

SENATE No. 454

The Commonwealth of Massachusetts

SENATE, March 20, 1935.

The committee on Towns, to whom was referred the petition (with accompanying bill, House, No. 1880) of C. Sumner Boyden and others that the town of Conway be authorized to convey cemetery lands to the Conway Cemetery Association and relative to appropriations by said town for cemetery purposes, report the accompanying bill (Senate, No. 454).

For the committee,

EDWARD H. NUTTING.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Five.

An Act authorizing the Conveyance by the Town of Conway to the Conway Cemetery Association of Certain Cemeteries in Said Town.

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 Conway is hereby author-
2 ized to convey to the Conway Cemetery Association,
3 incorporated by chapter two hundred and twelve of
4 the acts of the year nineteen hundred and one, and
5 said cemetery corporation is hereby authorized to
6 accept from said town, upon such terms as may be
7 mutually agreed upon, all the right, title, and interest
8 of said town in and to the lands set apart for the
9 cemeteries hereinafter referred to, within said town,
10 and in all other property or rights appertaining
11 thereto, and said town is also hereby authorized to
12 transfer, assign, set over and convey to said ceme-
13 tery corporation, and said corporation to accept,
14 all moneys and trust funds held by said town and
15 belonging to said cemeteries, namely: *South Part*
16 *Cemetery:* located on the north side of the South
17 Part road, approximately one fourth of a mile from
18 the Ida Allis corner of the Roaring Brook road, being
19 one half acre more or less in area; *Boyden Cemetery:*
20 located on the Roaring Brook road, and deeded to

21 the town of Conway by the Dwight Boyden estate,
22 being one eighth acre more or less in area; *Cricket*
23 *Hill Cemetery*: on the south side of Cricket Hill road,
24 approximately one quarter of a mile from the Whately
25 Road corner, being one fourth acre more or less in
26 area; *Pumpkin Hollow Cemetery*: located on the
27 south side of Hillview road near the corner of Elm
28 street, being one fourth acre more or less in area;
29 *Poland Cemetery*: located off the East Guinea road,
30 approximately one quarter of a mile from the Brad-
31 ford corner, being one half acre more or less in area;
32 *Shirkshire Cemetery*: located on the east side of the
33 Wilder Hill road, approximately three eighths of a
34 mile from the corner of the Wilder Hill road and
35 Shelburne Falls highway, being one half acre more
36 or less in area.

1 SECTION 2. After such conveyance and transfer
2 said cemetery corporation shall hold said property
3 and rights, upon the same trusts and for the same
4 uses and purposes as the same were previously held
5 by the town of Conway, and shall be charged with
6 the same duties and liabilities relative thereto. All
7 rights which any person shall have acquired in any of
8 said cemeteries shall remain valid to the same extent
9 as if this act had not been passed, and except as
10 otherwise provided herein, all pertinent provisions of
11 law relative to said cemetery corporation shall apply
12 to the cemetery lands herein before referred to.

1 SECTION 3. The power to transfer, hold and use
2 moneys and trust funds granted by this act shall be
3 exercised only in conformity with such a decree, if
4 any, of the supreme judicial court, sitting in equity

5 for the county of Franklin, as may be entered within
6 one year after the effective date of this act.

1 SECTION 4. This act shall not take full effect until
2 it shall have been accepted, on the part of said town,
3 by vote of a majority of the legal voters of the town
4 present and voting thereon at a special town meeting
5 called for the purpose during the current year, and,
6 on the part of said corporation, by vote of the board
7 of directors, or the officers having the powers of
8 directors, and a certified copy of said last mentioned
9 vote shall have been filed with the clerk of said town
10 and with the state secretary.