

# Washington State Cemetery Association

<http://www.rootsweb.com/~wapsgs/>

Issue 3 Number 2, April 2002

P.O. Box 103, Port Orchard WA 98366, [wsca@charter.net](mailto:wsca@charter.net)

## Cemeteries often contain historically unique plantings

by Athena MacDonald

Patricia Toolan, a member of Heritage Roses in Australia, Inc., and a Churchill Fellow, is traveling to America, France, Italy and Germany "to investigate the preservation and conservation techniques and strategies of old rose and plant varieties in cemeteries." On this unique tour, Toolan stopped at the Sacramento Old City Cemetery, and discussed her vision of the future of heritage roses in our cemeteries, and why she became interested in saving them in the first place.

The Churchill Fellowship was established in 1965, the year that Winston Churchill died. It is a grant that was formed to perpetuate and honor Sir Winston's memory, by awarding money to a deserving Australian from any walk of life for use on a project of their choice. Of 50 applicants from across Australia, 13 were called in for panel interviews with Toolan receiving the award.

Toolan hails from a small town near Angaston in Southern Australia. This area receives approximately 20 inches of rainfall a year, which is similar to Sacramento's annual rainfall, and one of the reasons she chose Sacramento to visit.

After becoming a member of Heritage Roses in Australia, Inc., she was introduced to cemetery roses by a close friend. Because she lives on 80 acres of land, she felt able to take cuttings and suckers from the cemetery roses home, and it seems it's a lucky thing that she did. Over the years, Toolan would go back to the cemeteries where she had originally gotten her roses, and found that the caretakers would spray or "whippersnip" (weedeat) them out. Instead of seeing these roses as beautiful reminders of the past, the cemetery caretakers saw them as pests that needed to be eradicated.

Unfortunately, not just cemeteries are involved in the destruction of these old roses. One day while driving along the



One of the many heritage roses found at the Old City Cemetery, Sacramento, CA.

freeway outside of Farmhouse, Southern Australia, she noticed the roses that had grown along the side of the road for about 100 years were looking sickly. Concerned that they were dying she called the highway department who gave her the "it's not our problem" speech. She finally got in contact with a local council that was supposed to take care of the roses and was told that they had been sprayed. When she asked why, she was told that there are two types of pest roses in Southern Australia, the Canina or Dog Rose, and the Sweetbriar rose. Because these roses had been growing in that area all of the roses had been sprayed. It was around this time that she was told about and decided to apply for the Churchill Fellowship.

One of the ways that Toolan is investigating and conserving old rose and plant varieties is through the development of an Old Rose Registry. This registry is akin to another registry that was begun in 1951. The reason the registry had been started was because of a single type of peony and rose that had been brought from Cornwall, England, on HMS DESIREE in 1878. The

*continued to page 10*

*Rose of all Roses,  
Rose of all the World!  
You, too, have come  
where the dim tides  
are hurled  
Upon the wharves of  
sorrow, and heard  
ring  
The bell that calls us  
on; the sweet far  
thing.*

- William Butler Yeats

### Inside

*Inventory of  
monuments  
Page 11*

*New law for veteran's  
headstones  
Page 11*

*Thomas Hastie, stone  
carver  
Page 12*

*Guidestar  
Page 14*

*The Law  
Page 15*

*continued from page 9*

*American Rose Society*  
P. O. Box 30,000  
Shreveport, LA 71130-0030  
318-938-5402  
[ars@ars-hq.org](mailto:ars@ars-hq.org)  
[www.ars.org/](http://www.ars.org/)

*The Heritage Rose Group*  
Secretary, Bev Dobson  
916 Union Street #302  
Alameda, CA 94501  
<http://thefragrantgarden.com/hrg.html>

*WA Native Plant Society,*  
7400 Sand Point Way NE  
Seattle, WA 98115  
206-527-3210  
1-888-288-8022  
[wnps@wnps.org](mailto:wnps@wnps.org)  
<http://www.wnps.org/>

*California Historic Cemetery Alliance*  
PO Box 255345  
Sacramento, CA 95865-5345  
[chca@inreach.com](mailto:chca@inreach.com)  
<http://www.califhistcemeteries.org/>

*Sacramento Historic Old City Cemetery*  
1000 Broadway  
Sacramento, CA 95814  
916-264-7490  
<http://www.oldcitycemetery.com/>

peony and rose are still growing and currently are taken care of by two families in two different suburbs of Adelaide, the capital of Southern Australia.

The registry that Toolan started had a very rocky beginning. After contacting 50 different councils across Australia, she only received 17 replies. Many of the replies stated that they did not have any roses to catalog. Only slightly discouraged, she began writing letters to newspapers throughout Australia, and from these, she received around 80 replies from people who were interested in or had knowledge of special roses that were either unknown, or had only been passed down through families. One of the roses that she was told about is named the "Buffalo Rose." The Buffalo Rose is thought to have been brought to Australia on the first settler's ship called HMS BUFFALO. One can see just how important these roses may be in helping to preserve our heritage.

Using a grant from the History Trust, Toolan developed plaques to be placed with heritage roses in cemeteries that inform visitors about the need to protect the roses. In addition, she provides a letter to the cemetery that gives information on the rose including the probable history of the rose(s), the historical value, the horticultural value, and how to care for them. Toolan visits the cemetery with information and plaque in hand and discusses the roses with the cemetery authority. She has found this is a method to which most are receptive.

When heritage roses are discovered, Toolan and others take clippings from the mother plant to take home and develop new bushes. They feel that leaving the mother plants in situ is the best plan for their preservation. Ideally, they make three new plants and all future clippings are taken from these.

The most difficult part of the project is determining the name of the rose. Research is conducted to try to locate the original name of the rose. One rose was identified using the journal of the woman buried next to the plant. Many others

may never be named.

At Toolan's stop in Sacramento, she met with heritage rose societies and the California Historic Cemeteries Alliance (CHCA) to discuss her program, and she toured The Sacramento Old City Cemetery.

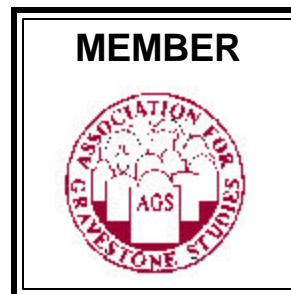
Sixteen years ago the Old City Cemetery was a wasteland of headstones, statues, copings, mausoleums, and lots of weeds. In 1986, Dr. Bob LaPerriere (founder/president of CHCA) saw a tremendous need at the old cemetery and along with a loosely formed group of people, began the overwhelming task of restoring the cemetery. Today, with the help of the local heritage rose society and others, the cemetery is one of the most lush gardens in Sacramento with a large heritage rose garden in one area. Most other plots are full of flowers, also.

Four groups make special trips to the cemetery to examine many of the over 200 varieties of heritage roses. While visiting the cemetery, one can't help but think of the old-fashioned cemetery parks that were in vogue at the turn of the 19th century.

If you would like more information on Heritage Roses in Australia, Inc., contact Patricia Toolan at [pattoolan@hotmail.com](mailto:pattoolan@hotmail.com) or write PO Box 568, Angaston, Southern Australia 5353.

---

*Athena MacDonald is a full-time student at Western Washington University in Bellingham, WA. She has a background in journalism and is a member of WSCA. Athena donates her time as office assistant and as copyeditor.*



## Inventory of monuments dedicated to fallen soldiers

The National Cemetery Administration (NCA), part of the Department of Veterans Affairs (VA), and Save Outdoor Sculpture! (SOS!), are partnering to undertake an exciting new project to inventory and document for the first time an estimated 300 major monuments dedicated to fallen soldiers.

NCA is a Federal agency with jurisdiction over 153 cemetery properties in 42 states and Puerto Rico, including national cemeteries and affiliated soldiers', Government, and Confederate lots. Burials at more than two-thirds of these properties date to the Civil War or earlier, when the U.S. Army administered them. SOS! is part of Heritage Preservation, a nonprofit organization devoted to the preservation and care of many types of historic resources, and it has more than 10 years' experience in volunteers' survey of outdoor sculpture nationwide.

The monuments are located in more than 100 NCA cemetery properties across

the country. NCA will provide volunteers with inventory forms and instructions, cemetery maps, and 35mm film. Volunteers should be comfortable taking photographs and measurements, and performing some basic research; they will be responsible for supplying their own 35mm camera, the cost of film development, and personal transportation.

The monument-inventory project started in spring 2002, with data collection to be completed by September 2002. Volunteers have several months to complete the work, whether it's a survey of one monument or several. Upon completion of the project, the information will be publicly accessible online through another SOS! partner, the Smithsonian American Art Museum.

If you are interested in more information, contact [nca.memorials@mail.va.gov](mailto:nca.memorials@mail.va.gov) or write Sara Amy Leach, Historian, National Cemetery Administration, Department of Veterans Affairs, 810 Vermont Ave., NW 402B4, Washington, DC 20420.

---

## New law concerning eligibility for headstones/markers

On December 27, 2001, President Bush signed Public Law 107-103, the Veterans Education and Benefits Expansion Act of 2001.

This law includes a provision that allows the Department of Veterans Affairs (VA) to furnish an appropriate headstone or marker for the graves of eligible veterans buried in private cemeteries, whose deaths occur on or after December 27, 2001, regardless of whether the grave is already marked with a non-government marker.

This new provision will be codified in 38 U.S.C. § 2306(d).

The National Cemetery Administration (NCA) is preparing a regulation to describe how the new law will be implemented. Until the regulation is published, the following instructions are in effect.

- VA will furnish, when requested, an appropriate Government headstone or marker at the expense of the United States for the grave of an eligible veteran or eligible reservist who is buried in a private cemetery regardless of whether the grave is already marked by a headstone or marker purchased at private expense.

- The veteran's death must have occurred on or after December 27, 2001,

which is the law's enactment date. For those veterans who died before this date, VA is unable to provide a Government headstone or marker for already marked veteran gravesites.

- VA may provide any headstone or marker available, as listed on the application form

- A Government headstone or marker may be furnished only if the individual making the request certifies that the marker will be placed on the grave, if feasible, otherwise, as close to the grave as possible within the grounds of a private cemetery.

- VA shall deliver any headstone or marker furnished under this law directly to the cemetery where the grave is located or to a receiving agent for delivery to the cemetery, i.e. funeral home, Veterans' Service Officer, etc.

NCA will revise its headstone and marker application (VA Form 40-1330) to remove language indicating markers will only be provided for unmarked graves. Until this form is revised, applicants should ignore references to "unmarked graves, footstones, and supplement" and should note in Box 27, "Remarks" that this will be a second marker to mark a veteran's gravesite.

## Thomas Hastie, Stone Carver

by Theresa Trebon

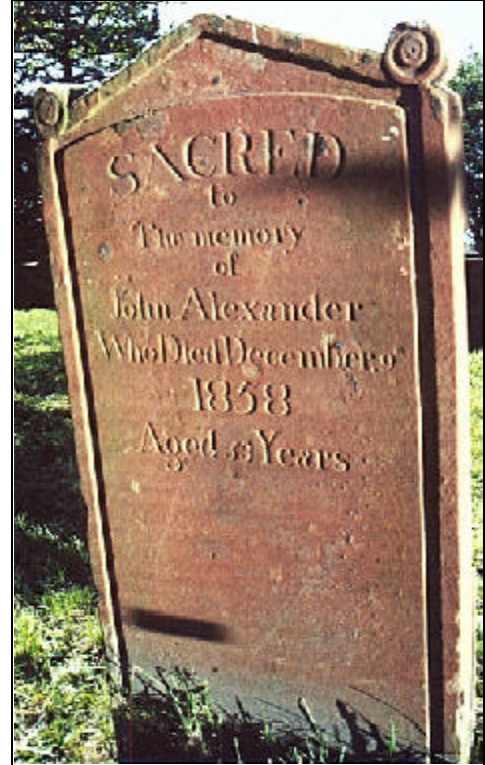
*Sunnyside Cemetery is located on Whidbey Island in Island County, Washington. The cemetery officially started in 1869 when Mary Bozarth donated the ground for burial purposes.*

*Today, the cemetery is well maintained by a group of wonderful volunteers including Roger Sherman and Theresa Trebon.*

*In 1954 and twice again, the Daughters of the American Revolution read the cemetery. Their work can be found in DAR's Family Records of Washington Pioneers, Vol 26, 38, and 41, and can be found at the Tombstone Transcription Project at <ftp://ftp.rootsweb.com/pub/usgenweb/wa/island/cemetery/sunny.txt>.*

Born in Scotland in 1805, Thomas Hastie learned his trade of stone carving in England. He sailed to America with his family in 1845, first settling in Wisconsin. The Hasties crossed the Oregon Trail in 1850, living first on Sauvie's Island near Ft. Vancouver on the Columbia River. In 1854 they moved to Whidbey Island, Island County, Washington. His wife Margaret died in 1863 and the following year he moved back to Wisconsin where he died.

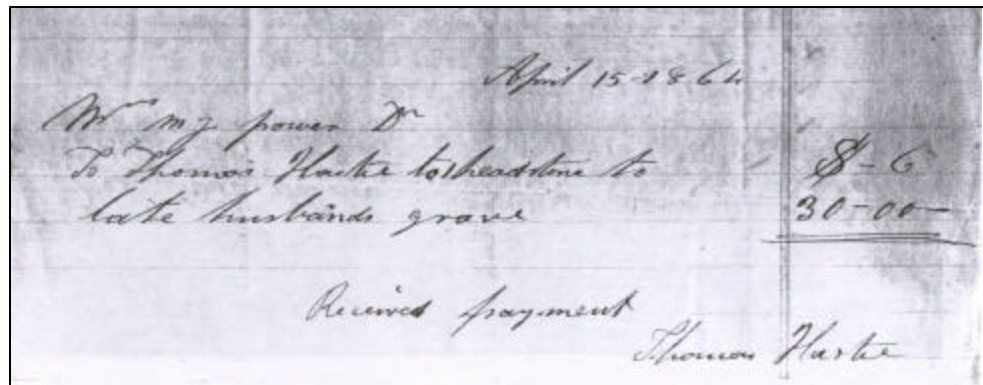
John Alexander's monument (pictured here) was one of three, possibly more, carved by Thomas Hastie. It is unknown why the headstone was dyed or stained instead of leaving it natural as almost all are. Of the three monuments I have been able to document as Hastie's work, only two remain at Sunnyside Cemetery, Coupeville, Whidbey Island; John Alexander's carved in 1858 and Margaret Hastie's carved in 1863. The third monument, done for Isaac Power in 1863 (he died in 1861), has disappeared. In the early 1980's, it was leaning against the back of a maintenance shack and documented by Donna Sand, a well-known cemetery researcher in the area. Power was an exhumation, moved to Sunnyside Cemetery from the family's original burial lot on their land. A newer stone marks Power's grave. Margaret Hastie's monument is especially



*Monument for John Alexander carved by Thomas Hastie in 1858.*

noteworthy as it is a bit more ornate than Alexander's and it has a footstone as well.

Hastie's invoice for the monument he carved for Margaret Power in honor of her husband Isaac shows he charged her \$30 plus \$6 for conveying it to the grave



*Hastie's invoice for a monument carved for Margaret Power in memory of her husband, Isaac.*



## Foundations Collaborate to Fund GuideStar

*Our last issue addressed starting a cemetery association. Briefly discussed was applying for 501(c) status with the IRS. If you have not yet done so, apply right away.*

*Until you receive this designation, your cemetery association probably won't receive grants that are available for a wide variety of programs, especially those that are educational in nature.*

*Another benefit of having a 501(c) designation is that anyone donating materials or money to your association, including membership costs, may use the donation as a tax write-off.*

*Once you have received your 501(c) designation, register with GuideStar as a first step to seeking grants.*

*Currently at GuideStar: Washington has 25 registered cemetery associations, Oregon has 30, and California has 31. The state having the most registered cemetery associations is Texas with a whopping 1,088 registered cemetery associations.*

*Many people misspell cemetery (cemetary is incorrect). Be sure to always search on the misspelled word in addition to the correctly spelled word!*

In a historic collaboration, nine of the nation's leading charitable foundations have joined forces to fund the operations of GuideStar, the premier source of information on U.S. nonprofit organizations.

GuideStar is the operating name and registered trademark of Philanthropic Research, Inc., a 501(c)(3) public charity located in Williamsburg, Virginia. Established in 1994, GuideStar's mission is to revolutionize philanthropy and nonprofit practice with information. To that end, GuideStar has created and is constantly updating a database of information on all IRS-recognized 501(c) nonprofit organizations eligible to receive tax-deductible contributions.

"This unprecedented alliance by the nation's leading charitable foundations represents a tremendous endorsement of GuideStar's work in assembling and distributing nonprofit information," noted Buzz Schmidt, GuideStar's founder and chairman of the organization's board of directors. "The foundations' support demonstrates that GuideStar has matured from an entrepreneurial start-up to an integral resource for the nonprofit sector, and that GuideStar is here to stay."

"Accountability and transparency are important values for the nonprofit, public and private sectors, and goals that the Ford Foundation has long supported," Urvashi Vaid, deputy director of the foundation's Governance and Civil Society Program, noted. "GuideStar's database synthesizes vast amounts of information into a usable format, and is the national archive of financial information about U.S.-based nonprofits."

The GuideStar database currently comprises information on more than 850,000 nonprofit organizations. Basic program and financial data about these organizations is available for free on the GuideStar Web site, <http://www.guidestar.org>. The database also includes more than 730,000 digitized Forms 990 and 990-EZ, offering three years' worth of returns for those organizations required to file the financial reporting forms with the Internal Revenue Service.

All organizations in the database are invited to participate in GuideStar by registering and completing an online questionnaire; to date, more than 50,000 nonprofits have done so. Participation is free. GuideStar also offers value-added products and services for nonprofits, donors, professionals, grantmakers, and others interested in this vital sector.

GuideStar believes that making data about the nation's nonprofits widely

available helps donors and grantmakers understand the work and effectiveness of individual nonprofits; gives nonprofits of all sizes and locations equal access to the engaged audience of Internet users; enables individual organizations to benchmark their performance against that of their peers; and strengthens the public's trust in and the overall effectiveness of the nonprofit sector.

"Our funders' generosity will also make it possible for GuideStar to move to the next level—to expand our efforts to encourage nonprofit participation, to develop new products and services for the nonprofit sector, to acquire the technology to make GuideStar's offerings more robust, and to collaborate on initiatives to make the nonprofit sector more efficient and effective."

Also available, by subscription, is Guidestar Charity Check, which streamlines the process of using IRS Publication 78 to verify a nonprofit's 501(c)(3) status.

Subscribers use GuideStar's flexible, comprehensive search engine to find a nonprofit by name, keyword, location, type of organization or financial size. One click of the mouse brings up the organization's Publication 78 record, including recent issues of the Internal Revenue Bulletin.

Charity Check adds Publication 78 data to the wealth of information already available to users of the GuideStar Web site. Subscribers can find a public charity's Form 990, information on its missions and programs, and its Publication 78 record all in one place. Charity Check is one-stop shopping for grantmakers.

Publication 78, also known as the Cumulative List of Organizations, is the Internal Revenue Service's compilation of organizations to which charitable donations are tax deductible. It lists each organization's name, city and current tax-exempt status. Updates to the quarterly publication are published in the Internal Revenue Bulletin.

GuideStar Charity Check, a patent-pending due-diligence tool, is the first in a series of online initiatives planned by GuideStar for grant managers. For a free 30-day trial or more information, visit <http://www.guidestar.org> or call 1-800-421-8656.

The GuideStar database and GuideStar Web site are projects of Philanthropic Research, Inc., a 501(c)(3) nonprofit organization based in Williamsburg, Virginia.

## Cemetery Preservation

### California Historic Cemetery

#### Alliance

##### WEB SITE:

<http://www.califhisticemeteries.org/>

##### EMAIL:

[chca@inreach.com](mailto:chca@inreach.com)

##### CONTACT:

CHCA

P. O. Box 255345

Sacramento, CA 95865-5345

### Oregon Historic Cemeteries Association

##### WEB SITE:

<http://www.oregoncemeteries.com>

##### EMAIL:

[ohca@oregoncemeteries.org](mailto:ohca@oregoncemeteries.org)

##### CONTACT:

OHCA

P. O. Box 802

Boring, OR 97009-0802

### Oregon Pioneer Cemetery Commission

##### WEB SITE:

none

##### EMAIL:

[Mirra.Meyer@state.or.us](mailto:Mirra.Meyer@state.or.us)

##### CONTACT:

OPCC

1115 Commercial St. NE, Ste 2

Salem, OR 97301-1012

### Washington State Cemetery Association

##### WEB SITE:

<http://www.rootsweb.com/~wapsgs>

##### EMAIL:

[wsc@charter.net](mailto:wsc@charter.net)

##### CONTACT:

WSCA

P. O. Box 103

Port Orchard, WA 98366-5764

### Old Cemeteries Society of Victoria

##### WEB SITE:

<http://www.oldcem.bc.ca>

##### EMAIL:

[oldcem@pinc.com](mailto:oldcem@pinc.com)

##### CONTACT:

OCSV

Box 50004, #15-1594 Fairfield Rd.

Victoria, BC, V8S 1G1

Canada

## The Law

While our laws are written and voted upon by ordinary citizens, it is how the judicial system interprets the law that matters. Most often, we try to write our laws to ensure there is no misunderstanding, but no matter how thorough we are, there is always someone, it seems, that can find a loophole in the law.

Our State's Attorney General's Opinions quite often are the state's stand on legal questions posed to it. When searching laws, the Attorney General's Opinions should also be searched. In Washington, they are found on the Internet at <http://search.leg.wa.gov/pub/textsearch/default.asp>. Key in the search term 'cemetery' and select Attorney General's Opinions.

#### **Attorney General Opinion 49-51 #331.**

#### **Written September 11, 1950.**

"As used in section 143, supra, however, an examination of the Act as a whole indicates that the term "private cemeteries" is used in a more technical sense. This section designates certain sections of the Act as "relating to private cemeteries" and expressly provides that such sections shall not apply to the organizations and municipalities enumerated in subsections (a) and (b) of that section. Section 42 of the Act (3778-42 Rem. Supp. 1943) restricts the right to engage in the cemetery business to corporations organized for that purpose. This is one of the sections designated by section 143 as applying to "private cemeteries." It would appear, therefore, that the term "private [[Orig. Op. Page 5]] cemeteries" as used in section 143 was used as meaning cemeteries operated by corporations organized for that purpose as distinguished from cemeteries lawfully operated by other organizations and municipalities, including cemetery districts established under chapter 6, Laws of 1947."

#### **Attorney General Opinion 1970 #90.**

#### **Written June 9, 1970**

"In your previous correspondence you requested an opinion on the question of whether or not a director of a cemetery district can legally serve also as secretary for the district.

In reviewing the statutes relative to cemetery districts, chapter 68.16 RCW, we find sufficient dissimilarity to conclude that the problem of incompatible offices does not exist. In fact, according to the normal tests described in AGO 59-60 No. 157, the position of cemetery district secretary seems to be that of employment, rather than that of an office. Therefore, the existence or nonexistence of a conflict would depend upon the factors described in chapter 42.23 RCW, the municipal conflict of interest statutes. The only possible conflict that could arise, in our opinion, would arise by reason of a payment of compensation to the secretary at a rate in excess of \$200 per month."

*New laws affecting cemeteries...*

*Filing cemetery plats House Bill 2060 has passed the House and Senate and signed into law by Governor Locke. This bill only affects cemetery associations that are filing any real property documents (deed transfers, additions to existing cemeteries, etc.). This bill imposes a \$10 surcharge on recording fees for recordings of real property documents. It dedicates the funds to housing programs for extremely low-income and very low-income persons.*

*To view this and other bills in their entirety, visit <http://www.leg.wa.gov/wsladm/bills.cfm>*

Washington State Cemetery Association  
PO Box 103  
Port Orchard, WA 9836

#### Mission Statement

The mission of the Washington State Cemetery Association (WSCA) is to research, protect, restore, and preserve old and abandoned cemeteries in Washington state, to maintain their history, and to provide education and awareness of old and abandoned cemeteries and their care to the public.

<http://www.rootsweb.com/~wapsgs/>

### Washington State Cemetery Association

# Membership Form

Name	
Address	
City, State, Zip	
Home phone	email address
Membership Type <input type="checkbox"/> Individual: \$12.00 per year	<input type="checkbox"/> Student: \$6.00 per year
Cemetery(ies) you are interested in and their location:	Mail completed application and check or money order to Treasurer Washington State Cemetery Association PO Box 103 Port Orchard WA 98366