

## GLADESVILLE MENTAL HOSPITAL CEMETERY ACT.

### Act No. 45, 1960.

**Elizabeth II, No. 45, 1960.** An Act to authorise the use of a certain cemetery within the Mental Hospital at Gladesville for purposes other than a cemetery; to validate certain matters; and for purposes connected therewith. [Assented to, 4th November, 1960.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

**Short title.** 1. This Act may be cited as the "Gladesville Mental Hospital Cemetery Act, 1960".

**Lands vested in the Minister.** 2. (1) The lands described in Part I of the Schedule to this Act are hereby vested in the Minister for Health on behalf of Her Majesty for the purposes of the Mental Hospital at Gladesville.

(2) Any trusts, conditions, encumbrances, appropriations or dedications affecting the said lands immediately before the commencement of this Act are hereby revoked and annulled.

**Removal of human remains, headstones, etc.** 3. (1) Subject to the provisions hereinafter contained, the Minister may cause the remains of all persons buried in the lands described in Parts I and II of the Schedule to this Act (so far as such remains can by reasonable diligence be discovered or identified) together with all headstones, grave enclosures and other surface structures on such lands to be collected with due care and removed from such lands and shall cause any such remains so removed to be reverently reinterred

reinterred and such headstones, grave enclosures and other surface structures to be re-erected in such cemetery as the Minister may determine. No. 45, 1960.

(2) The cost of such removal, reinterment and re-erection shall be borne by the Minister.

(3) The Minister shall cause an advertisement of his intention to remove such remains, headstones, grave enclosures or other surface structures under the provisions of subsection one of this section, to be published three times at intervals of not less than two weeks in one or more newspapers circulating in the Metropolitan Area and no such remains, headstones, grave enclosures or other surface structures shall be so removed before the expiration of three months from publication of the last of such advertisements.

(4) (a) At any time after publication of the first advertisement referred to in subsection three of this section and before the expiration of three months from publication of the last of such advertisements, the representatives or any persons claiming to be the representatives of any person buried in the said lands may, at their own expense, remove the headstone, grave enclosure or other surface structure erected over the grave of such person, and may, at their own expense, and with the permission of the Director General of Public Health, remove the remains of such person to such cemetery as they may desire.

(b) Any such representatives or any such persons claiming to be such representatives shall give to the Minister not less than twenty-eight days' notice of their intention.

4. (1) The Minister shall as soon as practicable after the commencement of this Act and before the removal of the remains of any person from the said lands, cause a register of the names and other relevant information in respect of the persons buried in the said lands described in Parts I and II of the said Schedule to be compiled so far as such names and information can by reasonable diligence be obtained. <sup>Register of names.</sup>

(2) The Minister shall cause the register to be deposited and maintained at the Mental Hospital at Gladesville and available for inspection by any interested person from time to time.

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**No. 45, 1960.** **5.** The Minister may cause to be done all such other things as he may consider necessary to carry fully into effect the purposes of this Act.

Incidental powers.

**No compensation payable.** **6.** No compensation or damages shall be payable to any person or body of persons in respect of the vesting of the said lands or in respect of the performance of or omission to perform any act authorised by this Act.

**Validation.** **7.** Any action, matter or thing taken or done before the commencement of this Act which would have been valid had the provisions of section two of this Act been in force at the time when such action, matter or thing was taken or done is hereby validated.

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**SCHEDULE.**

Secs. 2, 3.

**PART I.**

All that piece or parcel of land containing by admeasurement 1 acre  $\frac{1}{4}$  perch be the same more or less situate in the Municipality of Hunters Hill County of Cumberland Parish of Hunters Hill being the area appropriated for a Burial Ground at Tarban on Half Monthly Return 47/1 approved by The Colonial Secretary's letter 47/37 of 16th January 1847 and being the land originally shewn on plan catalogued C244-730 at the Department of Lands Sydney and now defined by survey and shewn on plan catalogued Ms 15537 Sy. at the Department of Lands Sydney Commencing at a point bearing 331 degrees 38 minutes 564 feet  $0\frac{1}{4}$  inch from the intersection of the north-eastern side of Bland Street with the north-western side of Crown Street and bounded thence on the south-east and south-west by lines bearing 235 degrees 3 minutes 40 seconds 198 feet and thence 323 degrees 28 minutes 220 feet  $5\frac{1}{4}$  inches and on the north-west and north-east by lines bearing 55 degrees 3 minutes 40 seconds 198 feet and thence 143 degrees 28 minutes 220 feet  $5\frac{1}{4}$  inches to the point of commencement.

(All bearings are relative to the Trigonometrical Meridian.)

Sec. 3.

**PART II.**

All that piece or parcel of land containing by admeasurement 3 roods  $15\frac{1}{4}$  perches be the same more or less situate in the Municipality of Hunters Hill County of Cumberland Parish of Hunters Hill being part of an area of 192 acres 3 roods at Gladesville dedicated 14th December 1895 for a Hospital for the Insane and shewn on

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on plan catalogued Ms 15537 Sy. at the Department of Lands No. 45, 1960. Sydney Commencing at a point bearing 335 degrees 38 minutes 380 feet  $1\frac{1}{4}$  inches from the intersection of the north-eastern side of Bland Street with the north-western side of Crown Street and bounded thence on the south-east and south-west by lines bearing 235 degrees 3 minutes 40 seconds 198 feet and thence 323 degrees 28 minutes 186 feet 9 inches on the north-west by the south-eastern boundary of an area of 1 acre appropriated for Burial Ground on Half Monthly Return 1847/1 bearing 55 degrees 3 minutes 40 seconds 198 feet and thence on the north-east by a line bearing 143 degrees 28 minutes 186 feet 9 inches to the point of commencement.

(All bearings are relative to the Trigonometrical Meridian.)

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