

HOUSE No. 4798

By Mr. Danovitch of Norwood, petition of Alan Paul Danovitch, David C. Ahearn and John M. Quinlan (by vote of the town) that the town of Walpole be authorized to receive and administer the property of the Walpole Plains Cemetery Association. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Eight.

AN ACT AUTHORIZING THE TOWN OF WALPOLE TO RECEIVE AND ADMINISTER THE PROPERTY OF THE WALPOLE PLAINS CEMETERY ASSOCIATION.

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 Walpole Plains Cemetery Association, a
2 corporation duly established by law in the commonwealth,
3 hereinafter called the association, may, by deed duly executed,
4 convey and transfer to the town of Walpole, and said town
5 is hereby authorized and empowered to receive, and there-
6 after to hold and maintain, but for cemetery purposes only,
7 and subject to all rights heretofore existing in any burial lots,
8 the real and personal property of the association not subject
9 to any trust, and thereupon, and upon the transfer of the
10 trust funds as hereinafter provided, the association shall be
11 dissolved; and the cemetery of the association shall be and
12 become a public burial place, ground or cemetery.

1 SECTION 2. In so far as authorized by a decree of a court of
2 competent jurisdiction and in compliance with the terms and
3 conditions of such decree, said town may receive from the
4 association a conveyance and transfer of, and administer,
5 all funds or other property held by the association in trust
6 for the perpetual care of the lots in the cemetery and for
7 other purposes, and also any property devised or bequeathed

8 to the association under the will of any person living at the
9 time of said transfer or conveyance or under the will of any
10 deceased person not then probated. Interest and dividends
11 accruing on funds deposited in trust with any savings bank
12 under authority of section thirty-seven or section thirty-eight
13 of chapter one hundred and sixty-eight of the General Laws,
14 or with any other banking institution, for the benefit of the
15 association, or of any lots in the cemetery may, after such
16 conveyance, be paid by such bank or institution to the treas-
17 urer of said town; and upon such payment said treasurer
18 shall use the same for the purposes of said trusts.

1 SECTION 3. All real and personal property and property
2 rights, acquired by said town from the association under
3 authority of this act, shall be held and managed by said
4 town in the same manner in which cities and towns are
5 authorized by law to hold and manage property for cemetery
6 purposes; provided, that all rights which any persons have
7 acquired in the cemetery of the association or any lots therein
8 shall remain in force to the same extent as if this act had
9 not been passed and such transfer had not occurred. The
10 records of the association shall be delivered to the clerk of
11 said town and such clerk may certify copies thereof.