to be Article VI and adding a new article to be known as Article V to read as follows:

## ARTICLE V

### Policy

This Association adopts, as its policy, the principle that there shall be no strike action by government employees.

## A DEFICIENCY APPROPRIATION

"WHEREAS, section 41 of the Civil Service Law provides, with reference to overlapping grades, that when an employee is promoted to a position in a higher grade he shall receive the rate of compensation immediately above that which he was receiving prior to his promotion; and

"WHEREAS, such provision of law was not followed during the current fiscal year

commencing July 1, 1941, with respect to employees paid from line item appropriations, although such provisions were complied with with respect to employees paid from lump sum appropriations,

"NOW THEREFORE, be it

"RESOLVED, that the Association take appropriate steps with the State budgeting authorities to obtain in the forthcoming budget a deficiency appropriation in order that the employees paid from line item appropriations may receive the salary for their positions in accordance with the requirements of section 41 of the Civil Service Law."

#### EXTENSION OF EIGHT HOUR DAY

"WHEREAS, many employees working in State institutions and elsewhere in State service are still working in excess of eight hours a day, and

"WHEREAS, the State by statute has established a maximum eight hour day for private industry generally, and many private business concerns have voluntarily adopted a five-eight hour day week, and found the results advantageous, and

"WHEREAS, this Association has been successful in reducing the working hours of thousands of State employees in the past,

"THEREFORE BE IT RESOLVED, that the Association sponsor legislation to establish a maximum straight eight hour day law for all State workers, now working longer hours, and,

"BE IT FURTHER RESOLVED, that our Association make proper requests to the budgeting authorities so that any necessary appropriations may be anticipated in the budget to place the shorter working hours in effect for the groups of employees now working longer hours."

#### INCREASED MILEAGE ALLOWANCE

"WHEREAS, during the present emergency period the costs of automobile acquisition, operation and accessories have increased substantially, and

"WHEREAS, the allowance by the State under rules promulgated by the Comptroller of four and one-half cents per mile was established for and during a period of generally low prices, and

"WHEREAS, the present operating expenses have increased by reason of increased costs of automobiles, tires, and accessories of all kinds, thus placing an unbearable and unjust burden upon State workers, who are required to use their own automobiles in the performance of their duties,

"THEREFORE BE IT RESOLVED, that this Association urges immediate reexamination of the facts upon which the present mileage allowance is based and such revision of the allowance as will assure proper reimbursement of State employees affected in the future use of their automobiles, and

"BE IT FURTHER RESOLVED, that the President is hereby requested to take such action and render such cooperation to the Comptroller or others as is appropriate and helpful to a satisfactory solution of the situation cited in this resolution."

#### FIELD ALLOWANCES

"WHEREAS, field employees of the Department of Public Works continuously incur expenses in line of duty which are not reimbursed by the State, although field allowances are provided by the Public Works Law,

"THEREFORE BE IT RESOLVED, that the Association call upon officials of the

Public Works Department, and budgeting authorities to determine and arrange for the payment of reasonable field allowances to employees of that department."

#### EXTENSION OF COMPETITIVE CLASS

"WHEREAS, this Association of State Civil Service Employees has long and consistently advocated the extension of the competitive class of civil service by the reduction of the number of positions in the exempt, non-competitive and labor classes, so that entrance into, and promotion within, the classified civil service of the State will be open to all on the sole basis of merit and fitness, and

"WHEREAS, the Association is gratified by the action of Governor Lehman's Special Committee in bringing thousands of employees into the competitive class, and

"WHEREAS, there are still many thousands of State employees in the non-competitive and labor classes who have accepted appointment under such classification in good faith and have been performing capably the duties of positions for which modern personnel methods make competitive examinations practicable,

"THEREFORE BE IT RESOLVED, that the Association heartily endorses the action of the Governor's Special Committee and urges its further study and attention to this problem, and

"BE IT FURTHER RESOLVED, that the extension of the competitive class shall be so affected as not to prejudice the rights of present employees now faithfully serving, and

"BE IT FURTHER RESOLVED, that the Association urge that any necessary appropriations be made available to the State Civil Service Commission to enable such extension to proceed promptly."

#### SICK LEAVE

"WHEREAS, after several years of tireless effort, the Association with the cooperation and support of its affiliated groups, was successful in having enacted into law an act providing sick leaves for thousands of institutional employees effective July 1, 1942,

"THEREFORE BE IT RESOLVED, that the President is hereby requested to maintain close cooperation with appropriate officials to insure that the rules finally promulgated and put into force provide for fair and just treatment of employees and thereby carry out the intent of the legislation as enacted."

#### STANDARDIZING SERVICE RATINGS

"WHEREAS, in as the average civil service rating of an employee in one division of a department does not equal the average civil service rating of an employee in a similar division of the same department and such average ratings should be the same within the same department, and,

"WHEREAS, much difference in average rating can affect an individual's standing in a promotional examination,

"BE IT FURTHER RESOLVED, that the Association of State Civil Service Employees of the State of New York exert its influence in standardizing civil service ratings of the various divisions within the various departments to provide equal ratings for equal service."

#### REIMBURSEMENT FOR TRANSFERS

"WHEREAS, State workers are frequently transferred from one part of the State to another, and the transportation of self, family and effects involves substantial expenditures which are caused but not borne by the State,

"THEREFORE BE IT RESOLVED, that this Association consider legislation and appropriations to provide that if a permanent employee is transferred to work in another part of the State, that he will be reimbursed for the reasonable expenses of transferring self, family and effects to assume his duties in the new location."

#### PUBLICITY PROGRAM

"WHEREAS, citizens and taxpayers, and even many State employees, have scanty knowledge of the multitudinous services rendered and work performed by the various agencies of State Government,

"THEREFORE BE IT RESOLVED, that the Association continue its program of dissemination of information as to the work of State government by use of its official magazine, The State Employee, and other means at its disposal."

#### PROTECT STABILITY OF RETIREMENT FUND

"BE IT RESOLVED, that the Association continue in its successful efforts to safeguard in every way the stability of the State Retirement Fund."

#### OFFICERS, COUNSEL AND COMMITTEES COMMENDED FOR CAREFUL STUDY AND ACTION ON LEGISLATION

"BE IT RESOLVED, that the delegates and representatives of the 35,000 members of the Association present at this Annual Meeting unanimously commend the officers, counsel and legislative committee of the Association for their thorough study of each of the numerous measures introduced at the last session of the Legislature affecting the salaries, hours of work, pensions and civil service status generally of State workers, and for their efforts in promoting and protecting the best interests of State employees."

#### EXTENSION OF CAREER LAW TO PUBLIC WORKS FIELD EMPLOYEES

"WHEREAS, the Field Employees of the State Department of Public Works, Division of Highways, are now seasonal employees, and

"WHEREAS, winter maintenance and keeping our highways safe for winter driving is very important,

"BE IT RESOLVED, by the Association of State Civil Service Employees of the State of New York, that the provisions of the Feld-Hamilton bill be extended to cover the Field Employees of the State Department of Public Works, Division of Highways, and that they be placed on a yearly basis."

#### EXTEND COMPETITIVE CLASS

"WHEREAS, numerous types of service in State Health Department institutions are at present classed in the exempt or labor group, and

"WHEREAS, comparable types of service in other institutions or agencies throughout the State have been classified either as competitive or non-competitive, and

"WHEREAS, it has been established by the Feld-Hamilton Committee that it is practical to establish minimum basic qualifications and standards for these certain groups,

"BE IT RESOLVED, that this Association presents this situation to the members of the Classification Board and that the Board be petitioned to take such action as may be necessary to provide the benefits of competitive or non-competitive classification to those groups."

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# The First Thanksgiving

There is nothing more American than Thanksgiving—nor more Egyptian, Greek, Roman, Hebrew, nor more Indian.

Thanksgiving, in one form or another, is at least as old as recorded history. The Indians had their harvest festivals through centuries. The Hebrews had their Feast of the Tabernacles, when crowds flooded into Jerusalem.

The Greeks had a month for it—November—and a word for it, as usual—Demeter, who was their Goddess of Agriculture. The Romans each October feted the same goddess under another name, Ceres.

Great events in national history occasioned spasmodic days of Thanksgiving. The defeat of the Spanish Armada by England in 1588 was celebrated by days of thanks. Leyden, Holland, for years observed October 3 as a day of thanks for the deliverance of the city from the rule of the Spanish in 1574.

It is possible, historians of the State Archives and History Division believe, that the 10-year stay of the pilgrims in Leyden might have inspired the first of our Thanksgivings.

Nor was the pilgrims' thanksgiving the first on the North American continent, in the opinion of historians. Records of early settlements in North America would seem to indicate that the first Thanksgiving service was held by the Frobenius expedition on May 27, 1578, on the shores of Newfoundland.

In fact, the honor of the first thanksgiving service the territory that is now the United States would seem to belong to the Popham colony, which settled the coast of Maine in 1607.

Let the origin of Thanksgiving belong to the Plymouth Colony. Even here there is some dispute as to just when the custom began. There is some evidence to indicate that it started as early as December, 1620, soon after the landing of the Mayflower.

This was, however, more of a thanksgiving service for a safe ocean crossing, while the day as we know it was started by Governor Bradford when at the end of the first year he issued his first Thanksgiving proclamation.

Were there better proof that Thanksgiving was not ours first, it is doubtful America could abandon the tradition. The story of suffering and hardships by the pilgrims during their first year in the new world is too moving a part of our national heritage.

We all know how the colonist, living in rude dugouts which scarcely sheltered them from the harsh New England winter, were attacked by famine and pestilence which resulted in a fearful mortality; how the survivors with amazing fortitude planted their seeds in the spring and how the crops flourished and game was so plentiful that at the end of the first year, the foothold was won.

No great imagination is required to visualize the gratitude which must have been real for the bounties bestowed upon the pioneers. That "first" Thanksgiving lasted a week. And the great Indian chief, Massasoit, must have caught the spirit, for nowhere do we find anything indicating he left early.

Throughout the remainder of the colonial period the colonies of Plymouth and Massachusetts Bay, which were merged in 1692, continued to have days of thanksgiving at more or less irregular intervals. Other colonies established similar customs. Connecticut had its first Thanksgiving in 1639, observed it again in 1644 and from 1649 the day was celebrated regularly.

Rhode Island apparently shunned the idea and Virginia observed only those days of celebrations appointed by the King.

New York took a middle ground and in both the Dutch and English periods days were set aside for public thanksgiving. In 1644 and 1645 such days were proclaimed by Governor Kieft to celebrate victory and peace with the Indians.

Again in 1654 the news of peace between Holland and England brought a public day of thanksgiving. The first feast day under the English was in 1665 to celebrate the conquest of the colony. Throughout the rest of the English period great events were recognized by days of thanksgiving.

Typical of all these celebrations was that which was briefly described

by Lieut. Gov. DeLancey in a letter to the Lords of Trade, dated February 16, 1760, which reads in part:

"We were here so fully sensible of the Divine blessing in the last year, that the 22nd of November last was observed here, as a Day of Public Thanksgiving, on the Success of His Majesty's Arms, by Prayer in the Morning, Firing of the Guns at Fort George at Noon, a Grand Dinner I gave to the Council, Assembly and principal Inhabitants, at which were present the whole Clergy of the several denominations in this City, and the Evening was concluded with Illuminations and Fire Works prepared for the occasion, without the least tumult or disorder."

With the rise of the Revolutionary movement and the gradual strengthening of the bonds of union between the colonies local customs were gradually merged in national ones. The Continental Congress which had assembled to handle the emergency of the Revolution and which continued throughout the duration of the war recommended each year that a day be set aside as a day of public thanksgiving.

The only exception to this rule was in 1777 when Congress, by a resolution passed December 11, 1776, recommended that the various states should determine their own days of thanksgiving.

Washington as commander-in-chief of the Army issued two proclamations for a general thanksgiving by the Continental Army. The first of these was to be Thursday, December 18, 1777, and the second was at Valley Forge on May 7, 1778.

Little more seems to have been done during the years of the critical period—that is from the signing of the treaty of peace to the adoption of the federal constitution.

In 1789 Elias Boudinot of New Jersey introduced a bill in Congress, which at that time was then meeting in New York City, authorizing President Washington to recommend "a day of Thanksgiving and prayer to be observed by the people of the United States in acknowledgment of the favors of the Almighty God, and especially His affording them the opportunity peaceably to establish

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# Insurance For Members

## INDUCTED INTO FEDERAL MILITARY SERVICE

Many employees of the State of New York have entered military or naval service during 1940 and 1941 either as a result of the federalization of the National Guard, voluntary enlistment, or the Selective Training and Service Act of 1940. In addition many more male employees of the State of New York are under age 28 and presumably eligible for selection as draftees. It is of primary importance to these persons and all others who have entered or may enter into military or naval service, that they be fully acquainted with certain privileges available to them in the purchase or continuance of life insurance policies under the following two Acts enacted by Congress:

1. **Government Life Insurance (National Service Life Insurance Act of 1940).** Any person entering the armed forces of the United States whether by enlistment or by reason of the Selective Service Act of 1940, may apply for National Service Life Insurance for an amount up to \$10,000 without medical examination. Policies are issued for amounts of not less than \$1,000 and in multiples of \$500 thereafter. Application for the insurance must be made in writing within 120 days after entry into the service and while the applicant is still in active service. **Soldiers and Sailors presently in service may avail themselves of the privilege of obtaining Government Insurance provided they act promptly in filing an application prior to December 18, 1941, and upon showing evidence of good health.**

All policies will be issued upon the 5 Year Level Premium Term Plan with the privilege of conversion or exchange by the insured at any time after the policy has been in effect for one year and within the five year term period, to policies of insurance upon the following plans: Ordinary Life, 20 Payment Life or 30 Payment Life. If the term insurance is not converted or exchanged, it expires automatically at the end of the five year period.

The following table illustrates the monthly rates for 5 year term

insurance and for converted ordinary life insurance per \$1,000 of insurance charged at specimen ages:

5 YEAR TERM INSURANCE	
Age at Issue	Monthly Rates
20	\$.65
23	.66
25	.67
28	.69
30	.71
33	.74
35	.76

CONVERTED ORDINARY LIFE INSURANCE	
Time of Exchange	Monthly Rates
20	\$1.23
23	1.31
25	1.37
28	1.48
30	1.56
33	1.69
35	1.80

National Service Life Insurance policies are standard in all respects except that the classes of eligible beneficiaries are limited generally to relatives by blood or marriage. Another exception is that the face amount of the insurance is payable to the beneficiary in instalment of 120 or 240 months.

**The advantage of Government Life insurance is that the net cost is considerably lower than that of any private life insurance company.** This is possible inasmuch as the United States agrees to bear all expenses of administering the policies and also the excess mortality cost and the cost of the disability benefits when death or disability is traceable to the extra hazard of military or naval service. In addition the Government policies also provide without additional cost to the insured for the waiver of premiums during the continuance of total disability of the insured which has existed for at least six consecutive months and where the disability has commenced while the policy was in good standing and prior to the insured attaining age 60. Where premiums are so waived neither the face amount of the insurance or the value of the policy is affected or reduced in any way.

It is not possible for the private companies to compete with Government Life Insurance since companies must necessarily pay their expenses out of their premium income and interest earnings and must also charge the premium for additional features such as the disability benefit. **On this account the private companies have publically endorsed Government Life Insurance and have encouraged soldiers and sailors to apply for and continue their Government Life Insurance.**

Government Life Insurance policies are entirely free from restrictions as to travel, residence, occupation or military or naval service. Further, the premiums do not include any extra charge on account of the hazard of war. This is quite important since some of the private companies at the present time are considering excluding the war hazard outside of the continental limits of the United States on policies to applicants who are eligible for military or naval service.

### 2. **Soldiers and Sailors Civil Relief Act of 1940**

Persons in military or naval service may protect their existing life insurance policies carried with private life insurance companies against lapse on account of the non-payment of premiums upon proper application to the Veterans Administration Bureau. The protection offered consists of the guarantee of premium payments by the Government during the period of military service and one year thereafter. The aggregate limit of insurance which may be so protected is \$5,000 on any life. Policies are not eligible for transfer if premiums are in arrears more than one year at the time of application to the Veterans Administration Bureau or if the loan indebtedness equals or is greater than 50% of the cash surrender value. Further, policies must have been issued and the premium paid for at least 30 days prior to entering military service. Contracts of life insurance on the legal reserve plan issued by life companies or fraternal benefit so-

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# Editorial Page

## THE STATE EMPLOYEE

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Editor Charles A. Brind, Jr.  
Art Editor Roger Stonehouse  
Staff Photographer

Business Manager Joseph D. Lochner

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## Recollections and Responsibilities

The front cover of our magazine this month is intended to bring vividly to the mind of each of us a keen realization of the happy heritage that is ours on this anniversary of the feast day, Thanksgiving.

The artist has dramatized the difference in the status of the people of the United States and their misery ridden neighbors in Europe. He has translated, graphically, the news of press, radio and film.

Cover pages are real parts of great magazines. They carry very often as serious and important messages as any of the pages which may follow. What is the story in our cover page? Is it not at once a review of the whole history of strong men and women meeting their responsibilities in this land of ours throughout the years from the first Thanksgiving, and, the sad story of failure to progress in like manner on the part of many generations of millions of human beings on the European continent?

Back in 1843, very near as you will notice to 100 years ago, Daniel Webster delivered an inspiring address at the dedication of Bunker Hill Monument—not far from Plymouth and the First Thanksgiving setting. This great speech came from

the very heart of a verily great patriot. It was not alone as to its fervor and substance for the people of his day—it was for each of us and we offer it here as a supplement to our cover page. Read the real message in both and ponder as to your part in the present hour.

“We have indulged in gratifying recollections of the past, in the prosperity and pleasures of the present, and in high hopes for the future. But let us remember that we have duties and obligations to perform corresponding to the blessings which we enjoy. Let us remember the trust, the sacred trust, attaching to the rich inheritance which we have received from our fathers. Let us feel our personal responsibility, to the full extent of our power and influence, for the preservation of the principles of civil and religious liberty. And let us remember that it is only religion and morals and knowledge that can make men respectable and happy under any form of government. Let us hold fast the great truth, that communities are responsible, as well as individuals; that no government is respectable which is not just; that without unspotted purity of public faith, without sacred public principle, fidelity, and honor, no mere forms of government, no machinery of laws, can give dignity to political society. In our day and generation let us seek to raise and improve the moral sentiment, so that we may look, not for a degraded, but for an elevated and improved future. And when both we and our children shall have been consigned to the house appointed for all living, may love of country and pride of country glow with equal favor among those to whom our names and our blood shall have descended! And then, when honored and decrepit age shall lean against the base of this monument, and troops of ingenuous youth shall be gathered round it, and when the one shall speak to the other of its objects, the purposes of its construction, and the great and glorious events with which it is connected, there shall rise from every youthful breast the ejaculation, ‘Thank God, I—I also—am an American!’”

## Mr. State Employee Comments on the Red Cross

As an average employee of the State, I fell in line for several years in contributing a dollar each fall to the Red Cross. Not that I ever considered why, but just because others did and it was easier to give a dollar and to forget it than it was to listen to the story of an anxious solicitor.

Last year, I must confess that I don't know why, but somehow I was asked to be on a team to canvass my department in the interest of Red Cross. Again, I don't know why, but somehow I accepted and soon found myself well within the Red Cross family.

When I asked for my instructions I was puzzled when I was told that I was not to ask for a donation, but for what they called a “membership.” It was a peculiar idea but one that I soon understood. Today, still as an average State employee, but more than that, one who knows something of the real Red Cross, I want to pass on a little information to my fellow workers.

Red Cross has now opened its Annual Roll Call. There won't be bells ringing or whistles blowing or anything of the sort. Chances are you won't know the time has ever come until Tom or Harry or Miss Jones calls you off and gently asks if you want to join the Red Cross.

A funny thing happened the other day when one of my fellow workers told me that his desk pardner, a Mrs. So-and-So had been rushed to the hospital from work last Monday. It seemed that her doctor thought she was pretty sick and that her boy who was with the Army in maneuvers in Louisiana ought to come home in a hurry. Strange enough my fellow worker was surprised to know that the Army depended solely on the Red Cross for an official report before releasing the boy. He was even more surprised to know that a fellow called a Red Cross Field Director loaned the boy money and arranged for his immediate return.

I couldn't resist telling my fellow worker about Red Cross and I want to tell you a few jobs that I know it's carrying out.

For instance, in Albany, a Disaster Committee, made up of over a hundred citizens, are ready on short notice to provide food, clothing, shelter or medical care to victims of any sort of disaster. This committee meets regularly, receives training from experienced disaster workers and know just how to proceed with its work.

Then there's what they call Home Service, which covers all sorts of aids given service and ex-service men of both the Army and Navy. There's a group of women, trained in First Aid and auto mechanics that forms what they call a Motor Corps. It has a well equipped convertible ambulance and is always ready to do a thousand and one jobs.

I was lucky enough last spring to take a Red Cross Course in First Aid and felt I was outstanding. I carried my certificate home to do a little boasting when my wife beat me to the jump and met me at the door with her certificate in Red Cross Home Nursing! To top it off, Johnny (He's our youngest), came home and told us he'd just enrolled in Junior Red Cross at School and was going to make "good citizens" out of his "mom" and "pop."

Say, brother, I could go on and on, but I won't. I've got a job to do and I'll do it . . . but on the side I'll tackle an even greater one! I'm going to ask if I can't be on that team again, asking my fellow workers one by one to join the Red Cross this year. I'm not asking for any flattery or praise . . . I just want to be able to face myself, my family and the world with the satisfaction of knowing I've done my part, for one of the greatest organizations in the world . . . the American Red Cross!

## Armistice Day

On November 11, 1918, when the arms employed in World War No. 1 stood still on the long, bleak battle front of France and Belgium, the bells of peace sounded very sweet and all nature seemed to respond to the joy that welled up in many, many human hearts. Even the vanquished, though disillusioned, had been freed from the yoke of selfish action imposed upon them by ambitious leaders. The defeated soldiers

were free to return to their native lands which had known neither shot nor shell and needed no special rehabilitation as to trench or hole or twisted wire. The victors had their lands restored to them, some very barren now and very much changed by the weapons of war, but nevertheless acres dear to them. The cities and towns of the victors, often only heaps of brick and stone and mortar, but sweet with memories that would not be erased, were theirs again to rebuild. Men and women of neutral countries felt relief on Armistice Day, 1918, and smiled prayers of gratitude. There was everywhere throughout the world that hearty joy that comes from the deep, unsullied conviction of a divine destiny. God was close to man and every man was closer to his brother than ever before in all the ages. It is only when arms stand still that human dignity and human joy walk freely in the world at large.

But Armistice Day, 1918, was not as some lightly thought to end human misery and mistakes and travail. True a battle for high ideals had been won. Many like triumphs had occurred before. Moses saw the promised land, but could not enter it. Lincoln saw his ideal victorious, but it was not for him to taste the joy of the unity he achieved for his Nation. Wilson lit the first great torches of World peace, but petty men jostled them from his grasp and the nations lost step.

The twenty years of peace which America led by Wilson gave the World was not long enough to undo the harm which political selfishness and ignorance encompassed within a comparatively few months following the armistice, when the leaven of America's four freedoms was denied to the nations of the world by the Congress of our Country. Hitler is a symbol of evil, the counterpart of those in this and every country too weak to resist the promise of world power or abundant pottage. Twenty-three years ago America gave to Europe a blood transfusion that was potent enough to cure the great malady war.

True Americans will always recall America's part in World War No. 1 with pride every bit as genuine and heartfelt as that experienced as a result of each American worth while achievement since Columbus sighted the continent. Loose think-

ing, gossiping chroniclers may sell discrediting words by number, column or page as they have been doing since 1918, but they can never truly take from a single known or unknown soldier of 1914-18 a jot of the sublime glory which is theirs for having fought and won for humanity the most forward position in the march toward brotherhood and peace yet garnered in all of history. Shame upon those little minds that think a true patriot—soldier, statesman or loyal citizen—ever dies. Washington and Lincoln and Wilson and all the countless men and women who have ever loved truth and honor and peace walk with us today and reassure us repeatedly that the failures of civilization thus far are but a challenge to us and to those who follow, and to our faith in the fulfillment of humanity's universal prayer for God's Kingdom and God's Will.

1918 is gone, last year is gone, yesterday is gone—"let the dead past bury its dead." We have to deal with the facts of November 11, 1941. The orders of the day are before us. Plan and chart and compass are at hand. American citizens as soldiers, builders, planners, are serving democracy. The sun is not yet risen on the vast extent of our ability to meet the new crisis, but already the dawn shows resplendent in achievement. Farms, mines, factories, shipyards, camps, answer daily to the revivelle of right. Everyone is pledged to defend right, sworn not to let right down, resolved to make right so strong that it will be victorious in the titanic struggle with organized evil.

Armistice, 1918, won a place on the scroll of glory. On November 11th, this year, we can with honor to humanity and value to our country, dedicate ourselves to another kind of armistice—a cessation of hate, prejudice, intolerance and resulting disunity—and with our faces toward the sun and pressing onward with truth and courage as our guides may we confuse the enemies of right by a high loyalty to our Government, to our chosen leaders, and to the great ideals of true democracy. Let us show ourselves worthy and willing to carry freedom's torch thrown to us by the great souls of Yorktown, Gettysburg, Santiago, Flanders and other fields of American sacrifice. Let our thoughts and actions find expression in constant loyalty and sacrifice for God and home and native land.

# Story of State Government

## CHAPTER XVIII: DEPARTMENT OF LAW

*The following is the Eighteenth of a series of articles devoted to New York State Government. This series is in charge of our Educational Board Member, A. K. Getman of the State Education Department Staff. The next article of the series, which will discuss the State Department of Public Works, will appear in the December issue.*

BY JOHN J. BENNETT, JR.  
*Attorney-General of New York State*

This department is headed by the Attorney-General, one of the four elected State officers in the Executive branch of our State Government. In writing an article on the work of the Department, it is impossible to point to any visible monument as a reminder of its accomplishments. We cannot point to the erection of great bridges, the installation of high-speed highways, the conduct or control of State institutions such as prisons and hospitals. We must rely on the dusty pages of the law books and our dockets for our record of activity in the broad scope of our State Government and the effect that activity has on the other State Departments, and on the conduct and affairs of the citizens of the State. We must also rely on statistics, to a certain degree, to enlighten the reader as to the vast scope of duties imposed on the Department of Law. And, too, we must refer to certain duties imposed by law on the Attorney-General, personally, for they form a great portion of the work of this office.

The Attorney-General is the constitutionally designated legal officer and adviser to the State government in all its several departments and branches. Legal counsel to State officers, departments, commissions, defense of statutes the validity of which is subject to attack, litigation in every conceivable field involving State activity and the various officials and departments of the State government, combine to make the Law De-

partment of the State an exceedingly busy office.

The Attorney-General himself, in addition to administering the office of the Law Department, is personally called upon to act as a member of the Water Power and Control Commission, Land Board, the State Board of Canvassers and the New York State Council of Defense, and to participate as a member of the Governor's cabinet in his capacity as head of one of the departments of the State government.

Offices of the Department are located at The Capitol in Albany, New York City, Binghamton, Buffalo, Elmira, Rochester, Syracuse, Utica, Auburn and Plattsburg. The establishment of offices in the larger cities of the State has saved much time and effort in what had amounted previously to a shuttling back and forth of State legal matters.

During 1940 it cost \$1,066,521.82 to run the Department. However, we were able to effect collections for the State of \$3,273,931.86. This latter sum did not just trickle into the office. It was brought in because the legal machinery of the office was put into action to collect delinquent taxes and accounts. In addition, we also carried on the other legal work of the State Government. In 1940 approximately 36,000 legal matters were closed by the Law Department staff which totaled 310 employees, of whom 112 were assistant attorneys-general.

The Department of Law comes very close to the everyday lives of many of our citizens. We see and meet the problems involving your health, your claims against the State, the food you eat, the education of your children, your elective franchise, your investments, the taxes you must pay, and many, many others. Many of these problems have humorous angles, but a great many are also tragic in their consequences. Most of them are of human interest, disclosing, as they do, human weakness, greed and fallibility. A few examples, I feel, will be not only interesting, but will also give you a picture of the varied work handled by the Department of Law.

No doubt, you have heard of people making claims against the State. The term "claim" must be distinguished from "suit" or "action at law." The State of New York may not be sued unless it grants permission. The State is sovereign. At the time of the Revolution, the State succeeded to all the rights of the British Sovereign, the King. No matter what injury the King did to one of his subjects, that subject had no redress. "The King can do no wrong." Carried down to these days in its entirety, you can readily see how such a doctrine would be out of harmony with our democratic ideas. In New York, the State has granted permission, in certain types of actions at law, to make the People of the State a party defendant. In claims matters, the State has set up a Court of Claims where an injured citizen may file a claim against the State for damages in certain cases, such as breach of contract, negligence of State employees, real property condemnations and various miscellaneous matters. The claims run in amount from a few dollars to many millions.

One case involved a farmer and his cow. A State employee, working on highway fences, left a paint can near a fence enclosing a cow pasture. A cow came along, sniffed, consumed some paint and died. A claim was filed in the Court of Claims and the farmer collected the value of his cow.

In another claim, it appeared that a State employee was oiling a road opposite a lettuce field. A gust of wind sprayed the lettuce bed with oil. The owner duly filed a claim. Judging by the amount of the claim, it would seem that all the lettuce in the State grew in that one field. However, after a court hearing, he was paid a just sum.

A patient in the Hudson River State Hospital at Poughkeepsie was discharged as cured and restored to his civil rights. He then filed a claim against the State for the value of his services while a patient in the hospital in the extermination of cockroaches and bedbugs.

A man was driving along the State

highway when a pheasant flew into the windshield and caused damage. He filed a claim against the State on the grounds that the accident was caused by the State in prohibiting the shooting of pheasants at certain times of the year, thus allowing the pheasants to multiply to such numbers as to be a menace.

The Department of Agriculture and Markets sent an inspector to exterminate a diseased brood of bees. Some of the bees escaped from the hive, stung a farmer's horse; the horse ran away, stepped in a hole, broke its leg and had to be shot. The farmer filed a claim against the State for damages on the ground that the inspector was negligent in letting the bees escape.

From these small claims, the range extends upward into the millions: for land appropriated for park purposes, grade crossing, State institutions, such as hospitals, prisons and schools, and for other public purposes. Among these was a claim for \$5,200,000.00 for an appropriation of lands for the Palisades Interstate Park. After several years of litigation, the claimants were awarded \$1,650,000.00.

A rather interesting claim arose out of an accident on the Storm King Highway some years ago. A boulder about the size of a freight car came hurtling down the mountain side from a height of about 1100 feet. It struck a number of passing automobiles on the highway. Several death claims were filed against the State. At the trial in the Court of Claims it was disclosed through the testimony of the claimants' expert geologist that the boulder had formed the side of a fissure in the rock that had existed for millions of years. The claims were dismissed in the Court of Claims on the theory that the State was not chargeable with a fault in the rock formation. However, on appeal to the Appellate Division of the Supreme Court, the claims were allowed, the court holding that the State in its vast blasting operations in the construction of the Storm King Highway had disturbed the terrain in the whole neighborhood. This decision was affirmed by the Court of Appeals. The claimants collected approximately \$51,000.

In 1940, 338 such claims involving \$9,469,977.52 were tried in the Court of Claims by members of my staff. Of these claims, 104 involving \$6,197,439 were dismissed and in 97,

involving \$261,650, awards of \$123,913 were allowed, or less than two cents on the dollar. The balance of the cases was undecided by the Court of Claims at the end of the year.

The Agriculture and Markets Law was enacted to protect your health in so far as food and dairy products are concerned. The Attorney-General is charged with the prosecution of violators of this law as it concerns the production, manufacture, marketing, storing and distribution of food and all the instrumentalities used in the production thereof. In the course of a year, we handled many cases to collect penalties for the violation of the law. These cases present some novel problems.



HON. JOHN J. BENNETT

Milk, both as to production and distribution, has been a problem for many years. The State, through its Department of Agriculture and Markets, keeps a watchful eye on its production. In order to eradicate tubercular cattle and the resultant human infection, a system of quarantine was instituted on premises where such infection was found. Under such a quarantine, no cows can be brought to or removed from such premises nor can a sale of milk or milk products from the premises be made. When the law is violated, the Attorney-General's Office must prosecute. Another class of milk violation with which we deal is the adulteration of milk. A test of milk

delivered by the producer to a dairy is made to determine the percentage of solids and butter fats. A corresponding test of milk direct from the herd is than made. If the latter shows a variation, proof of adulteration has been established.

Perhaps one of the most important functions of the Agriculture and Markets Law, violations of which we are called upon to prosecute, are those enacted to maintain the purity of the food supply of the inhabitants of our State. Cases of misbranding and adulteration find their way to the Department of Law. One of the most common forms of adulteration that we have been called upon to deal with is that of "Hamburg Steak." The popular ingredient used to deceive the public is sulphur dioxide. The use of this chemical creates a bright appearance in the meat, reddens it and gives it the appearance of being both luscious and fresh. Its use, except in minute quantities, is prohibited.

The watchful eye of your State Government keeps track of the production and sale of your foodstuff in many other ways. It checks on unsanitary surroundings in establishments where food is prepared and served, such as restaurants, bakeries, confectionery stores and the like. It makes war on roaches and vermin. It prohibits foodstuffs to remain uncovered and exposed to dust, dirt and promiscuous handling. It checks on filthy and unclean surroundings and equipment.

Another misbranding scheme has to do with olive oil. Many times we find corn, peanut or cottonseed oil in cans embellished with olive trees, coats of arms, country scenes and other printed matter to create the impression it is really olive oil from Italy.

Eggs sold to the consumer must be graded according to New York State grades and standards. There are four grades—Fancy Grade, Grade "A," Grade "B," and Grade "C." Eggs below Grade "C" are deemed inedible and unfit for human consumption. The store proprietor is required to designate the grade of eggs he offers to the customer. Violators of the grading law are prosecuted.

Other violations of the Agriculture and Markets Law involve baby veal, Japanese beetle quarantines, misbranding of seeds and apples, cider vinegar, frozen desserts, vanilla ex-

tract, maple syrup, curd cheese, bees and many others.

It is in the field of stock frauds that the Attorney-General's Office handles so many sad and tragic cases. They are sad because the victims in most cases should know better. They are tragic because the victims in most cases cannot afford the losses involved. I have stated many times in the press and from the platform that people do not go out of their way to make fortunes for others and certainly not for strangers or mere acquaintances. Yet stock swindling continues. I am shocked at the gullibility of normal people who entrust their money or stocks and bonds to total strangers. It is a harsh term but eminently descriptive—they are "suckers." Upon their greed for quick fortune, the swindlers thrive.

From their offices, located in telephone booths or in their hats, these rogues scan their "sucker" lists, chuckle, pick up the phone and go to work. Every day they find new victims and every day some of their victims come to us to tell their pitiful stories. I am sure some of these stories will interest you. I hope they will cause you to be on your own guard and remember that the surething stock salesman isn't going to give a "sucker" a break. I assure you these cases are true even if they seem incredible.

There was the case of a woman in Brooklyn who met a stranger in an automobile and gave him \$30,000.00 in cash. He promised to make her fortune. That is all he did for her. She finally arrived at our New York City office. Believe it or not, she didn't know his name or his auto license number and doubted that she could recognize him if she saw him again because he had spoken to her for the first time over the telephone shortly before she met him in the automobile. But she demanded we do something about it. She lost her \$30,000.

Some years ago, I sent to prison one Harold Russell Ryder, the Broadway play-boy of his time. He was the leading figure in the \$2,000,000 collapse of a brokerage house. He served three years of his sentence and was released on parole with the express warning and restriction that he was not under any circumstances to participate in the securities business again. Shortly after his release from prison, he exhibited signs of wealth. We investigated and found

him operating two brokerage offices. The amazing thing, however, was that most of his clients knew he had served a term in prison. They went back to him, in spite of that, because they felt that Harold was a financial genius who would make them quick and large profits. Harold agreed with them that he was a financial genius—he scalped his admirers for \$300,000.00 out of which we were able to salvage only \$15,000. I still say once a swindler always a swindler. I still ask, nevertheless, why will people refuse to heed repeated warnings, why will they return to be singed by the same old flame.

Then we had the case of the gentleman from California—the self-styled reincarnation of the brother of the engineer who built the pyramids. He claimed to have helped Edison with the electric bulb and Ford with the Model T; to have designed the allied trenches during the World War and to have accomplished many other great engineering achievements. When he came to New York, he had a new one—perpetual motion for refrigerators. The going was rough at first. But things picked up soon after. He formed a partnership with a waitress who turned clairvoyant. Trusting women seeking solace or information of or communication with loved ones long since dead got to the point where they placed great faith in this medium. Soon they were induced to seek advice as to investments. It was then the waitress-clairvoyant said she knew just the right man to advise them—the great engineer with a great invention. They should seek him out. They did and they were clipped—by the gentleman their writs of habeas corpus, brought from California. Our investigation disclosed that he pictured himself as having taught Burbank all he knew about horticulture—as the prospective designer of the master automobile, and of an aeroplane capable of flying one thousand miles per hour. He had mulcted plenty of unsuspecting women for plenty, yet we were able to find only \$2.15 in his bank account. We were unable to convict these two. Do you know why? None of his victims would make a complaint. In fact, in the midst of our investigation, they signed a petition to the Attorney-General in which they accused his office of persecuting a genius and

pleaded with the Attorney-General to let him go his way to bigger and better things. You figure it out. I can't.

The victims, however, are not always those in modest circumstances. A successful industrialist in Manhattan, anxious to grab a few dollars profit above the market price, actually mailed certificates of a valuable stock to an alleged broker after a request over the telephone. After its mail delivery, the package was picked up by a messenger. Investigation showed the alleged broker had rented a mailing address with about thirty others in a one-room office. No one there knew him. The stock was gone. Now, wouldn't you think a successful business man would know better? It was just another case of greed overcoming reason.

Once in a while the prospective victims are lucky. Three or four summers ago, a school teacher of advanced years from Western New York accompanied by an attorney, rushed to our Albany office. It was after office hours when they arrived but one of the Assistants was still there. She told how the day before she had turned over \$20,000 of negotiable bonds to a salesman who was going to double her money. Fortunately, she became worried almost immediately and consulted her attorney. He rushed her to Albany. The Assistant at Albany called our New York City office and related the circumstances to another Assistant. The latter promptly communicated with the New York and Boston Police Departments. In twenty-four hours we had recovered the school teacher's bonds intact. This is the exception, not the rule, although, in 1940, we were able to recover over \$560,000 for defrauded investors.

Some of the schemes put forth as affording investment possibilities are amusing. There is the one concerning a frog farm in Florida. For \$5.00, one could purchase a male and female frog in a little cage located in the Florida swamps. There was no limit on the number of pairs one could purchase. One was assured of a wonderful profit. The syndicate already had an order for 10,000,000 frog's legs for Mussolini's army in Ethiopia.

Then, there was the genius out on Long Island, who, in connection with a model home development, had a scheme whereby chickens

could be raised in the cellars without difficulty or noxious odors, but, most important of all, without roosters. The chickens would fertilize through the medium of soft music. Certainly these schemes are fantastic, yet some people actually invested in them.

I trust I have outlined enough of the schemes and practices of stock swindlers to make you wary. If you have money to invest or are going to sell or trade your securities, I ask you to use the same common sense you would use in buying a house, furniture or a car. Deal with a reputable stock broker, consult your banker or lawyer. Remember, too, that all the swindlers are not men—some of the cleverest are women who make it a point to travel in the society of women of means. They are all alike—male or female—and have but one purpose, to make a fortune not for you but for themselves.

The Attorney-General is called upon to prosecute monopolies which tend to raise prices. Some of those we have broken up include the Brooklyn Laundry racket, the Italian bakery racket, the painters combine and many others. We also prosecute the illegal practice of medicine, dentistry and optometry.

In Labor matters, we enforce the law as to working hours and conditions, employment of women and children in industry, failure to carry workmen's compensation and unemployment insurance, and many other things. Even in your sports we take a hand when violations of the Conservation Law are reported. These include hunting and fishing out of season, fish netting, and sale of game or fish out of season.

The State also protects the interests of our unfortunate insane. In addition to providing excellent hospitals and care for them, it protects their property and money. It is part of the work of the Department of Law to have committees appointed to handle the funds and other property of incompetents and to check on the activities of those so appointed.

No one likes to pay taxes but most of us do. There is always, however, a small group which tries to evade payment. We sue them to recover the tax, plus interest and penalties. Last year we collected \$387,000 of delinquent taxes.

Probably ninety-nine per cent of the prisoners in our penal institutions feel they should not be there.

It is another one of the Attorney-General's jobs to see that they are kept there. This is done by opposing to secure their release.

In the course of a year, the State enters into many contracts and requires the execution of many surety bonds for the faithful performance of contracts. All of these documents must be approved by the Attorney-General. The State also acquires millions of acres of land for reforestation, forest preserve, parks and other public purposes. The title to these lands must first be searched and approved by the Attorney-General before the purchase price is paid and title accepted by the State. This work is handled by the Real Property Bureau of the Department of Law.

when the Comptroller is ready to invest State moneys in various securities, the legality of such transactions must be passed upon by the Attorney-General. Each of the Departments is always asking for such opinions as to some of its official acts. It is in this branch of work that the Attorney-General has the most intimate relationship with all the duties and problems of all the other State Departments and Officials. He is truly the "trouble shooter" of the State Government, for upon him rests the duty of guiding legally those Departments and Officials. He must have full knowledge of all their duties for, when a question arises involving the legality of their acts he must know not only the law but the method of procedure



A year ago, when subversive doctrines became a paramount danger in the United States, Attorney General Bennett organized a squadron of his department corps to combat them. Here, he consulted with his Albany district squadron, including, front, left to right: Timothy Cohan, Edward L. Ryan, Mr. Bennett and Wendell P. Brown; rear: Joseph M. Mesnig (now State Tax Commissioner), John C. Crary and Isaac I. Marks.

The State must, at times, sue some of its individual citizens to recover money damages for negligence. Many of these actions arise from damage to State property such as highway guard rails and canal property. Other actions are brought for breach of contracts and to recover State moneys deposited in banks. All these matters are handled by the Litigation Bureau.

One of the most important functions of the Attorney-General is the rendition of formal legal opinions to various State officials. This is a daily occurrence. For example, if the Comptroller desires to sell a bond issue running into millions of dollars, he first requests an opinion from the Attorney-General as to the validity of the issue. Conversely,

usually involved by other Departments.

The constitutionality of many laws passed by the Legislature is attacked in the courts of our own State as well as the Federal courts. It is the duty of the Attorney-General to defend the constitutionality of those statutes in the State and Federal courts. Some of the actions successfully defended by the writer during his tenure of office attacked some of the most significant social and progressive measures ever enacted into law. They include:

1. Defense of the constitutionality of the Workmen's Compensation Law when it was attacked by the Dahlstrom Metal Door Company of Jamestown, N. Y.

# The Federal Tax ON PENSIONS

BY BEULAH BAILEY THULL

2. Defense of the constitutionality of the law barring prison made goods from competition in the open market.

3. Defense of the first unemployment insurance law when it was subjected to test before the United States Supreme Court.

4. Defense of the State's right to regulate milk industry within the State.

5. Defense of the Industrial Homework Law protecting factory workers from sweatshop competition of those working at home.

6. Assertion of the right of the State to charge power companies rental for the use of water taken from the Niagara River.

7. Supporting the right of the State to tax salaries of employees of Federal agencies.

8. Defense of the right of the Governor to frame a constitutional budget—the "itemized budget."

9. Defense of the Governor's power of removal in cases of elected public officials.

10. Support of constitutionality of Section 57-a of the Railroad Law under which the Interstate Commerce Commission ordered a rate reduction of one cent on coach fares, and which was attacked unsuccessfully by the Long Island Railroad.

In the field of National Defense, the Attorney-General was named by the Legislature as a member of the New York State Council of Defense. At the request of that Council, I have assumed the duty of investigating and reporting on applications for road closings and the posting of "no entry" signs under the laws which are designed to prevent sabotage. This work is done by regular members of the staff of employees in addition to their other duties. We also conduct certain investigations of subversive activities in cooperation with the Federal Bureau of Investigation.

I have tried in this brief resume to picture for you the nature of the work of the Department of Law and how it performs its duties. I feel you will have a better conception of how it protects the rights and interests of the People of the State of New York in all courts, from that of the Justice of Peace to the United States Supreme Court. The Department of Law plays a very substantial part in the orderly conduct of your State Government.

The article in the October issue of the State Employee on the 1941 Federal income tax seems to call for a postscript. Numerous letters have come into headquarters asking what is the tax liability of the person on retirement. Is the pension check beyond the reach of the tax collector?

The retirement allowance is not subject to the State income tax but after a certain time it is subject to the Federal income tax.

The way of arriving at that fatal day when part of our monthly retirement allowance must go to the Federal government is a circuitous one. So probably a concrete example will afford the clearest explanation.

Mr. Retirement Fund Employee retired on July 1, 1941, will have an annual allowance from the State of \$2,091.52. (Of this \$557.76 is from his own contributions, \$1,533.76 from the State's matching and prior service. This fact is not essential to our problem but just shows how lucky we old timers of pre-pension days are). His total contribution to the pension fund since it went into effect it \$6,341.17.

The Federal law tells us that in order to determine our taxable gross income we must take this \$6,341.17 of total contribution and multiply it by 3%. (Don't ask why the 3%, so sayeth the law).  $\$6,341.17 \times 3\% = \$190.24$ . For the first fiscal year \$190.24 would be Mr. Retirement Fund Employee's total taxable gross income. The remaining \$1,901.28 would be non-taxable income.

Now, as the Federal government allows the head of a family an exemption of \$1,500, or a single person an exemption of \$750 and also deductions for certain taxes, contributions, etc., our friend would have no tax to pay on his \$190.24 of gross income. Of course, if he has many investments and other sources of income, he would have to add this \$190.24 to the other and suffer the consequences.

But there are two parts to the story. Under the Federal law if and when your non-taxable yearly income equals the amount of money you yourself have contributed to the pension fund, from then on your en-

tire yearly income from the State must be considered as gross income.

Mr. Employee's non-taxable yearly income has been \$1,901.28 or \$2,091.52—\$190.24. (Remember two paragraphs back we obtained that \$190.24 by multiplying the total contribution of \$6,341.17 by 3%). Now, he must divide the total contribution of \$6,341.17 by \$1,901.28, the non-taxable yearly income, so as to find out how many years before his benefits will equal his contributions and he will again become a joyful taxpayer.  $\$6,341.17 \div \$1,901.28 = 3\frac{1}{3}$  or 3 years and 4 months.

Mr. Employee retired July 1, 1941. On November 1, 1944, 3 years and 4 months later Mr. Employee must begin considering the \$2,091.52 his annual payment from the State retirement fund as taxable gross income.

From this he can subtract his exemptions if there are any by 1945, and his deductions, i.e., contributions, taxes, etc., and upon the remainder he must pay a Federal income tax. In other words from November 1, 1944 on, his yearly retirement allowance of \$2,091.52 is for all Federal income tax purposes the same as the yearly salary of one actually employed.

The question will arise in the minds of those who have been retired for many years as to from when one starts figuring. As yet there has been no ruling but it would seem that it must be with 1939 income as that was the first year's income upon which State employees had to pay a Federal tax. It just could not be retroactive.

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# The Capitol Beat . . . .

There apparently has been more outdoor work done by farm women and children during the 1941 planting and harvesting seasons than at any time since the first World War, says the Department of Agriculture.

Losses of produce due to scarcity of harvest help has been relatively small. Defense production and selective service reduced farm labor shortage to 52 per cent of normal by October 1.

But farmers, traditionally industrious, apparently made up for it in hard work.

\* \* \*

From Millicent Mills, the feminine advisor for the Bureau of Milk Publicity, comes a squib addressed to "the smart women." to wit:

"Milk supplies minerals, vitamins, proteins and carbohydrates in the well balanced ration needed for perfect health. It is the richest food source of calcium which not only keeps bones strong and teeth beautiful, but helps to clear the skin, keep it soft, smooth and beautiful.

\* \* \*

What are the chances of a draftee going places in the Army? Brig. Gen. Ames T. Brown, State selective service director, says 28 per cent may reach commissioned, warrant officer or non-commissioned grades; 31 per cent may reach the grade of first-class private, which leaves about 417 out of every 1,000 just plain privates.

\* \* \*

For the first time in recent history, the State will permit shooting of antlerless deer this fall, in an experimental 3-day season in Rockland and Steuben Counties December 8, 9 and 10.

Special licenses may be obtained in Rockland on December 1 and 2 only and, in Steuben County, on November 10 to 15, inclusive. The experiment is to determine a desirable method for decreasing the excessive ratio of females over males believed to exist among the State's deer herds.

\* \* \*

State factory employment rose 2.5 per cent from mid-August to mid-September and payrolls mounted 3.8 per cent for the same period.

Analyzing the defense employ-

ment picture, Industrial Commissioner Frieda S. Miller said: "Although most factories making defense materials continued to expand, the rate of increase is declining since peak activity for existing facilities is being approached.

"Several non-defense plants," she said, "began to lay off workers this month due to lack of materials."

\* \* \*

Meanwhile, during September, the State Employment Service filled a total of 63,007 jobs—17,930 in manufacturing alone. The figure constituted the third highest monthly total in the Service's history, exceeded only by two months in 1933 and 1934, when extremely large placements were made with the Civil Works Administration.

\* \* \*

September benefit payments of the Unemployment Insurance Division dropped 24 per cent from the August level in New York City and 12 per cent in the rest of the State. The smaller up-State decline was due to increased payments in seven offices, particularly in Buffalo, where a shift of workers is underway from automotive to aircraft production.

\* \* \*

New York farmers spend \$152,000,000 per year on farm supplies and wages, the 1940 census disclosed.

Here's where it went in 1939: feed for livestock, \$59,905,711; machinery, \$19,630,108; building materials and fencing, \$14,276,418; gasoline and oil, \$10,154,356; fertilizer, \$8,841,464; wages, \$37,958,608.

\* \* \*

Department of Agriculture agents broke a Brooklyn-Albany-Troy ring last month. The charge, bootlegging olive oil. Brand name of the oil: "Pulcella" and "Lucca." One of the Albany distributors told investigators he supposed the oil to be half cottonseed oil.

\* \* \*

Remember these Washington notices insisting the nation's hens get busy and up (or should it be down) production? Well, in New York State, September egg production amounted to 10.4 million dozens, some 11 per cent higher than the 1940 figures for the month.

"Amount \$102.81, on \$74.50, at 10 per cent. What is the time?" One member of the Division of Examinations and Testing of the State Education Department made the quick comeback: "9.35"—she had peeked at the clock.

The question was one on a Regents examination in arithmetic dated November 10, 1876, recently donated to the New York State Library by Mrs. Peter Wyckoff Neefus of Forest Lawn, Webster, Monroe County, N. Y. She found it during a search of her storeroom and recalled that she had taken the examination when she was 15 years old.

Comparing the work on this examination with the one given last June gives emphasis to Mrs. Neefus' comment: "I'd hate to pass one of today's. However, I did pass with highest marks those like the one I am sending you. I am proud to say I always had good Regents ratings."

The old test is on a thin sheet of paper, 8 by 3½ inches. It is titled "31st Preliminary Academic Examination," and was for the second session. Last June's arithmetic examination bore the legend "281st High School Examination," so it is just 250 examinations from the one described.

The modern way of stating the question opening this article might be: "How much time would be required to raise the value of a note of \$74.50, held at 10 per cent, to \$102.81?" The answer, incidentally, is three years, nine months and 18 days, if the years are considered as made up of 12 30-day months, and the interest is not compounded.

The English in another question was the source of amusement: "Allowing a person to perform a certain journey in 13½ days, by traveling 10 hours a day, in what time ought he to perform the journey if he travel 11¼ hours per day?" How many of us "perform" a journey today; who thinks of using the word "ought" for an arithmetic test, and who today employs the true subjunctive form "if he travel"?

The shift in interest from an agricultural economy to modern life is shown by comparing the following

(Continued on page 274)

# Red Cross

## CHAPTER NUMBER 1

By ARTHUR POUND  
State Historian

A proud "first" in New York history was recently celebrated at Dansville, Livingston county, in a public ceremony which marked the founding there, 60 years ago, of Clara Barton Chapter No. 1 of the Red Cross. In 1881 when that significant event took place, Dansville was the summer residence of Clara Barton, one of the most extraordinary women of nineteenth century America. Her work in nursing sick and wounded Union Soldiers during the Civil War had won the hearts of her fellow countrymen. Later her service in the Franco-Prussian War of 1870 acquainted her with the methods of the International Red Cross. Although the International Red Cross Committee had been established by treaty in 1864, the United States hesitated to sign the Geneva pact. Pressure for recognition finally won the approval of President Garfield for the American Association of the Red Cross. This society was organized in Washington on May 21, 1881, and the Dansville Chapter was established on August 22nd following, as the Dansville Society of the Red Cross. The date was the 17th anniversary of the Treaty of Geneva.

Infant Chapter No. 1 faced a severe test within a month when a forest fire in the Thumb district of eastern Michigan brought a call for help. Then America saw flying in action for the first time the white banner with its scarlet cross which has since been carried into nearly every area of pain and hunger throughout the world. Work rooms were opened in Dansville for the making of bandages and garments. Food, medicines and money were collected and carried forward with the aid of the County Clerk of Livingston county, Major Mark J. Bunnell. His reports of Michigan's desperate need brought offers of assistance from all sections of the United States to the little village whose organization was showing a Nation how to cope with sudden disaster. Citizens of Rochester asked Miss Barton to establish there a society which quickly mobilized generous assistance; and Syracuse followed

suit. In all \$80,000 was raised in cash and materials.

The sum was small, judged by modern standards; but the people of Michigan did not forget that ready response. Sixty years later telegrams from the Governor of Michigan and the Chairman of the St. Clair Chapter, extolling the prompt generosity of the New York chapters in ministering to Michigan's distress, were read in Dansville at the commemorative gathering there.

The American Red Cross now numbers more than 3,000 chapters. When disaster comes these chapters mobilize dollars by the million and volunteer workers by the tens of thousands, a striking contrast to conditions in 1881. When Michigan called for help, only a handful of devoted persons in a single New York village were organized to take up the challenge to humanity. Fortunately, they had at their head in the person of Clara Barton one of the great commanders of her age, and consequently the call for aid found Chapter No. 1 prepared in spirit for the first American Red Cross Relief mission. State-wide recognition of that historic action should be one of New York's treasured memories.

*Editors Note: The Albany County Chapter of the American Red Cross recently requested President Harold J. Fisher to act as Chairman of the Public Employees Division for the American Red Cross Roll Call for Membership, which commenced November eleventh. Mr. Fisher willingly consented and is doing everything possible to assure that State workers do their share in this work of mercy. Members of the Association throughout the State will probably be approached by their local Red Cross Committees. They are also urged to do their part.*

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## The New Comptroller



HON. JOSEPH V. O'LEARY

Joseph V. O'Leary, 55, stepped into the post of State Comptroller last month by appointment of Governor Lehman as successor to the late Morris S. Tremaine of Buffalo.

Comptroller O'Leary, head of a family of six, was moved up from the directorship of the Division of Standards and Purchase, where he supervised a quarter of a million dollars in State spending annually.

A lawyer, once attached to the legal offices of Senator Robert F. Wagner, Mr. O'Leary was born on New York's East Side, attended Manhattan College and Fordham University. He was named to the purchasing job in 1939.

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# New Safety Responsibility Law

CARROLL E. MEALEY

*New York State Commissioner  
of Motor Vehicles*

*Editor's Note: This is the first of three articles by Commissioner Mealey explaining this new law to the readers of the "State Employee." The second and third articles will appear in succeeding issues.*

The employees of the State have a peculiar interest and obligation in respect to law enforcement in general and this new statute in particular. Only a few of you to be sure, will be directly concerned with its administration. Nevertheless, all of you are looked up to by the public, as well as by your neighbors and friends, as authorities on these questions of State law and administrative procedure. For this reason your position carries with it a greater responsibility than that of the ordinary citizen. Your attitude and your personal example in obedience to the statute will be even more important than your ability to explain it to others. Nevertheless, I would gladly, if I could, turn you all into individual information bureaus. A new law is so often, as you realize, resented merely because it is strange. Its provisions may be quite reasonable and simple to observe, yet people grumble and hang back because it is not yet part of their routine and custom. We must take them through this period of adjustment by patient explanation and good example. I make a special appeal to you, therefore, as responsible citizens and loyal servants of the State to acquaint yourself thoroughly with the provisions of this new law and to give it your leadership and intelligent support.

I propose in this first article to give you a broad summary of its purposes and main provisions. In the two articles to follow I will describe its specific requirements in more detail and discuss a number of practical points which have aroused question and comment.

This is in a very real sense the people's law. It was adopted by the 1941 Legislature unanimously. Any measure that passes the Legislature without a single vote against it in either Senate or Assembly must cer-

tainly have the weight of public opinion behind it. Nevertheless it is not my intention to claim that the statute as it stands is perfect. No law of such broad scope and wide effect could work with entire satisfaction without the benefit of trial and error experience. We shall not be reluctant to amend it if experience shows it necessary. Meanwhile it is our duty to administer it and the public's obligation to obey it.

Turning now to its broad purposes we observe that the measure has two very closely related aims. It proposes in the first place to rule off our highways those who are financially irresponsible. They must take out some standard and reliable form of protection or suffer the cancellation of their driving privileges. We cannot any longer permit them to put upon innocent people the burden and cost of their recklessness. The day of this irresponsible driver is done and few of us can have any regret at his passing.

Secondly, the law applies strong penalties against the irresponsible in such a way as to promote safe driving. The motorist is plainly warned that if he is involved in serious accident, he will suffer not only the loss of his driving privileges but he will be required also to post cash security against damage claims. The law warns him also that a bad record of minor infractions and careless driving on his part may bring about the suspension of his driving license.

This promotion of safety and caution in driving is a vital feature of the new law. Most of us realize the tragic seriousness of our driving accidents. Last year 2,452 of our State's citizens were killed in traffic accidents, and 94,845 were injured. These are mere figures on paper, but put them into terms of suffering and disaster to your own family. Imagine this suffering spread for instance to every family in our city of Albany.

The personal injury and death of our people is motoring's greatest disaster, but every such accident involves also a heavy financial loss. The yearly damage to property alone in this State from traffic accidents is estimated to exceed \$64,000,000. If we add to this the medical expense and loss of wages of the victims, we

swell the total well above \$100,000,000 yearly.

Plainly enough these risks of loss and damage claims are too overwhelming to be borne by the individual driver or car owner. A moment's distraction of attention or error of judgment can so easily wipe out the savings of a life time. Yet, many people otherwise careful and cautious in their daily lives have neglected to safeguard themselves with the simple protection which is available. The law seeks, therefore, to bring home to everyone of us the stern necessity of providing ourselves with sound financial protection against our own mistakes and the cost of these mistakes to others.

By persuasion if possible, by penalty if necessary, the law directs us to the common sense remedy of a bond or insurance policy. Self-protection, however, is the keynote of its procedure and rigid regimentation is avoided. This is not a compulsory insurance law. It treats us as free and responsible citizens and offers us full opportunity to recognize and meet our obligations in our own way. But one thing is certain, after January first those who neglect this self-protection and thereafter fall into serious accident will meet with real and painful penalties. They will be deprived of their driving privileges until they put up cash security sufficient to cover the damages and legal judgments that might be brought against them. In the end after this delay and expense and before their driving license is restored, they will have to take out the same sort of a bond or insurance policy which they could so easily have obtained before the accident happened.

In my next article I shall go into more detail in regard to the practical provisions of the law.



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# The 6th Annual Meeting

## The Capitol Beat

(Continued from page 271)



The New York State Employees' Federal Credit Union held its annual meeting of officers and committee members on September 29th, at the Hotel Meurice, New York City. This cooperative organization has its offices located in the New York State Office Building in New York City and was started in March, 1935, with five members and the sum of twenty-five dollars. It has now approached a membership of 1,500 with shareholdings of over \$110,000.00.

Among those present at the meeting were: Hon. C. R. Orchard, of the Credit Union Section of the Farm Credit Administration of Washington, D. C., who was the principal speaker; Hon. Frieda S. Miller, Commissioner of Labor; Hon. Jacob Manicoff, Deputy Commissioner of Taxation and Finance; and

Deputy Superintendent of Banks, George A. Porter. The officers of the credit union, Hugh J. Murphy, Harry H. Hirsch, Sidney G. Rosenberg, John I. McGrath, James G. Carlin, Alfred W. Jones and Carl Typermass, were congratulated upon the fine progress and development of the organization.

The topics discussed were the credit union acting as fiscal agent for the federal government in the sale of defense bonds, methods of furthering beneficial services for the members and new regulations issued by the Federal Reserve Bank. The Treasurer predicted that members of the union would accumulate one quarter of a million dollars in a few years and reported that since organization over \$600,000 was loaned to New York State employees.

subject matter of the questions, the 1876 reference always coming first: cost of hay, cost of gasoline; fencing at so much a rod, measuring a garden by feet; long cords of wood, the number of men in an army division; eggs at "18¾ cts." a dozen, a radio at \$90. In addition, the modern examination includes some geometry and some algebra and takes three hours for the entire test, whereas the "second session" of the 1876 test took two hours all by itself.

Usually, this declaration is posted prominently in the examination room and the pupil merely writes: "I do so declare" at the bottom and signs his or her name.

The 1876 examination becomes the oldest in the possession of the State Education Department. The next oldest start in 1891.

The staff of the Division of Examinations and Testing agreed that the type of questions used in 1876 tested a limited number of mental processes as compared with 1941's. Computation held first place, they declared. It was assumed that the first session of the examination was in mental arithmetic, dictated by the proctor. The modern arithmetic examination is calculated to bring into play as many different processes as possible.

### GAMMON'S

259 State St. Tel. 3-7365

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**Luncheon 11:30 to 2 P. M.**

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**Group Dinners by Appointment**

Available for business or social meetings. Private dining room. Noon or night. **Home cooked foods.**

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## PREPARE NOW

Water Safety and Life-Saving Class starts November 7th. Preliminary swimming test.

Class meets Friday from 7 to 9 P. M. for 20 weeks.

Attendance required for at least 15 sessions. FEE \$5.00

Inquire about our December Ski Class

HEALTH EDUCATION DEPT., Y. W. C. A.  
5 LODGE STREET

# Low-Cost Life Insurance

IS AVAILABLE TO ALL STATE EMPLOYEES

through the GROUP PLAN  
sponsored by your Association

**SPECIAL FEATURES of the GROUP PLAN are:**

1. Low-cost made possible by group purchasing.
2. Easy payment through payroll deductions.
3. Broad coverage, paying for death due to any cause.
4. Same rates apply to all employees regardless of the hazard of occupation.
5. No Medical Examination if application is made within first 90 days' service with State, otherwise a medical examination is necessary, without expense to the applicant.
6. Conversion Privilege without medical examination.
7. Claims are usually paid beneficiary within 24 hours of time the Association is notified.
8. Over \$500,000.00 paid to 300 beneficiaries since the establishment of the plan in 1939.

**Could there be any better reasons why you should make application for insurance under the Group Plan TODAY?**

If you are not already a member of the Group Life Plan, fill out the coupon below and detailed information will be sent you promptly. If you are already a member, call the Group Life Plan to the attention of new fellow employees.

(DETACH ALONG THIS LINE)

THE ASSOCIATION OF STATE CIVIL SERVICE EMPLOYEES  
Room 156, State Capitol, Albany, New York.

Please send information concerning the Group Life Insurance Plan.

.....  
*Name*

.....  
*Address*

## First Thanksgiving

(Continued from page 262)

lish a constitution of government for their safety and happiness."

The bill was passed in spite of the objections of a few anti-federalists and on October 3, 1789, Washington issued a proclamation appointing Thursday, November 26, 1789, as a day of thanksgiving.

This may be considered the first national Thanksgiving Day, since it was the first one proclaimed by a president of the United States.

Five years later at the successful termination of the Whiskey Rebellion (1795), Washington issued another Thanksgiving Day proclamation.

Several of the other early presidents followed Washington's example and issued Thanksgiving proclamations. Perhaps the most important of these was the proclamation of President Madison in 1815 at the close of the second war with Great Britain.

It was customary for the governors of the various states to act on the recommendation of the President in fixing the date for the thanksgiving.

In 1817, Governor DeWitt Clinton of New York took the lead in designating a fixed day for an annual Thanksgiving. Soon other northern states followed New York's precedent.

Although the roots of the custom may be found back in the beginnings of our nation, its final crystallization into an established national tradition came largely as the result of the persistent work of one woman, Sarah Josepha Hale.

In 1827 Mrs. Hale, as editor of the Ladies Magazine, published in Boston, started her campaign to make Thanksgiving a national holiday.

With the merging of The Ladies Magazine with Godoy's Lady's Book in 1846, Mrs. Hale as literary editor redoubled her efforts.

Each year she wrote personal letters to the President of the United States and to the governors of the various states and territories urging that they issue Thanksgiving proclamations.

The replies which she received were given publicity in her editorials. Each year more governors complied with her request. The general abandonment of the proclamations at the outbreak of the Civil War

spurred her on to greater endeavor.

Her long years of constant work which was often very discouraging was finally rewarded when President Lincoln issued his first Thanksgiving Day proclamation.

From the days of the Civil War to the present there has been little change, a spirit of friendliness, thankfulness and good will being always the keynote of the day.

Thanksgiving—American, Greek, Indian, whatever—persists as a force for good over most of the globe.

## The Annual Meeting

(Continued from page 257)

the Mental Hygiene Association; and Charles McBreen of Rockland State Hospital, and Herman Redmond of St. Lawrence State Hospital, who are on the Executive Committee of that Association.

Also attending were Harry Schwartz, Buffalo State Hospital; August Eitzen and Louis Garrison, Hudson River State Hospital; Fred Walters, Middletown State Hospital; Ethel Kuehnle, Marcy State Hospital; Howard Kingston, Craig Colony; Alexander Maran, Manhattan State Hospital; Daniel Grall, State Reconstruction Home, W. Haverstraw; Hugh Williams, Wallkill State Prison; William McCarroll and Percy Larabee, Matteawan State Hospital, Beacon; Joseph McMahon, State Agricultural and Industrial School, Industry; Sgt. Anthony Stanwix, Troop G., Division of State Police, Troy; Frank Fetter, District No. 8, Department of Public Works, Poughkeepsie; J. O. Clintman, District No. 7, Department of Public Works, Watertown; and John W. Gould, District No. 6, Department of Public Works, Hornell.

## SPIRELLA

Garments made to order according to your measurements, including girdles, corsets, also one-piece garments, brassieres and maternity garments.

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Trip  
\$3.55



# In - Service Training Notes

*Edited by Albert H. Hall, Chief, Bureau of Public Service Training, and Secretary, Regents Council on Public Service Training.*

The Bureau of Training of the New York City Civil Service Commission has announced a course in Safety in Operation and Maintenance of Motorized Equipment. The course is sponsored by the Department of Sanitation in cooperation with the Greater New York Safety Council. It is open to all municipal employees charged with the operation and maintenance of motorized equipment. Nationally recognized safety training authorities and department officials are offering twelve safety lectures. Service rating credit will be given to those attending 80 per cent of the lectures and completing successfully the final examination. The Greater New York Safety Council will award certificates to all who obtain a final examination grade of 70 percent. These certificates may be offered for educational credit in appropriate civil service examinations where rating may be based, in part, on education and experience.

\* \* \*

The State Fire Defense Training program administered by the State Education Department for the State Defense Council and the State Fire Defense Committee has issued two important publications. One concerns the organization and training of civilian auxiliary fire fighting forces. The other deals with industrial fire prevention and protection. Schools are now in operation in twenty counties with more than 9,000 volunteer firemen enrolled.

\* \* \*

The first State-wide training school for Municipal Housing Officials was held in Albany on October 29-31, 1941. The course was presented by the Municipal Training Institute of New York State in cooperation with the State Division of Housing, State Conference of Mayors and the State Education Department. Federal, State and local housing officials composed the instructional staff. Instruction was given in the

development of federal, State and local housing programs; housing surveys; project planning; slum clearance; community service and relations; tenant selection; management problems; operation and maintenance problems; accounting procedures and records and reports.

\* \* \*

New problems in mental hygiene and in the control of certain acute communicable diseases are featured in a series of one-day institutes for public health nurses now being conducted in various communities throughout the State by the State Department of Health. In larger centers each institute is repeated on the following day for the convenience of the nurses employed by Visiting Nurse Associations, City Health Departments and other agencies.

\* \* \*

Major John A. Warner, Superintendent of State Police, has designated eight troopers to attend the civilian defense course offered by the Chemical Warfare Service of the United States Army at Edgewood Arsenal, Maryland.

\* \* \*

Part two of a course on Criminal Law Enforcement in the City of New York will open on November 19. The course is sponsored by the Court of Special Sessions in cooperation with the Bureau of Training of the New York City Civil Service Commission. Chief Justice William R. Bayes and Chief Clerk Morris Ploscowe of the Court of Special Sessions are serving as Course Chairman and Director, respectively. Instruction will be given by leading officials of agencies concerned with this work. Sixteen sessions will be devoted to discussions of criminal law enforcement and organization and functioning of the courts; the theory and practice of probation and parole; the institutional treatment of offenders and interrelationships of law enforcement agencies. The course is open for in-service training credit to all city employees in the service ratings system of the New York City Civil Service Commission who either have social service titles or are in departments, bureaus, services or titles en-

gaged in criminal law enforcement. The course is open for educational credit to members of the uniformed force of the Police Department and to staff members of various State agencies.

\* \* \*

The Division of Adult Education and Library Extension of the State Education Department has organized a course of instruction for clerical library workers in the Long Island area. Instruction is being given by the staff of the Division in mechanics and organization for service; library tools and aids and public relations. Forty students are enrolled.

\* \* \*

The Bureau of Police of New Rochelle is conducting a course in Photography as applied to Law Enforcement for certain members of its staff. Instruction is being given by a commercial photographer assisted by qualified photographers from the New York Police Department, the Federal Bureau of Investigation and the Eastman Kodak Company. Sixty hours of instruction will be given with a final examination at the conclusion of the course. Public Service Training certificates will be awarded to successful students by the State Education Department.

\* \* \*

One hundred thousand volunteer nurse aides between the ages of 18 and 50 and with at least high school education are to be trained during the next twelve months under the auspices of the United States Office of Civilian Defense, in collaboration with the American Red Cross and major hospitals of the country. The curriculum has been prepared by the Medical Division of the Office of Civilian Defense, the American Red Cross and the Federal Security Agency. It consists of four weeks' intensive instruction in local Red Cross Chapter houses in collaboration with local hospitals and nurse organizations followed by three weeks' supervised practice in hospitals. Graduates of the course will be enrolled in the volunteer nurses aide corps of the American Red Cross and will be assigned to agencies through a special placement bureau maintained by the Red Cross.

# IMPORTANT NOTICE

1. Have you answered all questions on the opposite side of application carefully. Don't forget to give any details of aches, pains, sickness or accidents suffered by you. This does not necessarily mean your application will be declined. We will do everything possible to issue for you.
2. Please remember if you are OFF THE STATE PAYROLL at any time, for any reason, you should PAY your premiums DIRECT so your policy will not lapse.
3. If you are not a member of The Association of State Civil Service Employees of the State of New York, join now by paying your dollar to a representative or by sending it to the Association, Room 156, State Capitol, Albany, N. Y. Membership is necessary for the continuance of this insurance.
4. Remember, MEDICAL ATTENTION is necessary once every seven days during any period for which you claim indemnity.

## SALARY GROUPINGS, BENEFITS AND PREMIUMS

### Look at These Low Rates

In case you don't use the easy pay salary deduction plan, then use these rates.

ANNUAL SALARY	MONTHLY INDEMNITY	ACCIDENTAL DEATH BENEFIT	SEMI-MONTHLY PREMIUM	SEMI-ANNUAL PREMIUM	ANNUAL PREMIUM
Less than \$600.	\$ 30.	\$500.	\$ .45	} This amount is deducted from your pay each pay day	\$ 5.65
\$ 600. but less than \$1,000.	\$ 50.	\$500.	\$ .75		\$ 9.25
\$1,000. but less than \$1,200.	\$ 60.	\$500.	\$ .85		\$10.45
\$1,200. but less than \$1,600.	\$ 75.	\$500.	\$1.05		\$12.85
\$1,600. and over	\$100.	\$500.	\$1.45		\$17.65

Note: Maintenance, commutation, and time service, if any, may be added to cash salary to determine salary group.

SEND IN YOUR APPLICATION TODAY TO C. A. CARLISLE, JR.

## TER BUSH & POWELL, INC.

423 STATE STREET

SCHENECTADY, NEW YORK

**IF YOU ARE NOT ALREADY INSURED CLIP OUT THIS APPLICATION . . . FILL IT OUT AND MAIL TO TER BUSH & POWELL, INC., TODAY !**

**IMPORTANT—BE SURE TO SHOW YOUR DEPARTMENT AND DIVISION OR INSTITUTION**  
**Application for N.Y. State Employees C.S. Group Plan Accident and Health Insurance**

I hereby apply to The Commercial Casualty Insurance Co., Newark, N. J., for a policy to be based upon my answers to the following questions:  
Principal Sum

**PLEASE READ CAREFULLY, Answer Each Question**      **\$500**      Date \_\_\_\_\_ 19\_\_\_\_

Name in Full (print) \_\_\_\_\_

Residence \_\_\_\_\_ City \_\_\_\_\_

Place of Business \_\_\_\_\_ Department \_\_\_\_\_ Division or Institution \_\_\_\_\_ City \_\_\_\_\_

Date of Birth \_\_\_\_\_ Height \_\_\_\_\_ ft. \_\_\_\_\_ in. Weight \_\_\_\_\_ lbs.

I am employed as \_\_\_\_\_ My regular duties are \_\_\_\_\_ (Explain Fully)

Have you to the best of your knowledge and belief any diseases or infirmities, have you ever been treated for or advised that you have tuberculosis, except as follows? (Answer Yes or No) \_\_\_\_\_

Have you within the past five years had medical or surgical advice or treatment or any departures from good health or have you had, or been advised to have, an operation? If so, (give details) (Answer Yes or No) \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_  
 Nature and Cause \_\_\_\_\_ Duration \_\_\_\_\_

Has any application for Life, Accident or Health Insurance ever made by you been declined, postponed or rated up? \_\_\_\_\_

Name of Beneficiary (in full) \_\_\_\_\_ Relationship \_\_\_\_\_ (Must be Estate or Relative)

Address of Beneficiary \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_

I understand and agree that the policy to be issued upon the basis of this application shall be void unless I am on duty and regularly employed at the time this insurance becomes effective, even though payment has been made by deduction or otherwise and I represent that each and all of the foregoing answers are true and complete.

I apply herewith for membership in | The Association of State Civil Service Employees of the State of New York

Monthly indemnity applied for \$ \_\_\_\_\_ **IMPORTANT: Read the Other Side of This Application**

**VERY IMPORTANT NOTICE**

Policy will take effect with first deduction from pay check, or, if you desire, it can be made effective as of the date your application is approved by the home office, PROVIDED a payment of one month's premium (twice the semi-monthly prem.) is submitted with your application.

Are you enclosing one month's premium for this feature? \_\_\_\_\_

Signature of Member \_\_\_\_\_

Is your salary paid monthly?  semi-monthly?

If on a monthly basis is it paid 10 or 12 times per year? \_\_\_\_\_

Policy No.	Effective Date	Monthly Incl.	Premium
		\$ _____	

BE SURE TO ANSWER THESE

# The Application

BY C. A. CARLISLE, JR.  
*Ter Bush & Powell, Inc.*

The application for the Group Plan of Accident and Sickness Insurance is reproduced on the opposite page. This application, like any other application, is a very important part of the insurance plan. The reason for the application is to assimilate all the facts regarding the person to be insured.

In 1936 and 1937 anyone could get this insurance without reference to their past medical history of physical condition. Since then the application has been made a part of the policy and the policy is issued only on the facts as set forth in the application. A person having histories of aches, pains, accidents and illnesses and diseases should give these facts in the application in the proper place. Then, if possible, the Company will issue a policy, sometimes however, with a limiting rider due to a pre-existing ailment or disability. Don't be led astray by the fact that you may think that your pre-existing condition was not serious, was only a minor ailment. Put the facts in the application.

Now look at the application on the opposite page. Note, it asks for date of birth (this is necessary because policies are not issued after age 59, but the insurance may be carried to age 70). Remember, then, you must apply before age 59. Next you are asked your height and weight. This is important because extremely heavy people, or extremely light people, according to their height, cannot be insured, and a maximum and minimum weight table is used by the Underwriting Department of the Commercial Casualty Insurance Company in underwriting these applications.

Then comes one of the most important questions in the application: "Are you free from diseases and infirmities?" This question means that if you have had rheumatism, arthritis, neuritis, chronic sinus trouble, backache or pains of any kind in the last few years, complete information should be given in the application. It also means: Are you deformed, is your eyesight impaired, have you any chronic disease, or have you in the last few years had any chronic

disease, serious injury, or ailment of any kind? If so, don't forget to give all and complete facts in your application.

The next question is—"Have you within the past five years had medical or surgical advice or treatment, or any departure from good health, or have you had, or been advised to have an operation?" Because if you have had any medical or surgical advice or treatment or any departure from good health in the past few years, complete information should be given to our Underwriting Department, so that they can carefully consider all the ailments, and determine definitely whether or not, a policy can be issued to you. If the complete and accurate facts are not given in the application, then you only have trouble when a claim arises, because by reference to your time record, by means of hospital records, etc., complete facts are reported to the Insurance Company at the time that you have a claim—then it is necessary to cancel your policy for breach of warranty, if the facts were not fully stated in your application. If you give true and complete facts in your application, you will never have any trouble with a claim, and your claim can be paid more promptly, more accurately and to your entire satisfaction.

It is also important to note further on in the application, the statement: "I understand and agree that the policy to be issued upon the basis of this application shall be void unless I am on duty and regularly employed at the time this insurance becomes effective, even though payment has been made by deduction or otherwise, and I represent that each and all of the foregoing answers are true and complete." In other words, if you make out your application, and after that you become ill, or are injured in an accident before your insurance becomes effective, before the deductions are started, naturally your insurance cannot become effective when you are disabled.

**IMPORTANT NOTICE.** You see all these policies become effective with the first deduction from your pay unless you desire the insurance

to become effective as soon as it is approved at the Home Office of the Insurance Company, in which case you should enclose one monthly premium, which is twice the semi-monthly premium shown on the back of the application, with your application.

On the back of the application, we have attempted to point out some of the important facts concerning the insurance, and in addition to that we have listed the rates and the amounts of indemnity available according to the annual salary of the State employee.

Over \$600,000 in benefits have already been paid out to State employees under this Group Plan of Accident and Sickness Insurance. Benefits are now running around \$20,000 per month. There are over 400 claims being paid every month. You may be the next one to be sick or injured. It is to your benefit to carry this insurance if you are in good health and good physical condition and can get a policy issued to you.

This Plan has been made available to you by your own Association. They have worked long and hard to prepare for you benefits that will be worthwhile. The policy is extremely broad and contains practically no exclusions. The price of this policy cannot be met anywhere by any other insurance company, because practically all other policies carry exclusions of one kind or another, carry limiting factors in their insuring clauses, and you should carry as your primary insurance, as much as your salary will permit, under this, the Group Plan of Accident and Sickness Insurance, sponsored by your Association for the benefit of its members only.

If there are any questions about this article, about the application, or about the insurance whatever, do not hesitate to write C. A. Carlisle, Jr., Ter Bush & Powell, Inc., 423 State Street, Schenectady, N. Y.

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**Help Defend Your  
Country by Buying  
U. S. Defense Bonds**

---

## Resolutions Adopted

(Continued from page 261)

### EQUALIZATION OF VACATIONS

"WHEREAS, in as much as employees in the same department receive unequalized vacation leave per annum, let it be

"RESOLVED, that the Association of State Civil Service Employees of the State of New York sponsor a bill for the equalization of vacation leave per annum for all employees in the same department."

### RETIREMENT AFTER 25 YEARS' SERVICE

"RESOLVED, that the Association of State Civil Service Employees of the State of New York support the stand that the number of years of service for optional retirement be reduced to twenty-five years."

### MORATORIUM INCREMENTS

"BE IT RESOLVED, that increments withheld during the pay moratorium period be accorded to all employees affected."

### TIME OFF FOR ARMISTICE AND MEMORIAL DAYS

"BE IT RESOLVED, that the Association request the Governor to emphasize the fact that leaves for Armistice and Memorial days for Veterans be in addition to regular vacation or time off, thus avoiding the confusion which has hitherto resulted in the time referred being deducted from regular off time periods."

### TRANSFER FROM HOSPITAL RETIREMENT SYSTEM TO STATE SYSTEM

"BE IT RESOLVED, that members of State Hospital Retirement System be permitted to change to the State Retirement System with transfer of such funds as may be involved."

### THREE WEEKS FOR VACATION FOR INSTITUTIONAL EMPLOYEES

"BE IT RESOLVED, that all employees of State institutions be granted at least 3 weeks vacation period in each calendar year and the eleven legal holidays or their equivalent."

### FIVE DAY WEEK

"WHEREAS, there has been in the past few years a constant and independent adoption of the five day work week in private business and industry, and

"WHEREAS, many governmental agencies, including Municipal and Federal agencies, are now operating under the five day week, and

"WHEREAS, it is the prevailing consensus of health authorities that a five day work week is materially conducive to the physical well-being of workers,

"THEREFORE BE IT RESOLVED, that this Association take appropriate measures to secure for State employees a work week of five days."

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933. Of The State Employee, published monthly except April, July and August, at Albany, New York, for October 1, 1941.

STATE OF NEW YORK }  
COUNTY OF ALBANY } ss.

Before me, a Notary Public, in and for the State and county aforesaid, personally appeared Charles A. Brind, Jr., who, having been duly sworn according to law, deposes and says that he is the Editor of The State Employee, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:

Publisher, The Association of State Civil Service Employees of the State of New York, Room 156, State Capitol, Albany N. Y.

Editor, Charles A. Brind, Jr., State Education Building, Albany, N. Y.

Managing Editor, Charles A. Brind, Jr., State Education Building, Albany, N. Y.

Business Manager, J. D. Lochner, 849 New Scotland Avenue, Albany, N. Y.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.)

The Association of State Civil Service Employees of the State of New York, Room 156, State Capitol, Albany, N. Y. No Stockholders.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.) None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is ..... (This information is required from daily publications only.)

CHARLES A. BRIND, Editor.

Sworn to and subscribed before me  
this 1st day of October, 1941.

Clifford Westervelt,

(My commission expires December 31, 1943.)

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# In - Service Training

## CIVIL SERVICE CREDIT

*The following communication from the New York State Department of Civil Service on the subject of credit allowance for completion of in-service training courses will be of interest to every State employee.*

October 8, 1941.

"Mr. Albert H. Hall, Chief  
Bureau of Public Service Training  
The State Education Department  
Albany, New York.

"Dear Mr. Hall:

"This is in regard to your letter in which you state that the Bureau of Public Service Training of the State Education Department has been engaged for 4 years in the development of in-service training programs for State and local employees and that the State and local employees are requesting your Bureau to seek, through the State Department of Civil Service, formal credit for successful completion of public service training courses, particularly in connection with civil service examinations.

"I presented the matter to the State Civil Service Commission at its meeting on September 17, 1941, and it is the view of that Commission that credit will be given for the completion of these courses, in rating of training and experience in civil service examinations, but that it cannot fix a definite number of credits for such allowances to be used in such training and experience ratings. The Commission feels that the amount of credit to be allowed for a course completed by an applicant for a civil service examination would vary with the degree of applicability of the course to the class and grade of position sought by the applicant, and it is for this reason that no definite number of credits can be established which should be given for such courses regardless of the type of position sought.

"It has been the practice of the Civil Service Commission to give credit for any types of formal education in rating a candidate in the subject of training and experience in practically every civil service examination, but the weight of such credit has varied naturally with the type

of position for which the examination was held and also the appropriateness of that education for the particular position sought, and naturally the Commission will have to follow a similar procedure with regard to giving credit for the in-service training courses.

"In-service training credit will be awarded by the Commission only on the basis of completion of the courses and submission of certificates and other evidence of satisfactory completion of the courses according to the standards of the State Education Department.

"With regard to crediting in-service training in the establishment of service record ratings for employees, the Commission as at present informed does not feel that this is a proper place for allowing the credit, for the reason that the service record rating should represent strictly the effectiveness and efficiency of the employee as demonstrated on the job."

Very truly yours,

DEPT. OF CIVIL SERVICE  
By (Signed) F. H. Densler.

Executive Officer.

Thirst  
knows no  
season

DRINK **Coca-Cola** 5c  
TRADE-MARK

## Insurance for Members in Military Service

(Continued from page 263)

cities come with the Act and this may also include membership dues or assessments where these are charged in addition to the insurance premiums.

Policies are not eligible to transfer which exclude death on account of the war hazard either in this country or abroad or which contain any provision for payment of any extra premium on account of the war hazard.

The protection as to life insurance policies is extended only to persons in actual service and does not include contracts held by their dependents. Within the one year period following the termination of army or naval service, the insured may resume normal premium payments but must reimburse the Veterans Administration for all premiums advanced by it. If no reimbursement is made, the policies become cancelled and the amount of the premiums advanced, including interest charges, is deducted by the government from whatever cash surrender value the policy might possess. However, the insured is not liable for any deficit which might remain.

The insured may make application for benefits under this Act by completing a required form and forwarding it to the Veterans Administration Bureau, Washington, D. C. It is understood that copies of this form may be secured through the commissioned officers of the unit to which the soldier or sailor may belong.

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# Local Activities All

## Rochester Dinner

A "Get Acquainted" Dinner was held at Brooklea Country Club on October 21st for all Rochester members of the Association of New York State Civil Service Employees. The purpose of the dinner was to lay the groundwork for the serious work ahead which will be involved in the formation of a new Rochester Chapter. The first regular meeting will be held on November 13th. At that time the constitution of the proposed chapter will be discussed and considered. The officers of the chapter will be nominated at this meeting, and the election will be held in December.

Members of the organizing committee who were also in charge of the dinner included: D. H. Petrie, D.P.U.I.; Wm. N. Posner, Department of Labor; Walter Prien, Education; Carroll Lewis, Social Welfare; Neil Goodman, Taxation and Finance; Roy Quandt, D.P.W.; Miss Rebecca Busch, State Fund; Leslie Stutzman, Agriculture and Markets; William DeRoo, Conservation.

## Buffalo Party

The Buffalo Chapter of the Association will hold its Annual Fall Party on November 10th, at Eggertsville Hose Company at Snyder, N. Y.

Willis Clark has been appointed chairman of the committee on arrangements, and is aided by Laura Clancy, Alex Wysocki, Fred Dopp, Edward S. Hylant and William McKernan.

The Buffalo Chapter promises a good time for all who attend. Anyone in the Buffalo area who is interested should contact the Association representative in his department.

## New Working Hours at Dannemora

Through the efforts of the Dannemora State Hospital Employees' Association and the cooperation of Dr. Blakely R. Webster, Superintendent of the hospital, a new schedule of working hours has been put into effect. The new schedule calls for three eight-hour shifts rather than overlapping nine hour periods. The new shifts run from 6 A.M. to 2 P.M.; 2 P.M. to 10 P.M.; and 10 P.M. to 6 A.M.

## Ogdensburg News

At the State Hospital's Employees' Retirement System meeting held on October 3, 1941, at the Hotel Seymour, Ogdensburg, New York, Alva Henry was elected chairman to represent the St. Lawrence State Hospital. Approximately twenty-eight members attended the meeting and banquet. Daniel C. Farley was named vice-chairman for the ensuing year. Mayor Francis B. Burns of the City of Ogdensburg was guest speaker at the banquet and gave an interesting address on municipal administration.

Those present included: Mayor B. Burns, Dr. J. E. Brown, James T. Adams, Percy A. Amsden, Sandy Ault, Mrs. Theresa Bradish, Ralph K. Briggs, Julia Burke, Mr. and Mrs. George W. Conger, Roy Johnston, Walter Landry, Alvin McFadden, Sara McIntosh, Walter H. Miller, Mrs. John Mitchell, Charles Ormiston, Levi D. Premo, Margaret Reddon, Herman Redmond, Mrs. Horace Conger, Mrs. Mary F. Crobar, Charles Cunningham, William Dilcox, William Fadden, Daniel C. Farley, Alva Henry, George E. Hensby, and Ira H. Holmes.

Speaking before 300 employees of the St. Lawrence State Hospital on October 8, 1941, at Curtis Hall, Mr. C. A. Carlisle, Jr., of Albany, New York, gave an interesting explanation of the group life and health insurance plan sponsored by the State Association of Civil Service Employees.

Mr. Carlisle, who has spoken at similar meetings at other State Hospitals in the State, said the attendance here was by far the largest he had yet addressed. He also spoke on labor conditions, both within State Hospital employment circles and outside, and discussed legislation planned which will interest State employees.

The meeting was sponsored by the State Hospital Employees' Association of the St. Lawrence State Hospital of which C. Gilbert Beck is president, and who presided at the gathering.

During the evening a social program was held and prizes which had been donated for the purpose were distributed to winners of games.

Plans are now under way for an employees' Hallowe'en masquerade and dance to be held at Curtis Hall on October 30, 1941.

## Binghamton Dinner

Governor Lehman and Lieut. Gov. Poletti have been invited to speak at the first annual dinner of the newly formed Binghamton Chapter in the Hotel Arlington in Binghamton, January 17.

Expected to attend are State Senator Roy M. Page and Assemblyman Orlo M. Brees and Floyd Anderson, all from the Binghamton area.

In charge of arrangements is Mrs. Margaret Moran, chairman of the chapter's social committee. Members from the social welfare, unemployment insurance, health, labor, parks and conservation departments are working for the success of the affair.

## Tax Employees Dance

Those strange sights seen on the streets of Albany Thursday evening, October 30 was no invasion from Mars but Tax Employees and their friends heading for Legion Hall on New Scotland Avenue where a Hallowe'en Dance was held by the Mechanical Division Unit of the Tax Department.

With corn stalks, hallowe'en decorations, round and square dancing, costume prizes and music by Lew Staley (of the Tax Department) and his orchestra, nothing but a gay old time could be had.

The committee handling the affair consisted of Ethel Haswell, Chairman, assisted by Gladys Dailey, Jane Higgins, Loretta Dineen, George Hayes, Lawrence Maher and Arthur Schmeiser.

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# Over the State

## Syracuse State School Employees Association Reorganizes

At a recent meeting of the members of the Employees' Association of the Syracuse State School, it was decided to reorganize the Association so that it could Cooperate One Hundred Per Cent with The Association of State Civil Service Employees of the State of New York. Mr. Henry J. Schwackhamer was named as Temporary Chairman and new officers will be elected at a meeting of the members to be held November 5th, all indications are that this meeting will be the largest in the Association's history.

The Association will remain affiliated with the Association of Employees of the Department of Mental Hygiene of the State of New York.

A membership drive is to be started at once, with one hundred per cent membership of the employees the goal.

A committee will be appointed to call upon the Legislative Representatives of Onondaga County, regarding the necessity of the salaries of the employees of the Department of Mental Hygiene being raised to meet the rapid increase in the cost of living.

## Middletown Elects

At the Annual Meeting of the Middletown State Hospital Employees' Association on October 10, the following officers were elected for the ensuing year: President, James McNeil; 1st Vice-President, Jack Cline; 2nd Vice-President, Howard Shumake; 3rd Vice-President, Guy Edwards; Secretary-Treasurer, Fred J. Walters; Sergeant-at-Arms, Hank Hoffmeister; Delegates, Fred J. Walters and Sam Decker; and Alternates, T. Stevens and Roy Deneroy.

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## Ogdensburg Party



Mrs. Salina Grennon and Eleanor Thayer say "come and get 'em while they're hot" at the St. Lawrence State Hospital Employees Outing. Roy Smith works equally as hard to pass out refreshments to everyone.

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# JOHN G. MYERS

## A Constitution Amended

The following resolution embodying an amendment to the Constitution of the Association was presented and adopted at the Annual Meeting of the Association October 21st. In accordance with the provisions of the constitution the proposed amendment was ordered printed in our magazine,

"WHEREAS, the Executive Committee of the Association at a meeting duly held on June 23, 1941, duly adopted a resolution to incorporate the Association as a membership corporation under the name "The Association of State Civil Service Employees of the State of New York, Inc." pursuant to the provisions of the Membership Corporation Law; and

"WHEREAS, a certificate of incorporation was duly approved by a Justice of the Supreme Court on June 24, 1941, and by the Board of Standards and Appeals on June 27, 1941, and was thereafter duly filed in the office of the office of the Secretary of State of the State of New York on July 2, 1941, I now move adoption of the following motion:

"The Association approves, ratifies and confirms the action of the Executive Committee in causing the Association to be incorporated and hereby decides and determines to continue its purposes as a membership corporation under the name "The Association of State Civil Service Employees of the State of New York, Inc."

"To accomplish the foregoing change in the form of organization of the Association, I also move that the constitution of the Association be amended as hereafter set forth in writing and that the proposed amendments be published in the official magazine of the Association and that the proposed amendments be voted upon at a meeting of the Association to be held after the publication of said proposed amendments in the official magazine as aforesaid.

### PROPOSED AMENDMENTS TO THE CONSTITUTION

1. Amend Article I to read as follows:

#### ARTICLE VI

##### Name

This organization shall be known as The Association of State Civil Service Employees of the State of New

(Continued on page 285)

## Report of the Treasurer

The following report in digested form was submitted by Treasurer Earl P. Pfannebecker at the Annual Meeting, October 21st. This report was submitted by a complete record of every receipt and disbursement during the period, and by a statement verifying the balances on hand in the various banks, signed by officials of the respective banks. Prior to the meeting the accounts of the Treasurer were audited and approved by the Chairman of the Association's Auditing Committee, Eugene O. Maxwell.

### REGULAR ACCOUNT

Cash Balance, October 15, 1941.....	\$21,223.41
<b>Receipts, October 16, 1940 to September 30, 1941:</b>	
Membership Dues .....	\$35,028.00
Advertising in The State Employee.....	2,864.46
Interest on Savings Accounts .....	133.88
Sale of Examination Study Booklets.....	1,031.61
Sale of Emblems, Pins and Books .....	453.88
Group Life Insurance Premiums paid in cash to Association Headquarters .....	566.22
Accident and Health Insurance Premiums paid in cash to Association Headquarters.....	42.05
<b>Total Receipts .....</b>	<b>40,120.10</b>
<b>TOTAL TO BE ACCOUNTED FOR.....</b>	<b>\$61,343.51</b>

### Accounted for as follows:

#### Expenditures:

Printing of The State Employee, bulletins and pamphlets .....	\$17,002.18
Office supplies and stationery, including paper, envelopes, supplies and repairs of mimeograph, addressograph, multigraph and other office machinery .....	1,615.17
Miscellaneous office supplies including typewriter rental, cooler service, postage meter rental, news paper clippings, etc.....	838.44
New Office Equipment, including desk, lamps, typewriter chairs, bookcase, typewriter and filing cabinets .....	295.87
Postage and express.....	2,395.97
Telephone and Telegraph.....	339.07
Legislative Index Service.....	100.00
Surety Bonds, Officers and employees .....	105.00
Employees' Annuity Policy, to be deducted from salary .....	303.00
Unemployment and Social Security Taxes .....	350.62
Expenses of officers, representatives, delegates, and all committees, including traveling expenses.....	3,770.92
Appeal of Manville Compensation Case .....	250.00
Group Life Insurance Premiums paid in cash to Association Headquarters turned over to Travelers Insurance Company.....	566.22
Accident and Sickness Insurance Premiums paid in cash to Association Headquarters turned over to Insurance Company.....	42.05
Purchase of Emblems, Pins and Books.....	429.09

#### Salaries:

Counsel .....	2,700.00
Executive Secretary .....	2,806.35
Office Employees .....	3,313.19

<b>Total Expenditures .....</b>	<b>\$37,223.14</b>
Cash Balance, October 1, 1941.....	24,120.37
<b>TOTAL ACCOUNTED FOR.....</b>	<b>\$61,343.51</b>

**Deposited as follows:**

National Commercial Bank & Trust Co., Albany.....	\$13,081.23
National Savings Bank, Albany.....	5,608.15
City and County Savings Bank, Albany.....	5,205.99
Manufacturers Trust Co., New York City.....	200.00
Petty Cash Fund.....	25.00

Total deposited .....\$24,120.37

**SPECIAL INSURANCE ACCOUNT**

Cash Balance, October 15, 1940.....\$ 326.55

**Receipts, October 15, 1940 to September 30, 1941:**

Group Life "T" Rate Differential.....	\$13,404.42
Group Life Insurance Premiums paid in cash to Association Headquarters.....	11,383.67
Group Accident and Sickness Insurance Premiums paid in cash to Association Headquarters.....	679.41
Hospitalization Insurance Premiums paid in cash to Association Headquarters.....	460.70
Sale of Books.....	279.60
Expenses reimbursed by Insurance Company.....	1,216.51

Total Receipts .....\$27,424.31

**TOTAL TO BE ACCOUNTED FOR.....\$27,750.86**

**Expenditures:**

Group Life Insurance Premiums paid in cash to Association Headquarters forwarded to Travelers Insurance Company.....	\$11,383.67
Accident and Sickness Insurance Premiums paid in cash to Association Headquarters forwarded to Insurance Agency.....	679.41
Hospitalization Insurance Premiums forwarded to Associated Hospital Service, Inc.....	460.70
Insurance refunds—adjustments of premiums.....	570.73
Receipt from sale of books, forwarded to news agency.....	277.80
Portion of cost of printing The State Employee, etc....	2,700.00
Postage.....	2,665.00
Expenses of officers, delegates, representatives and committees.....	1,075.00
Office supplies and expenses, including telephone and telegraph, state and federal taxes.....	567.93
<b>Salaries:</b>	
Counsel.....	900.00
Executive Secretary.....	360.00
Office Employees.....	5,528.00

Total Expenditures .....\$27,168.24

Cash Balance, October 1, 1941.....582.62

**TOTAL ACCOUNTED FOR.....\$27,750.86**

**Deposited as follows:**

First Trust Company, Albany.....	\$ 582.62
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**A Constitution Amended**

(Continued from page 284)

York, Inc. The headquarters of the Association shall be maintained in the City of Albany.

2. Amend the first sentence of Section 1, Article VIII, to read as follows:

**ARTICLE VIII**

**Executive Committee**

Section 1. There shall be an Executive Committee consisting of the officers, one representative from each State department and the chairman of each standing committee, and such Executive Committee shall constitute the Board of Directors of the Association. Each department representative shall be elected by ballot by the eligible members employed in his department. Such representative, if unable to attend any meeting is empowered to appoint a proxy to act in his place. If the department fails to elect a representative, or to fill a vacancy the Executive Committee is empowered to appoint a member from such department to fill such vacancy."

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# Recommended For Reading

Prepared by the  
Book Information Section of the  
New York State Library

## FICTION

**Botany Bay**, by Charles Nordhoff & J. N. Hall. (Atlantic-Little, Brown bks.). Little. \$2.50.

Stranded in London after the Revolutionary War, the young American Loyalist, Hugh Tallant, turns to highway robbery to obtain money to return to Nova Scotia, and promptly finds himself among the first convicts ever to be sent out to New South Wales. Here, with that mingling of authentic historical detail and romantic interest for which the authors are well known, are recorded the bitter and adventurous experiences of Hugh and the little group of convicts, with whom he identifies himself, during the years of semi-starvation and despair he spends in the penal colony until several of the group make a perilous escape and hazardous voyage of a thousand leagues to the Dutch Indies.

**My Friend Flicka**, by Mrs. Mary O'Hara. (Story Pressbk.). Lip-pincott. \$2.50.

Western ranch life and the activities involved in the raising of blooded horses furnish the background of this delightful and romantic story of ten-year-old Ken, a dreamy boy often in the bad graces of his father through his forgetfulness and blundering. When Ken is allowed to choose a colt of his own, the golden and beautiful Flicka, with a wild strain in her blood, he not only wins her confidence, but is transformed himself into a responsible human being.

**Salt of the Earth**; tr. by Pauline de Chary, by Joseph Wittlin. Sheridan House. \$2.50.

A humble, illiterate, naive little railway porter attains a brief moment of glory (the right to wear a signalman's cap), during the early days of the first World War, and is then caught up in the draft and herded with other recruits on the journey to the front. Peter's reactions as he is transformed from a civilian of a remote Galician village to a soldier of the Austro-Hungarian **Landsturm**, and introduced to discipline and to terror illustrate the confusion of mind and spirit of

countless "unknown soldiers" the world over, while the trappings of the typical officer's mind are evoked with devastating irony. The first of a three volume epic by a distinguished Polish man of letters.

**Wakefield's Course**, by Mazo De la Roche. (Atlantic-Little, Brown bks.). Little. \$2.50.

Like the weaver of some rich, colorful and unending tapestry, Mazo De la Roche catches up in this eighth volume of her *Jalna* saga, old threads of unresolved situations and draws them into new and exciting patterns as the Whiteoak family enters upon the spring of 1939. Renny, enticed by word of an unknown horse which might be trained to win the Grand National, crosses to Ireland to see Johnny the Bird, and then visits Wakefield and Finch, established in London. How a ghost out of Renny's past rises up to separate Wakefield and the young actress he loves is but one of many engrossing episodes involving the highly individualistic Whiteoaks.

## NON-FICTION

**Big Family**, by Bellamy Partridge. (Whittlesey House pub.). McGraw. \$2.75.

Father who figured as the central character in the author's **Country lawyer** appears again in this breezily humorous chronicle of one of those typically big families of the '80's. Here the sixth child of the full complement of eight describes through countless incidents the ways and methods used by the above-mentioned Father and Mother in bringing up the children in a household where family solidarity was as natural as breathing, where there was plenty of fun and where cleanliness, punctuality and manners were painfully important, and where the children frequently resorted to ingenious devices to evade parental edicts, sometimes to their own discomfiture.

**The Book of Maggie Owen**, by Marget Owen. Bobbs. \$2.

For the few months of 1908 that twelve-year-old Maggie Owen, Irish and irrepressible, was writing this diary, she was desperately ill more than once, but managed to get a black eye in a fight with a neighbor boy, and often contrived to slip away to run over the hills "like a wild

thing," when she was not occupied with falling in love. Maggie, as captivating as her diary, was determined to lead a noble life always, "am I let," one moment engrossed with her dolls and puppies, or bent on explaining, when she burned her dress, "twasn't careless I was, sure the spark jumped right out at me," and the next moment, romantically sighing, "I don't seem to age as fast as I would like."

**Native American; The Book of My Youth**, by R. S. Baker. (David Grayson, pseud.). Scribner. \$3.

In the spring of 1875 when the author was five years old, the Baker family moved to the frontier wilderness of northern Wisconsin. In this delightfully absorbing narrative, there is much about Baker's father who played such a tremendously stimulating part in his early life. Here, too, are his college experiences, the actualities of life learned as a country-school teacher, his joy in tramping and in the common things of every-day existence, his interest in labor and social problems while a journalist and his ambition to write. Everywhere the accent is on the youth's readjustments to the new world with its new problems after the old free life of the frontier, which was then becoming a thing of the past.

**Tomorrow Will Come**, by E. M. Almedingen. (Atlantic-Little, Brown bks.). Little. \$3.

After a lonely childhood spent in moving from one bleak and grimy abode to another with her young mother whose gallant efforts to earn a living by teaching English were unavailing, the author found herself facing the stormy, chaotic years after the Russian revolution, alone, her mother dead, her relatives absorbed in their own problems.

*The Book Information Section of the New York State Library announces an exhibit of books, suggested as Christmas gifts, to be held in Room 329E of the Education Building, the week of November 24-29, Monday through Friday, 1:30 to 5 P.M. and Saturday, 9 to 12 M.*

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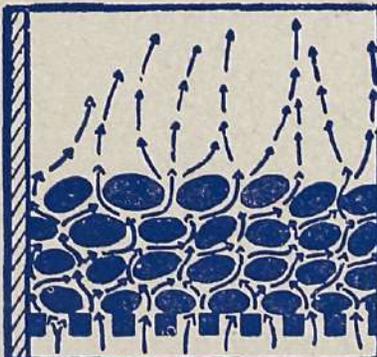
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# A Man and His Job



Thanksgiving reminds us, among other worthwhile things, of our Association membership privilege and responsibility. A man's job is actually a very important part of a man. It reflects somewhat his social and political concepts.

A man's job should have much to do with promoting a man's happiness. Collections of jobs build churches, schools, museums, parks, theatres, and homes. These facts are what make membership in an organization having to do with jobs so important.

State employees are no longer beset as workers with the question: "What labor group shall we belong to?" They have their own organization. Thirty-five thousand State workers in a constructive movement have built up in their Association not only an institution for themselves, but a model for public groups in other states and countries.

In New York State there is unity in one state-wide, all state-employee organization, and that is the one which the workers created with their own hands and which they have nurtured with loyalty to the position of the outstanding labor organization among public workers in the United States.

Part of your year-round joy may well be your membership in your own workers' organization — The Association of State Civil Service Employees.

Mr. Charles B. Heisler  
State Education Dept.  
Albany, N. Y.

