



P.O. Box 429
577 Bay Road
Hamilton, MA 01936

Phone
Fax
Web site

(978) 626-5227
(978) 468-5582
<http://www.hamiltonma.gov>

September 10, 2018

RE: Cemetery lot# 628 (4) deed # 859 Justine Blenkhorn

Dear Board of Selectmen,

According to my records lot # 628 (4) graves in Hamilton Cemetery is vacant and was purchased on June 22, 1998 by Justine and Charles Blenkhorn for \$700.00.

Please feel free to contact me with any questions.

Regards,

Dolores Sheehan

Administrative Assistant

Department of Public Works

BLENKHORN, JUSTINE A. & CHARLES C.

#628(4)

628

1.

2.

3.

4.

August 27, 2018

BOARD of Selectman.

DEAR SIR'S,

Enclosed Please find a copy of the deed to our lot #628, Purchased in 1998.. our children all reside on the West Coast.

My husband who passed on July 22, 2018 requested we bury him in a military cemetery.

Rather than it remain empty. I would ask that the Town fathers allow it to be bought back.

Respectfully yours,

Justin Rice-Blankhorn

Know all men by these Presents, that we..... HEATHER FORD,
 PETER TWINING, DAVID NEILL.....

all of the Town of Hamilton, a municipal corporation, in the County of Essex and Commonwealth of Massachusetts, being the Board of Cemetery Commissioners of and for said Town of Hamilton, in consideration of..... SEVEN HUNDRED & 00/100.....dollars to us paid by.....JUSTINE A. RICE-BLENKHORN & CHARLES C. BLENKHORN.....the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said JUSTINE A. & CHARLES C. BLENKHORN.....the sole and exclusive use, for burial purposes only, of a certain lot of land, situate on.....FOREST.....avenue, in the Town Cemetery, so-called, upon Main street, in said Town of Hamilton, and numbered.....628 (4).....on plan of said cemetery drawn by Charles A. Metcalf, which plan is deposited in the office of the Town Clerk of said Town of Hamilton.

To have and to hold the afore-granted premises unto the said.....JUSTINE A. RICE-BLENKHORN & CHARLES C. BLENKHORN.....and.....THEIR.....heirs and assigns forever; subject to the conditions and limitations, and with the privileges following (to which the said JUSTINE A. & CHARLES C. BLENKHORN for.....THEIR...self and.....THEIR.....heirs and assigns agrees), namely:

First That said lot shall not be used for any other purpose than a place of burial for the dead; and all burials therein or removals of bodies therefrom shall be under the charge of the Cemetery Commissioners of said town for the time being, or of such other person or persons as may be duly appointed or authorized for said purpose.

Second That the proprietor of said lot shall have the right to erect stones, monuments or sepulchral structures thereon upon such terms and conditions as may from time to time be prescribed by the regulations of said cemetery.

~~**Third** That the proprietor of said lot shall keep the same in reasonable repair at his own expense, and shall also erect and keep in repair at his expense suitable landmarks at the corners of said lot, and shall cause the number thereof to be legibly and permanently marked on the premises; and if the proprietor shall omit for thirty days to erect such landmarks and to mark the number, the Cemetery Commissioners, for the time being, of such town shall have authority to cause the same to be done at the expense of said proprietor.~~

~~said lot, provided, however, that no tree, shrub or plant shall be cut down or destroyed within said lot or the border thereof without the consent of the said Cemetery Commissioners, or of such other person or persons as shall have the charge of said cemetery; and provided, further, that if any trees, or shrubs, situate in said lot, shall, by means of their roots or branches, or otherwise, become, in the judgment of the Cemetery Commissioners for the time being, detrimental to the adjacent lot, avenues or paths, or dangerous or inconvenient to travelers, it shall be the duty of the Cemetery Commissioners for the time being, and they shall have the right to enter into said lot and remove the said trees and shrubs, or such parts thereof as are thus detrimental, dangerous or inconvenient.~~

Fifth That if any monument or effigy or any inscription be placed in or upon said lot which shall be determined by the said Cemetery Commissioners for the time being to be offensive or improper, the said Cemetery Commissioners shall have the right, and it shall be their duty, to enter upon said lot and remove therefrom the said improper object or objects.

Sixth No fence shall at any time be erected or placed in or around said lot, the materials or designs of which shall not first have been approved by said Cemetery Commissioners for the time being.

Seventh No tomb shall be constructed or allowed within the grounds of said cemetery unless by special permission of the Cemetery Commissioners for the time being and in such places and in such manner as said Commissioners shall direct. And no proprietor shall suffer the remains of any person to be deposited within the grounds of his lot for hire.

Eighth Neither this deed nor any transfer of said lot shall take effect until the same shall be recorded by the Secretary of the Cemetery Commissioners for the time being.


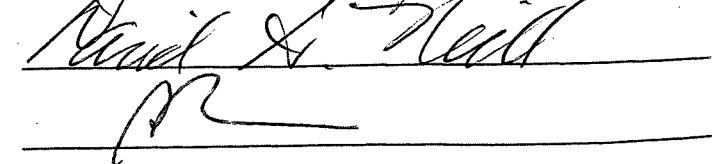
Ninth The said lot shall be held subject to the provisions of the laws of this Commonwealth in relation to cemeteries, and to all rules and regulations made and to be made by the Cemetery Commissioners of said town for the time being, which shall have been approved by said town.

In Witness Whereof, we,..... HEATHER FORD, PETER TWINING,.....

..... DAVID NEILL

the Cemetery Commissioners of and for said Town of Hamilton as aforesaid have hereunto set our hands and seals this.....22TH.....day ofJUNE.....in the year of our Lord one thousand nine hundred and.....98.....

Executed and delivered in presence of

Essex, ss.

JUNE 22, 19 98

Then personally appeared the above-named HEATHER FORD,

PETER TWINING, DAVID NEILL

Cemetery Commissioners of and for the Town of Hamilton and acknowledged the above instrument by them subscribed to be their free act and deed.

Before me,

Debra Paskowski

Justice of the Peace.

DEBRA PASKOWSKI

NOTARY PUBLIC

My commission exp. Aug. 25, 2000

EXTRACTS

FROM CHAPTER 212 OF THE REVISED LAW OF THE COMMONWEALTH.

SECTION 66. Whoever wilfully destroys, mutilates, defaces, injures or removes a tomb, monument, gravestone or other structure or thing which is placed or designed for a memorial of the dead, or a fence, railing, curb or other thing which is intended for the protection or ornament of a tomb, monument, gravestone or other structure before mentioned or of an enclosure for the burial of the dead, or wilfully destroys, mutilates, removes, cuts, breaks or injures a tree, shrub or plant placed or being within such enclosure, or wantonly or maliciously disturbs the contents of a tomb or a grave, shall be punished by a fine of not more than one thousand dollars or by imprisonment in the jail or house of correction for not more than three years.

SECTION 67. Whoever wrongfully, and by any act not included in the provisions of the preceding section, destroys, injures or removes a building, fence, railing or other thing lawfully erected in or around a place of burial or cemetery, or a tree, shrub or plant within its limits, or wrongfully injures a walk or path, or places rubbish or offensive matter or commits a nuisance therein, or in any way desecrates or disfigures the same, shall forfeit for every such offence not less than five nor more than one hundred dollars. Upon the trial of a prosecution for the recovery of such penalty, use and occupation for the purposes of burial shall be sufficient evidence of title.

SECTION 68. Whoever, without authority, removes flowers, flags or memorial tokens from any grave, tomb, monument or burial lot in any cemetery or other place of burial shall be punished by a fine of not more than one hundred dollars for each offence.

Deed

CEMETERY COMMISSIONERS
OF
TOWN OF HAMILTON
TO

JUSTINE A. RICE-BLENKHORN

&

CHARLES C. BLENKHORN

TOWN CEMETERY
HAMILTON

Lot No. 628 (4)

ENDOWED: \$500.00