

County—NORFOLK.

Parish—WELLS-NEXT-THE-SEA.

Charities—Rev. Mungo Moray and
others.

H.

1881

26481

Appointment of Trustees.

Vesting.

Scheme.

1876

Stamps

70/- 70/-



CHARITY COMMISSION.

In the Matter of the following several Charities,
in the Parish of WELLS-NEXT-THE-SEA, in
the County of NORFOLK, viz.:

1. The Reverend MUNGO MORAY'S
CHARITY:
2. CHRISTOPHER RINGAR'S CHARITY.
3. ANN TIDD'S CHARITY:
4. WILLIAM BRANCH ELLIOTT'S CHA-
RITY; and
5. The FUEL ALLOTMENT; and

In the Matter of "The Charitable Trusts Acts, 1853
to 1869."

The Board of Charity Commissioners for England
and Wales, having considered several applications in writing
made to them on the 24th day of December 1875 and the
5th January 1876 respectively, in the matter of the above-
mentioned Charities, by the persons at present acting in the
administration of the said respective Charities, viz.:

As to the first above-mentioned Charity, by
WILLIAM LEGGATT, the Assistant Overseer of
the Poor of the above-mentioned Parish;

As to the second above-mentioned Charity, by
ROBERT HUDSON, of Billingford, in the above-
mentioned County, Farmer; and
JOSEPH SPRINGALL SOUTHGATE, of Wells-
next-the-Sea aforesaid, Merchant;

As to the third above-mentioned Charity, by
EDWARD BUNTING LOYNES and
THOMAS ALWEN, the Churchwardens of the said
Parish;

And as to the fifth above-mentioned Charity,
The Reverend ROBERT LEEDER, Rector of the
aforesaid Parish;
The said EDWARD B. LOYNES and
THOMAS ALWEN, the Churchwardens of the same
Parish; and
GEORGE RACKHAM;
JOHN PLUMB RAMM;
THOMAS COE; and
JOHN DAVIDSON, the Overseers of the Poor of
the same Parish.

And it appearing to the said Board, That the
endowment of the said Charities consists of the particulars
mentioned in the first Schedule hereto:

And that the gross annual income of no one of the said
Charities, except that of Christopher Ringar, amounts to
50*l.*:

And that it is desirable that a Scheme should be esta-
blished providing for the appointment of Trustees and for the
future regulation of the said Charities:

And that the legal estate in the real property belonging
thereto should be vested in trust for the said Charities
respectively, in manner herein-after mentioned:

And upon notice of the intention of the said Board
to make an Order and establishing such a Scheme as aforesaid
having been given by the affixing of the same, according to

the direction of the said Board, to or near a principal outer door of the Parish Church of Wells-next-the-Sea aforesaid, on the 26th day of March 1876, being more than one calendar month previously to the date hereof:

Do hereby Order, That the Scheme set forth in the second Schedule hereto be approved and established as the Scheme for the future regulation of the said Charities.

And the said Board do Further Order, That the right to sue for, recover, and receive, and to give receipts and discharges for all sums of money, rents in arrear, and choses in action, due to or recoverable for the benefit of the said Charities or any of them, **Do Vest** in the Trustees appointed under the said Scheme, their executors, administrators, and assigns, in trust for the said Charities respectively :

And that the land and other hereditaments mentioned in the said first Schedule hereto, and all other real estate and hereditaments (if any) belonging to or held in trust for the said Charities respectively, and all term and estate therein, not being copyhold, together with appurtenances, **Do Vest** in "The Official Trustee of Charity Lands," and his successors, in trust for the said Charities.

FIRST SCHEDULE.

As to the Reverend Mungo Moray's Charity.

A rentcharge or yearly payment of 18*l.* charged upon and issuing out of an estate called the Bale estate, situate at Bale, in the County of Norfolk, now in the possession or ownership of The Reverend Robert Leeder, the Rector for the time being of Wells-next-the-Sea aforesaid.

As to Christopher Ringar's Charity.

A farmhouse and buildings and three cottages, and 88a. 0r. 12p. or thereabouts of land, being partly freehold and partly copyhold, let to Thomas Mott, Esquire, for 16 years from the 11th October 1861, at the annual rent of 130*l.*

As to Ann Tidd's Charity.

A rentcharge or yearly payment of 5*l.* arising out of land, in the aforesaid Parish of Wells, now in the possession of the Earl of Leicester, formerly the estate of Joseph Haycock deceased.

As to William Branch Elliott's Charity.

The sum of 388*l.* 2*s.* 9*d.* New 3*l.* per Cent. Annuities now held by
The Official Trustees of Charitable Funds.

As to the Fuel Allotment.

A piece of land containing 10 acres or thereabouts, situate in the
aforesaid Parish of Wells, allotted under the Enclosure Award, made
on the 1st October 1813, and now let to the Earl of Leicester at the
annual rent of 30*l.*

SECOND SCHEDULE.

SCHEME FOR THE MANAGEMENT AND REGULATION OF THE ABOVE-
MENTIONED CHARITIES.Charities to be
administered by
Trustees.

1. The Charities and their endowments shall be administered and
managed by the Trustees hereafter mentioned, subject to and in con-
formity with the provisions of this Scheme.

Trustees.

2. The permanent body of Trustees shall consist of four official and
eight non-official Trustees :

→ The RECTOR and CHURCHWARDENS of the Parish of
Wells-next-the-Sea; and

The CHAIRMAN of the SCHOOL BOARD of the said
Parish,

shall be ex-officio Trustees upon their respectively signing a memo-
randum, to be entered in the minute book of the Trustees, signifying
their willingness to act as Trustees of the Charities under the provisions
of this Scheme. The following 10 persons shall be the first non-official
Trustees under the provisions of this Scheme, viz. :—

The Right Honourable the EARL OF LEICESTER, K.G. ;

JOSEPH SPRINGALL SOUTHGATE, Merchant ;

JAMES CHAPMAN, Merchant ;

HUGH ROBERT RUMP, Gentleman ;

JOSHUA GALES, Gentleman ;

FRANCIS SOUTHGATE, Wine and Spirit Merchant ;

THOMAS FRYER, Stationer ; and

JOHN WOODS, Ironfounder ;

all of Wells-next-the-Sea aforesaid ;

ROBERT HUDSON, of Billingford, in the aforesaid County
of Norfolk, Farmer ; and

SAMUEL SHELLABEAR, of Holkham, in the same County,
Land Agent.

3. A non-official Trustee taking or holding an office to which the
Trusteeship is attached, shall not be entitled to more than a single vote
upon questions relating to the administration of the Charities.

Appointment of
new Trustees.

4. In case any non-official Trustee of the Charities shall become
bankrupt or incapacitated to act, or shall cease to be resident within
a convenient distance from the aforesaid Parish of Wells-next-the-

permanently

See list
2
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See, or shall not attend any meeting of the Trustees during a consecutive period of two years, he shall immediately cease to be a Trustee, and the Trustees shall cause a record of the fact to be entered in their books, and thereupon, or upon the death or resignation of any non-official Trustee, a new Trustee, being a duly qualified person resident in the aforesaid Parish of Wells-next-the-Sea, or within a convenient distance therefrom, shall be appointed by the other Trustees at a meeting held after the lapse of one calendar month after the occurrence of the vacancy, by a resolution to be forthwith notified by them, with all proper information to the Charity Commissioners for England and Wales, at their office in London, but no such appointment shall be valid until it has been approved by the said Commissioners, and their approval certified under their official seal:

Provided nevertheless, that until any vacancy or vacancies amongst the Trustees shall be filled up, the surviving and continuing Trustees for the time being shall have full power to act for all purposes in the administration of the Charities. Provided also, and it is hereby expressly declared, that no appointment shall be made to fill any vacancy amongst the non-official Trustees until their number shall have become reduced, in some one of the modes specified above, to less than eight, which shall in future be the full permanent number of non-official Trustees.

5. The Trustees shall hold meetings in some convenient place within the Parish of Wells-next-the-Sea as often as may be found necessary for the management of the Charities, and at least twice in each year, at times to be appointed by themselves. Meetings of Trustees.

6. The Trustees may elect any one of their number to be their permanent Chairman, who shall hold office until another such Chairman shall be elected in his place. The permanent Chairman, when present, shall preside at every meeting. In the absence of the permanent Chairman from any meeting, the Trustees present thereat shall elect one of their number to be Chairman of that meeting; and if for the purpose of such election it is found necessary to have a Chairman, the senior Trustee present, according to the date or order of his appointment, shall be Chairman for that limited purpose. Chairman.

7. Five Trustees shall form a quorum at any meeting. Quorum.

8. Any two Trustees may summon a special meeting, giving ten days' previous notice in writing to the other Trustees, and specifying in such notice the object of such meeting. Special meetings.

9. All matters and questions shall be determined by the majority of the Trustees present at any meeting; and in case of equality of votes, the Chairman shall have a second or casting vote. Voting.

10. In case of the non-attendance of a sufficient number of Trustees to form a quorum at any meeting, or of the business at any meeting not being fully completed, the Trustees present may adjourn the meeting to a subsequent day, of which a notice in writing shall be given to each of the other Trustees. Adjournment of meetings.

Minutes.

11. A minute book and proper books of account shall be provided by the Trustees and kept in some convenient and secure place of deposit to be provided or appointed by them for that purpose, and minutes of the entry into office or the appointment of every new Trustee, and of all proceedings of the Trustees, shall be entered in such minute book and signed by the Chairman of the meeting at which the proceedings shall have taken place, either at the conclusion of the meeting or at a future meeting.

Accounts.

12. Full accounts shall be kept of the receipts and expenditure of the Trustees in respect of the Charities, in the books to be provided for that purpose, and such accounts shall be stated for each year, and examined and passed annually at the first meeting in the ensuing year, and signed by the Trustees then present.

Secretary and Treasurer.

13. The Trustees may appoint one of themselves to act as Secretary and Treasurer, without salary, or they may appoint anyone not of their own body to those offices, at an annual salary not exceeding 5*l*. Such person shall keep the accounts of the Charities, and shall receive the rents and income, and make the several payments thereout, under the immediate control and superintendence of the Trustees, who shall be responsible for the due application by him of all such moneys, and he shall discharge all such other duties connected with the administration of the Charities as shall be reasonably required of him by the Trustees.

Documents.

14. The Trustees shall make such arrangements as they may find most fitting for the custody of all muniments, title deeds, and other documents belonging to the Trust.

Bankers.

15. The Trustees shall from time to time appoint some fit bankers to the Trust during their pleasure, with whom shall be deposited all moneys of the Charities not immediately required for the purposes thereof.

Cheques.

16. All cheques and orders for the payment of money shall be signed by one or more of the Trustees, and endorsed or countersigned by the Treasurer, or if there be none, by two of the Trustees.

Management and letting of estates.

17. All the estates and property of the Charities, not required to be retained or occupied for the purposes thereof, shall be let and otherwise managed by the Trustees, and in every case public notice of the intention to let any land or other property shall be given by the Trustees in the Parish of Wells-next-the-Sea, and also in the parish or parishes in which such land or property shall be situate, in such manner as they shall consider most effectual for giving full publicity to such intention, and no lease shall be granted in reversion, or for more than seven years certain, or for less than the improved annual value at rackrent, without the sanction of the Board of Charity Commissioners or a competent court.

Timber and minerals.

18. Any money arising from the sale of timber, or from any mines or minerals on the Charities' estates, shall be treated as capital and invested in the Government funds in the name of the Official Trustees

of Charitable Funds in trust for the Charities to which such money belongs, except in any special cases in which the Trustees may be authorised by the Board of Charity Commissioners for England and Wales to apply such money or any part thereof as income.

19. One third of the clear yearly income of the Charities which shall remain after the payment thereof of all necessary and proper outgoings and expenses of management shall be expended and applied by the said Trustees for the benefit of deserving poor persons residing in the aforesaid Parish of Wells-next-the-Sea, in such manner, and subject to such reasonable regulations as the said Trustees shall from time to time prescribe, in some one or more of the following modes; that is to say:—

Application of income.

- I. In paying the School fees or charges for any deserving children of such last-mentioned persons who shall attend any well conducted Public Elementary School in the said Parish of Wells-next-the-Sea.
- II. In the payment of annual Scholarships or Exhibitions of not more than 5*l.* each unto or for the benefit of like children attending any such School as aforesaid, who shall have distinguished themselves by proficiency and good conduct at the same School.
- III. In the payment of the fees or charges for any such children as aforesaid, for the purpose of enabling them to attend any higher or secondary School, or any Government School of Art and Science established or to be established in or in the neighbourhood of Wells-next-the-Sea.
- IV. In making payments or gifts of the amount or value of not more than 5*l.* in each case for the benefit or advancement in life of the like children upon their leaving School.

The remainder of the said clear yearly income shall be applied by the said Trustees, subject to such reasonable regulations and conditions as they shall from time to time prescribe in some or one of the following modes, that is to say:

- I. In gifts of clothes, bedding, fuel, medical, or other aid in sickness, food or other articles in kind, or pecuniary aid in special cases to the like deserving poor persons, who shall have become incapacitated by age, illness, or infirmity from maintaining themselves wholly by their own exertions, and who shall not be in the receipt of regular parochial relief.
- II. In payments in aid of the funds of any well-conducted fuel or clothing club, or other similar institution for the benefit of the poor inhabitants of Wells-next-the-Sea.
- III. In the formation of an accident or emergency fund which may be expended and applied by the said Trustees in or towards the relief or assistance of the like poor persons in cases of sudden or unexpected loss, accident, or distress.

IV. The Trustees shall also be at liberty, if they so think fit, to make grants or contributions out of the last-mentioned share of the said income, not exceeding 10*l.* in any one year in aid of the funds of any local or other Hospital or Infirmary or other Institution for the relief or benefit of poor persons suffering from disease, accident, or infirmity. The particular Institutions to be selected for the purpose aforesaid, and the amount of the grant or contribution to be given to each shall be fixed and determined from time to time by a resolution of the Trustees, and the Trustees upon making any such grant or contribution may stipulate for the reservation to themselves of the right of nominating deserving poor inhabitants of the said Parish of Wells-next-the-Sea for admission to the Institution so benefited.

Application of surplus income.

If there shall be any surplus of the income of the said Charities which shall not be expended or applied in any of the modes aforesaid, the same may, with the sanction of the Charity Commissioners, be applied by the Trustees in some other suitable manner for the benefit of the like poor.

Parishioners, &c. may take copies of Scheme.

20. A copy of this Scheme shall be kept with the books of account and other documents belonging to the Charities, and every parishioner and other person interested in the Charities shall be at liberty to take copies of the Scheme or any part thereof, upon making application for that purpose to the Trustees, at such reasonable times, and subject to such reasonable conditions as may be fixed and prescribed by them.

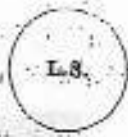
Scheme to be printed.

21. The Trustees may cause this Scheme to be printed at the expense of the Charities, and copies may be sold at such reasonable prices as the Trustees may put upon them.

Questions to be referred to Commissioners.

22. If any doubt or question shall arise amongst the Trustees or any of them as to the construction or proper application of any of the provisions of this Scheme, or the management of the Charities, application may be made by them to the Charity Commissioners for England and Wales for their opinion and advice, which when given shall be conclusive upon all persons affected thereby.

Sealed by Order of the Board this 18th day of July 1876.



HENRY M. VANE,
Secretary.