

HOUSE . . . . . No. 1154.

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[Bill accompanying the petition of the selectmen of the town of Stoneham. Joint Judiciary.]

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Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Ninety-nine.

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AN ACT

To authorize the Town of Stoneham to Discontinue the Use of Certain Land as a Burial Ground.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The town of Stoneham is hereby  
2 authorized, if it shall by vote decide that public  
3 health requires it, to forbid further burial of re-  
4 mains of persons in that tract of land at the junc-  
5 tion of Williams street and Pomworth street in  
6 said town, heretofore used as a burial ground and  
7 known as the Williams street cemetery, and to  
8 cause to be removed therefrom the remains of the  
9 dead buried there, together with the monuments  
10 erected to their memory, and, except as hereinafter

11 provided, to re-inter said remains and re-erect said  
12 monuments in Lindenwood cemetery in said town.

1 SECTION 2. Prior to causing the removal of  
2 said remains the said town shall publish notice of  
3 a time fixed therefor by vote of said town once in  
4 each week for three successive weeks in some  
5 newspaper published in said town, the last publica-  
6 tion thereof to be at least seven days before the time  
7 fixed for said removal: *provided, however,* that  
8 before such time so fixed the person or persons  
9 entitled as follows to the remains of the dead in  
10 said Williams street cemetery, — first, the husband  
11 or wife, as the case may be; second, the next of  
12 kin; third, any friend of the deceased, — may, on  
13 written request, remove the remains, together with  
14 the monuments erected to their memory, etc., and  
15 re-inter said remains and re-erect said monuments  
16 in any lot in Lindenwood cemetery in said town,  
17 in which lot the said person or persons have rights  
18 of burial, or to any other cemetery, such sum  
19 toward the expense and cost of such removal to  
20 be borne by the town in each case as the town  
21 shall by vote deem would be a reasonable sum for  
22 the removal of said remains, monuments, etc., to  
23 Lindenwood cemetery.

1 SECTION 3. The town may furnish free of  
2 expense to owners of lots in Williams street  
3 cemetery such new lots in Lindenwood cemetery  
4 as the town shall deem suitable, the relative size,  
5 location and value of the lots being considered:

6 *provided, however,* that the remains in the several  
7 lots in Williams street cemetery may be re-interred  
8 in the several new lots in Lindenwood cemetery  
9 respectively furnished in exchange therefor: and  
10 *provided* that all persons having rights of burial  
11 in said several lots in Williams street cemetery  
12 shall have similar rights of burial in the several  
13 lots in Lindenwood cemetery respectively fur-  
14 nished in exchange therefor.

1 SECTION 4. In the event that said land now  
2 known as Williams street cemetery shall cease to  
3 be used as a burial ground under the provisions  
4 of this act, the said land shall, for the purposes of  
5 the public health of the town of Stoneham, for-  
6 ever be kept open as a public park or common.

1 SECTION 5. The town may by vote appoint a  
2 special committee to carry out those powers and  
3 provisions of this act not herein otherwise re-  
4 quired to be by vote of the town.

1 SECTION 6. Said town, at any legal town meet-  
2 ing called for the purpose, may raise and appro-  
3 priate the sums of money necessary for the  
4 purposes of this act.

1 SECTION 7. This act shall take effect upon its  
2 acceptance by a majority of the legal voters of  
3 said town present and voting thereon at a legal  
4 town meeting called for the purpose or at any  
5 annual meeting of said town.

