

**Reprint
as at 3 June 2017**

Mental Hospitals Reserves Act 1908

Public Act 1908 No 257
Date of assent 10 October 1908

Mental Hospitals Reserves Act 1908: repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

This Act is administered by the Ministry of Health.

Schedule 4
Nelson Mental Hospital Reserves

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An Act to authorise the Disposal by Lease or otherwise of certain Mental Hospitals Reserves.

Preamble

Whereas the land described in Schedule 1 and 2 is vested in His Majesty for the purposes of a lunatic asylum by the Wellington Asylum, Home, Hospital, and Orphanage Reserves Act 1888:

And whereas the whole of the said land is no longer required for such purpose, and it is expedient to make provision for the disposal of such part thereof as is described in Schedule 2 in the manner hereinafter appearing:

And whereas the land described in Schedule 4 was by deed of grant dated 11 February 1856, vested in the Superintendent of the Province of Nelson as an endowment for hospitals and lunatic asylums:

And whereas by virtue of the Abolition of Provinces Act 1875, and the Nelson Hospital Reserves Act 1888, the last-mentioned land is now vested in His Majesty as an endowment for mental hospitals, and it is desirable to make provision for the leasing thereof:

1 Short Title

This Act may be cited as the Mental Hospitals Reserves Act 1908.

2 Exchange of lands between Crown and Wellington Hospital Contributors

- (1) The Governor is hereby authorised and empowered to grant to the Wellington Hospital Contributors (being incorporated as a separate institution under the Hospitals and Charitable Institutions Act 1908), in exchange for the land described in Schedule 3, the land described in Schedule 2, to be held for an estate in fee-simple on trust to be used as a site for a hospital for infectious diseases.
- (2) The Trustees of the said institution are hereby authorised and empowered to transfer to His Majesty the King, in exchange for the land described in Schedule 2, the land described in Schedule 3, and all the right, title, and interest of the said institution therein, free from all trusts affecting the same.
- (3) The land so acquired by the Crown shall be deemed to be reserved and set apart accordingly as an endowment for the establishment and maintenance of mental hospitals.

3 Power to Governor to grant leases

- (1) The Governor may, in the name and on behalf of His Majesty the King, from time to time grant leases of the land described in Schedule 4, in such allotments as he thinks fit.
- (2) On the land described in Schedule 3 becoming vested in the Crown in pursuance of this Act, the Governor may, in the name and on behalf of His Majesty the King, from time to time grant leases thereof, in such allotments as he thinks fit.
- (3) The provisions of the Public Bodies Leases Act 1908, shall apply to all leases granted under this section, and the Governor is hereby declared, with respect to the said lands, to be a leasing authority within the meaning of that Act.
- (4) All restrictions and limitations imposed on the leasing of the said lands by any Act or instrument other than the Public Bodies Leases Act 1908, are hereby removed.
- (5) A lessee under this Act, or any person claiming through or under a lessee, shall have the same right of relief against re-entry or forfeiture as if the lessor were a person other than the Crown.

4 Application of revenues received from leases

All revenues received by the Crown under this Act shall be paid into the Public Account, and shall be credited in each financial year to the votes for the establishment and maintenance of mental hospitals in the annual appropriation by Parliament of public moneys.

Schedule 1

Mount View Reserve (portion retained by the Crown)

All that area in the City of Wellington, containing by admeasurement 51 acres 2 roods 29.4 perches, more or less, being part of the land described in Schedule 1 to the Wellington Asylum, Home, Hospitals, and Orphanage Reserves Act 1888: bounded towards the north by the Wellington College land; towards the east by the land described in Schedule 2; towards the south generally by the abutment of Coromandel Street, by Town Acres Nos 773, 772, and 771, part of Owen Street, the Aged Home land, Hospital Reserve, and Hospital Road; and towards the west by Town Acres Nos 758, 757, 756, 747, 746, and the abutments of Drummond and Broomhedge Streets.

Schedule 2

Mount View Reserve (portion transferred to Wellington Hospital)

All that area in the City of Wellington, containing by admeasurement 9 acres 2 roods 9.6 perches, more or less, being part of the Asylum Reserve: bounded towards the north-west by a right line from the north-eastern corner of the northern abutment of Coromandel Street to the College Reserve, bearing 25° 2' 15", distance 1286.83 links;

thence towards the north-east by the College Reserve, bearing $110^{\circ} 59'$, distance 756.7 links; thence towards the east generally by the Town Belt, bearing $216^{\circ} 0' 40''$, distance 1356.87 links, and bearing $166^{\circ} 49'$, distance 204.7 links, to the north-eastern corner of Town Acre No 774; thence towards the south-east by Town Acre No 774, bearing $257^{\circ} 16' 30''$, distance 398.3 links, to Coromandel Street; and thence towards the south-west by Coromandel Street, bearing $347^{\circ} 11' 40''$, distance 502.54 links, to the place of commencement.

Schedule 3

Wellington Hospital Reserve (portion transferred to Crown)

All that area in the City of Wellington, containing by admeasurement 2 roods 17.32 perches, more or less, being Allotments Nos 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of Town Acres Nos 761 and 762: bounded towards the north-west by Town Acre No 760, 151.52 links; towards the north-east by a private right-of-way, 400.9 links; towards the south-east by Allotment No 14 of Town Acre No 763, 151.52 links; and towards the south-west by Revans Street, 401.5 links.

Schedule 4

Nelson Mental Hospital Reserves

All that area in the City of Nelson, containing by admeasurement 6 acres, more or less, and being Sections Nos 695, 700, 701, 706, 707, and 712 (originally Crown-granted as Section F): bounded towards the north-west by Vanguard Street North; towards the north-east by Section No 694; towards the south-east by Sections Nos 696, 699, 702, 705, 708, and 711; and towards the south-west by North Esk Street: as the same is delineated on the plan marked LS 5212, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered red.

Also all that area in the City of Nelson, containing by admeasurement 2 acres, more or less, and being Sections Nos 909 and 1094 (originally Crown-granted as Section D): bounded towards the south-west by Hampden Terrace; towards the north-west by Section No 1095; towards the north-east by Sections Nos 1116 and 1117; and towards the south-east by Section No 911: as the same is delineated on the plan marked LS 5212, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered green.

Eprint notes

1 *General*

This is an eprint of the Mental Hospitals Reserves Act 1908 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Statutes Repeal Act 2017 (2017 No 23): section 3(1)