

HOUSE No. 1318.

[Bill accompanying the petition of the Central Cemetery Association of Randolph.]

Commonwealth of Massachusetts.

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

AN ACT

To enable the Central Cemetery Association of Randolph to take and hold Additional Real Estate.

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 directors of the Central Cemetery
2 Association of Randolph may, upon direction of said
3 association, make application by written petition to the
4 selectmen of the town of Randolph for the enlargement
5 of Central Cemetery, so called, in said Randolph and the
6 taking therefor of lands belonging, or reputed to belong,
7 to George Perry Niles and others, or to whomsoever
8 belonging or reputed to belong, in all not exceeding
9 twenty acres in extent, lying northeasterly and northerly
10 of, and in part adjoining said cemetery, in part separated

11 therefrom by the location of the New York, New Haven
12 and Hartford railroad company, together with all rights
13 of way and other easements, if any, to which said lands
14 are subject.

1 SECT. 2. The selectmen shall appoint a time and
2 place for a hearing, and shall cause notice thereof, to-
3 gether with a copy of the petition, to be served person-
4 ally upon the owner or owners, if known and residing
5 within the Commonwealth, or to be left at the last and
6 usual place of abode of such owner or owners fourteen
7 days at least before the time appointed for the hearing,
8 and by publishing a notice of said hearing once a week
9 for three successive weeks in one or more newspapers
10 published in said Randolph, the last publication to be not
11 less than five days before said hearing.

1 SECT. 3. The selectmen shall hear the parties at the
2 time and place appointed, or at an adjournment thereof,
3 and as soon as may be thereafter shall consider and adju-
4 dicate upon the necessity of such taking, and upon the
5 quantity, boundaries, damages and value of any land,
6 rights of way, or other easements, adjudged necessary to
7 be taken, and shall forthwith file a description of such
8 land, with a plan thereof, in the registry of deeds for the
9 county of Norfolk, and thereupon such land shall be
10 taken and held in fee, free from all such rights of way or
11 other easements, if any, by said association as a part of
12 its burial ground.

1 SECT. 4. Any party aggrieved by the award of dam-
2 ages may, on application therefor to the superior court,
3 or to the county commissioners of the county of Norfolk,
4 within six months after such filing in the registry of
5 deeds, have a jury to determine the matter of his com-

6 6 7 8 9 10 11 12
plaint as in the case of assessment of damages for high-ways, and all proceedings shall be conducted as in such cases. If the sum allowed for damages, including the value of the land, is increased by the jury, the sum so allowed by the jury and all costs shall be paid by said association; otherwise the costs arising upon such application for a jury shall be paid by the applicant.

1 2 3 4 5 6 7 8
SECT. 5. Said cemetery association shall lay out said land so taken into lots, and shall sell and convey to such person or persons as may apply therefor, whether residents of said town of Randolph or otherwise, without discrimination, the exclusive right of burial and of erecting tombs and cenotaphs and of ornamenting the same, upon such reasonable terms, conditions and regulations as said association may prescribe.

1 SECT. 6. This act shall take effect upon its passage.

