

County—BEDFORD.

Parish—EVERSHOLT.

Charity—Town Estate.

Scheme.



CHARITY COMMISSION.

In the Matter of the Charity called The TOWN
ESTATE, in the Parish of EVERSHOLT, in
the County of BEDFORD; and

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

The Board of Charity Commissioners
for England and Wales, having considered an application
in writing made to them on the 15th day of June 1877, in the matter of
the above-mentioned Charity, by

Lord CHARLES JAMES FOX RUSSELL;

WILLIAM GOODMAN, Yeoman;

The Reverend WILLIAM SAMUEL BAKER, Rector of
the above-mentioned Parish of Eversholt;

THOMAS GODFREY, Farmer;

JOHN BOSWORTH, Farmer;

ALFRED WILLIAM MARTIN FORD, Baker;

JOHN NEGUS, Butcher; and

WILLIAM GOWER, Farmer; all of the aforesaid Parish
of Eversholt;

who, with

WILLIAM STOPP, of Potsgrove, in the County of Bedford,
Farmer;

SAMUEL SANDYS, Gentleman; and

JOHN MILGATE FRYER, Farmer, both of Eversholt afore-
said;

are the Trustees of the said Charity;

And it appearing to the said Board, **That** the gross annual income of the said Charity amounts to more than £50. :

And that it is desirable that a Scheme should be established for the future regulation of the said Charity :

And upon notice of the intention of the said Board to make an Order for the foregoing object, 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 Eversholt aforesaid on the 12th day of September, 1877, being more than one calendar month previously to the date hereof, and having been also sent through the post under the like direction, unto the said

William Stopp,
Samuel Sandys, and
John Milgate Fryer,

at their respective places of abode in Great Britain, on the 18th day of December 1877 :

And no notice of any sufficient objection to the said proposed Order having been received by the said Board :

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

SCHEDULE.

SCHEME FOR THE MANAGEMENT AND REGULATION OF THE ABOVE-MENTIONED CHARITY.

1. The Charity and its endowments shall be administered by the title of the "Eversholt Parochial Charity" under the provisions of this Scheme.

2. The Trustees of the Charity shall be twelve in number, of whom one shall be an Ex-officio Trustee, nine shall be Elective Trustees, and two shall be Representative Trustees.

3. The Rector of Eversholt for the time being shall be the Ex-Officio Trustee, upon his signing a memorandum to be entered in the Minute Book of the Trustees, signifying his willingness to act in the Trusts of this Scheme.

Trustees.

Ex-officio
Trustees.

4. Elective and Representative Trustees shall be competent persons, Qualification of Trustees.
bona fide resident in the Parish of Eversholt, or within a convenient distance therefrom.

5. Elective Trustees, other than those herein-after named, shall be Elective Trustees
 provisionally appointed by the Trustees at a Special meeting of their body. The following persons, being nine of the present Trustees of the Charity, shall be the first Elective Trustees under the provisions of this Scheme, viz.:—

LORD CHARLES JAMES FOX RUSSELL, of Woburn, in the said County of Bedford;
 WILLIAM GOODMAN, of Eversholt, Esquire;
 WILLIAM STOPP, of Potsgrove, in the County of Bedford, Esquire;
 SAMUEL SANDYS, Gentleman;
 WILLIAM GOWER, Senior, Farmer;
 JOHN BOSWORTH, Farmer,
 JOHN NEGUS, Butcher;
 THOMAS GODFREY, Farmer; and
 JOHN MILGATE FRYER, Farmer, all of Eversholt aforesaid.

6. Representative Trustees shall be provisionally appointed from Representative Trustees.
 time to time by the Vestry of the Parish of Eversholt, at meetings of their body held and conducted in conformity with their ordinary regulations and practice, by a resolution to be forthwith notified by them to the Trustees.

Representative Trustees shall vacate their office at the expiration of five years from the date of their appointment, but shall, if still duly qualified, be re-eligible.

ALFRED WILLIAM MARTIN FORD, of Eversholt, Baker, being one of the present Trustees of the Charity; shall be one of the first Representative Trustees under the provisions of this Scheme. Another Representative Trustee shall be appointed by the said Vestry at a meeting to be convened and held within two calendar months after the establishment of this Scheme. If no appointment of a Representative Trustee be made by the Vestry within that period, or within a like period after notice of any future vacancy has been given as herein-after prescribed, the appointment shall be made in each case by the Trustees at a Special meeting of their body.

7. Vacancies among Elective or Representative Trustees shall be respectively filled up by the appointment of like Trustees.

8. All provisional appointments of Trustees shall be forthwith Appointment of Trustees.
 notified by the Trustees, with all proper information, to the Charity Commissioners at their office in London. And every provisional appointment shall become a valid appointment on the approval thereof by the said Commissioners, declared under their official seal, but shall have no operation without or before such approval. No provisional appointment shall be made until the expiration of one calendar month from the occurrence of the vacancy to be filled up.

Determination of
Trusteeship.

9. The office of a Representative or Elective Trustee shall be vacated by his death or bankruptcy, or incapacity to act, or by his ceasing to be qualified as aforesaid, or by his failure to attend any meeting of the Trustees during a consecutive period of one year, or by his resignation, made in writing under his hand, and delivered or sent by post to the Trustees or their Clerk. The Trustees shall cause a record of every vacancy to be forthwith entered on their minutes, and shall further give notice to the Vestry Clerk of the said Parish of every vacancy to be filled up by the appointment of a Representative Trustee: Provided that, pending any vacancy, the surviving or continuing Trustees for the time being, not being less in number than a quorum, may act for all purposes in the administration of the Trust.

Meetings of
Trustees.

10. General meetings of the Trustees shall be held not less than twice in each year, at such times and at such places in the Parish as they shall from time to time appoint, provided that one of the General meetings shall be held on Whit Monday in each year. Special meetings may be convened by the Clerk, upon a requisition addressed to him in writing by two or more Trustees, stating the object, time, and place of the meeting. Notice in writing of every meeting, whether General or Special, shall be delivered or sent by the post by the Clerk to each Trustee at his usual or last known place of abode in Great Britain, four clear days at the least before the time appointed for holding the same, and notice in writing of every adjourned meeting shall be given immediately after the adjournment in like manner, so far as the interval between the original and adjourned meetings will permit, to every Trustee not present thereat. Every notice of meeting shall state the place, day, and hour for holding the meeting, and every notice of a Special meeting shall further state the matters to be discussed or transacted thereat.

Adjournment of
meetings.

11. Five Trustees shall form a quorum at every meeting. If a quorum of Trustees shall not have assembled within half an hour after the time appointed for a meeting, the Trustees or Trustee present, or the Clerk, if no Trustee be present, may adjourn the meeting either to a later hour on the same day, or to a subsequent day not less than four days distant. A meeting may be adjourned at any time by the Chairman upon the adoption of a resolution for its adjournment.

Chairman.

12. The Trustees shall, at the first ordinary meeting in each year, elect some one of their number to be their Chairman for that year. The Chairman so elected shall, when present, be entitled to preside at all meetings of the Trustees during that period. In the event of the death, resignation, or disqualification of the Chairman during the term of his office, the Trustees shall proceed to elect another chairman during the remainder of the term. If there shall be no such Chairman, or if he shall be absent, the Trustees present at any meeting may elect a Chairman thereof by the votes of a majority of their number, and in the event of an equality of votes in favour of two or more Trustees, the choice between them shall be decided by lot. The Chairman of every meeting shall, in the event of an equality of votes, have a casting vote, whether

or not he shall have previously voted on the same question, but no Trustee shall in any other circumstances have more than one vote.

13. The acts and proceedings of a majority of the Trustees present at any meeting shall be binding on the whole body, but those acts and proceedings, or any of them, may be revoked or altered from time to time, either wholly or partially, by the Trustees at a Special meeting. Decision of majority.

14. The Trustees may appoint one of themselves to act as Treasurer, without salary. The Treasurer shall receive the rents and income of the Charity, and shall make the several payments thereout, under the direction of the Trustees. Treasurer.

15. The office of Townsman, whether paid or honorary, shall not for the future be filled up, but the Trustees may appoint any suitable person to act as Clerk, at an annual salary not exceeding 10*l.*; but every such officer shall be removable by them at their pleasure. The Clerk shall keep the accounts of the Charity, and shall summon and attend all meetings of the Trustees, and shall prepare and send such statements of their accounts as the Trustees are bound to furnish under the Charitable Trusts Acts, and shall discharge all such other duties connected with the administration of the Charity as shall be reasonably required of him by the Trustees. Clerk.

16. The Trustees shall make proper arrangements for the custody of all muniments, title deeds, and other documents belonging to the Charity. Documents.

17. 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 Charity not immediately required for the purposes thereof. Bankers.

18. 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. Cheques.

19. A minute book and proper books of account shall be provided by the Trustees and shall be kept in some convenient and secure place of deposit to be provided or appointed by them for that purpose, and minutes of all proceedings of the Trustees shall be entered in the minute book, and shall be signed by the Chairman of the meeting at which the proceedings shall have taken place, or of the next succeeding meeting. Minutes.

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

Letting of allotment gardens.

21. The Trustees may let any suitable portion or portions of the Trust estate, not exceeding 30 acres in the whole, in allotment holdings, as follows:—Allotments not exceeding ten in number, and not exceeding one acre each in extent, may be let to inhabitants of the Parish of Eversholt, who shall not, at the time of such letting, be assessed to the poor rate of the Parish at an annual rateable value exceeding 20*l*.—Allotments, not exceeding a quarter of an acre each in extent, may be let to deserving and industrious poor inhabitants of the Parish of Eversholt; but nothing herein contained shall operate to determine any existing tenancy of allotment holdings, or to prevent the continuance of any tenancy of those holdings, if the Trustees think fit to continue the same, by tenants being originally duly qualified, who, after the commencement of their tenancy, shall become rated at an annual value exceeding 20*l*. All the allotments shall be let at such yearly rents, not being less than the ordinary agricultural value thereof, and subject to such reasonable regulations for securing the proper cultivation and management of the said allotments, as the Trustees shall from time to time prescribe: Provided that no person shall be permitted to hold more than one allotment at the same time, and that the Trustees may, if they think fit, require the rent of any allotment to be paid for any period not exceeding one year in advance,

Management and letting of estates.

22. Subject as aforesaid, all the estates and property of the Charity, not required to be retained or occupied for the purposes thereof, shall be managed by the Trustees, and shall be let by them by public auction or open tender, subject to such conditions for the due cultivation of the land, and for securing the payment of rent and otherwise, as the Trustees shall prescribe: Provided that, except with the sanction of the Board of Charity Commissioners or a competent Court, no tenancy shall be created in reversion, or for more than eight years certain, or for less than the improved annual value at rackrent, or for any rent less than the highest amount offered at any auction or upon any tender or in favour of any Trustee.

Timber and minerals.

23. Any money arising from the sale of timber, or from any mines or minerals on the Charity 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 Charity.

Repairs and insurance.

24. The Trustees shall cause to be kept in repair and insured against fire all the buildings belonging to the Charity, not required to be kept in repair and insured by the lessees or tenants thereof. The cost of all such repairs and insurance, and all outgoings and charges payable in respect of the Charity property, and all proper costs and expenses of, or incident to the management and administration of the Charity, shall be defrayed by the Trustees in the first place out of the income thereof.

Division of net income.

25. The clear amount of the annual rents, profits, and income of the Charity, after the payment thereof of all necessary and proper outgoings and expenses of management shall be divided by the Trustees into three

equal parts, which shall be applied in manner following, viz. :—

26. One such third part shall be applied by the Trustees primarily in the payment to the Churchwardens of the Parish of Eversholt, upon their requisition, of such sums as may be needed to defray any expenditure from time to time lawfully incurred by them in the maintenance and repair of the Parish Church and Churchyard of Eversholt, or in the maintenance of divine worship there, and if in any year the whole of such one third part be not so applied, the residue shall be accumulated and invested by the Trustees, so as to form a fund for the extraordinary reparation or improvement of the said Church.

Maintenance and
Repair of Parish
Church.

27. One other third part shall be applied by the Trustees towards promoting the efficiency of all or any of the Public Elementary Schools in the Parish of Eversholt, by means of the payments herein-after mentioned :

Elementary
education.

(I.) A sum of not exceeding in the whole 35*l.* may be paid to the managers of any Public Elementary School or Schools in the said Parish, in sums not exceeding 10*s.* per head per annum, in respect of each Scholar of the School resident in the Parish of Eversholt, who shall either have made during the foregoing educational year, as defined by the Code of Regulation of the Education Department in force for the time being, not less than fifty attendances in excess of the number required by the same Regulations as a condition of an annual grant, or shall have passed the annual examination prescribed by those Regulations in reading, writing, and arithmetic, in the second or any higher standard.

Payment of
capitation grant
to managers of
Public Elementary
Schools.

(II.) The residue of such one third part, after making the last-mentioned payments, shall be applied in the payment, in order to encourage the continuance of attendance at School, of Scholarships of a yearly value not exceeding 5*l.* each, tenable at any Public Elementary School in the said Parish, by deserving and necessitous children, being not less than 12 years of age, who or whose parents are *bona fide* resident in Eversholt. Those children only shall be eligible for Scholarships who shall have passed the aforesaid annual examination in reading, writing, and arithmetic, in the third or any higher standard.

Scholarships for
continuance of
attendance at
School.

No payment shall be made as herein-before provided in respect of any child who shall not have been reported to the Trustees by the Master or Mistress of their School to have distinguished himself or herself by good conduct.

28. The Trustees shall be at liberty to apply an annual sum not exceeding 2*l.* out of the last-mentioned third part of the income of the Charity towards the maintenance of any lending library attached to any Public Elementary School in the Parish of Eversholt.

Lending Library

Distribution.

29. The remaining third part of the income of the Charity shall be applied by the Trustees to the benefit of such poor and deserving inhabitants of the said Parish of Eversholt, as the Trustees shall in their judgment consider to be fit recipients of the Charity, by providing them with clothes, bedding, fuel, medical or other aid in sickness, food or other articles in kind, as shall be considered by the Trustees to be most advantageous to the recipients, and most conducive to the formation of provident habits, and that either directly, or by assisting such persons to emigrate, or in or towards providing the annual or other contributions required for the purchase of deferred annuities for their respective benefit, or by aiding the funds of any coal or clothing clubs, or other provident or friendly associations, or other similar institutions to which the said persons shall belong, but so that the funds of the Charity shall in no case be applied directly or indirectly to the relief of the poor rates of the said Parish.

Distribution to be made at meetings.

30. The appropriation of the benefits of the Charity shall be made by the Trustees from time to time at meetings of their body, and not separately by any individual Trustee or Trustees.

Proportions may be varied.

31. The shares and proportions into which the said income of the said Charity shall be divided, with a view to its application to the objects aforesaid, may, however, be varied from time to time by the Trustees, with the sanction of the Charity Commissioners, given by an Order under their seal, if and so often as such variation should be considered to be necessary or desirable.

Parishioners, &c., may take copies of Scheme.

32. A copy of this Scheme shall be kept with the books of account and other documents belonging to the Charity; and every parishioner and other person interested in the Charity 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.

Questions to be referred to Commissioners.

33. 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 Charity, 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 19th day of
February 1878.

The Reverend WILLIAM SAMUEL BAKER, Rector

of the aforesaid Parish of Eversholt;

JOHN MOULDEN, Greener;

GEORGE GAZELBY, Postmaster;

GREEN RAYNER, Innkeeper;

L.S.

HENRY M. VANE,
Secretary.