

SECTION 4. The justice of said court shall receive from the county of Essex an annual salary of twelve hundred dollars.

Salary of justice.

SECTION 5. When one of several defendants resides within said district the writ issued by said court may run into any county and be served on the other defendant or defendants fourteen days at least before its return day in like manner as if issued by the superior court.

Writs may run into any county when one of several defendants resides in district.

SECTION 6. Said court shall have a seal.

To have a seal.

SECTION 7. The first session of said court shall be held on the first Tuesday of May in the year eighteen hundred and eighty-eight; but nothing herein shall affect any suit or other proceeding begun prior to said first Tuesday of May.

First session of court.

SECTION 8. This act shall take effect upon its passage.

*Approved April 4, 1888.*

AN ACT RELATING TO THE PUBLIC CEMETERIES IN THE TOWN OF WINCHESTER.

*Chap. 194*

*Be it enacted, etc., as follows:*

SECTION 1. The town of Winchester is hereby authorized to elect by ballot at any town meeting duly called a board of five commissioners who shall have the sole care, superintendence and management of Wildwood cemetery and other public burial grounds in said Winchester, one member of which board shall be elected for the term of five years, one for four years, one for three years, one for two years, and one for one year; said terms to expire respectively with the end of the municipal or official year. A majority of said board shall be owners of a lot in said cemetery or other public burial grounds in said town at least one year previous to their election. Said board may be organized by the choice of a chairman and clerk from their number, and a majority of the board shall be a quorum for the exercise of the powers of said office. In case of a vacancy occurring in the board, by death, non-acceptance, disability, resignation or removal during any municipal or official year, the remaining members shall notify the board of selectmen of Winchester, in writing, thereof, and of a time and place appointed for a meeting of the two boards for the purpose of filling such vacancy, at least two weeks before the time appointed for said meeting, and in pursuance of such notice said two boards shall proceed to fill such vacancy until the end of

Board of commissioners of public burial grounds to be elected.

Organization.

Vacancies.

One commissioner to be elected annually.

the then municipal or official year by electing upon joint ballot a suitable person thereto; and at each successive annual election of town officers after the year one thousand eight hundred and eighty-nine said town shall elect by ballot a suitable person or persons to serve on said board for the remainder of any unexpired term or terms, and for such full term of five years as shall expire before the next annual election.

Board may lay out Wildwood cemetery, etc.

SECTION 2. Said board of commissioners may lay out said Wildwood cemetery, and lands which may be hereafter purchased and set apart by said town of Winchester for the purposes of said cemetery, and other public burial grounds in suitable lots or other suitable sub-divisions with proper paths and avenues; may plant, embellish and ornament the same, may inclose the same with proper fences, and erect such suitable edifices, appendages and conveniences and make such improvements as they shall from time to time deem convenient; and may make all such by-laws, rules and regulations in the execution of their trust, not inconsistent with the laws of the Commonwealth, as they may deem expedient.

May convey lots for exclusive right of burial, etc.

SECTION 3. Said board of commissioners shall have authority to grant and convey to any person, by deed or suitable conveyance made and executed in such manner and form as they may prescribe, the sole and exclusive right of burial, and of erecting tombs, cenotaphs and other monuments or structures, upon such terms and conditions as they shall by rules and regulations prescribe; and all such deeds and conveyances, and all thereafter made of the same by the owners thereof shall be recorded by said board of commissioners in suitable books of record, which said books shall be open to the public at all proper times.

Proceeds of sales, etc., to be paid into town treasury, and to be kept separate from other moneys.

SECTION 4. The proceeds of sales of lots or rights of burial in said cemetery or public burial grounds, and any appropriations, grants, donations, gifts or bequests made thereto, and any and all sums of money due to and payable for account of said cemetery or public burial grounds, shall be paid into the town treasury of said Winchester, and the said money and the accounts thereof shall be kept separate from the other moneys and accounts of said town. The treasurer of said town shall hold said funds subject to the order of the selectmen and said board of commissioners, and shall invest the same or any part

thereof or pay out the same or any income therefrom on the orders of the selectmen and said board of commissioners.

SECTION 5. Said board of commissioners shall not incur debts or liabilities for purposes other than aforesaid, nor to an amount exceeding the amount of the funds subject to their order as aforesaid; and they shall annually make and render a report in writing to said town of Winchester, of their acts and doings, of the condition of said cemetery and burial grounds, and an account of their receipts and expenditures for the same and of the funds subject to their order.

Board not to incur debts exceeding amount subject to their order.

To report to town annually.

SECTION 6. This act shall be void unless accepted by a vote of said town of Winchester at a meeting duly called within eight months from its passage.

Subject to acceptance within eight months.

*Approved April 4, 1888.*

AN ACT TO ESTABLISH THE SALARIES OF THE CONSTABLES IN ATTENDANCE AT THE SESSIONS OF THE MUNICIPAL COURT FOR CRIMINAL BUSINESS IN THE CITY OF BOSTON.

*Chap.195*

*Be it enacted, etc., as follows:*

SECTION 1. The constables in attendance at the sessions of the municipal court for criminal business in the city of Boston, shall each receive an annual salary of fifteen hundred dollars, to be paid from the treasury of said county in monthly instalments, in full for all services performed by them.

Salaries established.

SECTION 2. This act shall take effect upon its passage.

*Approved April 4, 1888.*

AN ACT TO INCORPORATE THE FAIRHAVEN WATER COMPANY.

*Chap.196*

*Be it enacted, etc., as follows:*

SECTION 1. Joseph K. Nye, Orson G. Stanley and Harry Castello, their associates and successors, are hereby made a corporation by the name of the Fairhaven Water Company for the purpose of supplying the inhabitants of the town of Fairhaven or of any part thereof with water for domestic, manufacturing and other purposes, including the extinguishing of fires; with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or may hereafter be in force, so far as the same may be applicable to such corporations.

Fairhaven Water Company incorporated.