

EDW. 8. & *Poor's Allotments in* [Ch. xxv.]
1 GEO. 6.] *Walton-upon-Thames Charity*
Scheme Confirmation Act, 1937.



CHAPTER xxv.

An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity called or known as the Poor's Allotments in the Ancient Parish of Walton-upon-Thames in the County of Surrey. A.D. 1937.

[10th June 1937.]

WHEREAS the Charity Commissioners in their report to His Majesty of their proceedings during the year one thousand nine hundred and thirty-six reported that they had approved and certified a Scheme for the application or management of the Charity called or known as the Poor's Allotments in the Ancient Parish of Walton-upon-Thames in the County of Surrey founded by the Inclosure Act 39 and 40 Geo. III. c. lxxxvi :

And whereas it is expedient that the Scheme as the same is fully set out and defined in the Schedule to this Act should be confirmed :

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The said Scheme is hereby confirmed Provided always that nothing in this Act or in the said Scheme shall be held to interfere with the ordinary jurisdiction over Confirma-
tion of
Scheme.

[Ch. xxv.] *Poor's Allotments in* [1 EDW. 8. &
Walton-upon-Thames Charity 1 GEO. 6.]
Scheme Confirmation Act, 1937.

A.D. 1937. — endowed charities now exerciseable or hereafter to become exerciseable by the High Court of Justice and the Charity Commissioners.

Short title. 2. This Act may be cited as the Poor's Allotments in Walton-upon-Thames Charity Scheme Confirmation Act 1937.

[1 EDW. 8. & *Poor's Allotments in* [Ch. xxv.]
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SCHEDULE.

A.D. 1937.

Scheme for the application or management of the Charity called or known as the Poor's Allotments in the Ancient Parish of Walton-upon-Thames in the County of Surrey founded by the Inclosure Act 39 and 40 Geo. III. c. lxxxvi.

1. *Administration of Charity.*—The above-mentioned Charity and the endowments thereof specified in the Schedule hereto and all other the endowments (if any) of the said Charity shall be administered and managed by the body of Trustees hereinafter constituted subject to and in conformity with the provisions of this Scheme.

2. *Vesting.*—Any lands and hereditaments comprised in this Scheme are hereby vested in "the Official Trustee of Charity Lands" for all the estate and interest therein belonging to or held in trust for the Charity.

3. *As to cash.*—All sums of cash now or at any time belonging to the Charity and not needed for immediate working purposes shall (unless otherwise ordered) as soon as possible be invested under the authority of a further Order of the Charity Commissioners in the name of "The Official Trustees of Charitable Funds."

TRUSTEES.

4. *Trustees.*—The body of Trustees shall when complete consist of eighteen competent persons being—

Nine representative Trustees; and

Nine coöptative Trustees.

5. *Representative Trustees.*—The representative Trustees shall be persons residing or carrying on business in the Ancient Parish of Walton-upon-Thames and shall be appointed by the Urban District Council of Walton and Weybridge. Each appointment shall be made for a term of four years at a meeting convened

[Ch. xxv.] *Poor's Allotments in* [1 EDW. 8. &
Walton-upon-Thames Charity 1 GEO. 6.]
Scheme Confirmation Act, 1937.

A.D. 1937. and held according to the ordinary practice of the Council The
— chairman of the meeting shall forthwith cause the name of each
person appointed to be notified to the Trustees or their clerk
The person appointed may be but need not be a member of the
Council.

6. *First Representative Trustees.*—The first representative Trustees shall be appointed as soon as possible after the date hereof and their names shall be notified to Alfred Woodrow of No. 94 Albany Road Hersham on behalf of the Trustees At the end of two years from the date of the appointment of the first representative Trustees if more than five remain Trustees one half of them as nearly as may be to be determined by lot if necessary shall go out of office but shall be eligible for re-appointment.

7. *First Coöptative Trustees.*—The following persons shall be the first coöptative Trustees and shall be entitled subject to the provisions hereinafter contained with respect to determination of trusteeship to hold office for life :—

PERCY JAMES HUCKINS of No. 1 Sassoon's Cottages Cottimore Lane gardener;

FREDERICK AUGUSTUS SECRETT of Holly Lodge Rydens Road farmer; and

THOMAS JAMES SMITH of Iver Bowes Road builder all in Walton-upon-Thames;

ALFRED GEORGE FELGATE of Burhill Nurseries nurseryman;

EDWIN MARTIN of No. 4 Hertford Villas Hersham Road retired carpenter; and

CHARLES WILLIAM POLLARD of No. 24 Thistlecroft bricklayer all in Hersham in the County of Surrey;

ALBERT SALES of Woodbine Cottage St. Mary's Road Oatlands Park council employee; and

STANLEY ERNEST ALFRED SALES of No. 3 Poplar Cottages Vale Road Oatlands Park chauffeur both in Weybridge in the said county; and

JOHN POUPART of Fairport Old Bursledon in the County of Southampton retired horticulturist.

8. *Future Coöptative Trustees.*—Every future coöptative Trustee shall be a person residing or carrying on business in the Ancient Parish of Walton-upon-Thames and shall be appointed for a term of five years by a resolution of the Trustees to be passed at a special meeting.

[1 EDW. 8. & Poor's Allotments in [Ch. xxv.]
1 GEO. 6.] Walton-upon-Thames Charity
Scheme Confirmation Act, 1937.

9. *Declaration by Trustees.*—No person shall be entitled to act as a Trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme. A.D. 1937.

10. *Determination of Trusteeship.*—Any representative Trustee and any future coöptative Trustee who ceases to be qualified as aforesaid any Trustee who is absent from all meetings of the Trustees during a period of one year or who is adjudged bankrupt or makes a composition or arrangement with his creditors or who is incapacitated from acting or who communicates in writing to the Trustees a wish to resign shall thereupon cease to be a Trustee.

11. *Vacancies.*—Upon the occurrence of a vacancy the Trustees shall at their next meeting cause a note thereof to be entered in their minute book and in the case of a vacancy in the office of representative Trustee shall cause notice thereof to be given as soon as possible to the said Council Any competent Trustee may be re-appointed No vacancy in the office of coöptative Trustee shall be filled till after the lapse of one calendar month from its occurrence.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

12. *Ordinary Meetings.*—The Trustees shall hold at least two ordinary meetings in each year.

13. *First Meeting.*—The first meeting of the Trustees shall be summoned by the said Alfred Woodrow or if he fails for two calendar months after the date of this Scheme to summon a meeting by any two of the Trustees.

14. *Chairman.*—The Trustees shall at their first ordinary meeting in each year elect one of their number to be chairman of their meetings until the commencement of the first ordinary meeting in the following year The chairman shall always be eligible for re-election If at any meeting the chairman is not present within ten minutes after the time appointed for holding the same or there is no chairman the Trustees present shall choose one of their number to be chairman of the meeting.

15. *Special Meetings.*—A special meeting may at any time be summoned by the chairman or any two Trustees upon four days' notice being given to all the other Trustees of the matters to be discussed.

16. *Quorum.*—There shall be a quorum when seven Trustees are present at a meeting.

A.D. 1937.

17. *Voting*.—Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In case of equality of votes the chairman of the meeting shall have a casting vote whether he has or has not previously voted on the same question but no Trustee shall in any other circumstances give more than one vote.

18. *Minutes and Accounts*.—A minute book and books of account shall be provided and kept by the Trustees. All proper accounts in relation to the Charity shall in each year be made out and certified in such manner as the Charity Commissioners require and copies thereof shall be transmitted to the said Commissioners and published in conformity with the provisions of the Charitable Trusts Acts.

19. *General Power to make Regulations*.—Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the management of the Charity and for the conduct of their business including the summoning of meetings the deposit of money at a proper bank and the custody of documents.

20. *Clerk*.—The Trustees may appoint some fit person to be their clerk and to hold office during their pleasure and may pay to him (not being a Trustee) such reasonable salary as they think fit.

MANAGEMENT OF LANDS.

21. *Allotments*.—The Trustees shall let the lands belonging to the Charity in allotments not exceeding one acre at such rent as land of the same extent and quality is usually let for to industrious cottagers of good character resident in the Ancient Parish of Walton-upon-Thames being day labourers or journeymen or being poor persons. Provided that any parts of the said lands which cannot be let as aforesaid because of the absence of sufficient applications for tenancies from persons qualified as aforesaid may be let by the Trustees to other persons on yearly tenancies at the best rents that can reasonably be obtained for the same.

APPLICATION OF INCOME.

22. *Expenses of Management*.—All charges and outgoings payable in respect of the property of the charity and all the proper costs charges and expenses of and incidental to the administration and management of the Charity shall be first defrayed by the Trustees out of the income thereof.

[1 EDW. 8. & *Poor's Allotments in* [Ch. xxv.]
1 GEO. 6.] *Walton-upon-Thames Charity*
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23. *Provision of Fuel.*—Subject to the payments aforesaid A.D. 1937.
the yearly income of the Charity shall be applied by the Trustees
at their discretion in the provision of fuel for the benefit of persons
who are in need of assistance and who are occupiers of cottages
in the Ancient Parish of Walton-upon-Thames the net rateable
value of which does not exceed £26 or such other amount as the
Trustees may from time to time prescribe with the approval of
the Charity Commissioners.

GENERAL PROVISIONS.

24. *Appropriation of Benefits.*—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.

25. *Trustees not to be personally interested.*—No Trustee shall
take or hold any interest in property belonging to the Charity
otherwise than as a Trustee for the purposes thereof and no
Trustee shall receive any remuneration or be interested in the
supply of work or goods at the cost of the Charity.

26. *Alteration of Scheme.*—The Charity Commissioners may
from time to time in the exercise of their ordinary jurisdiction
establish Schemes for the alteration of any of the provisions of
this Scheme as if those provisions had been made by the founder
in the case of a Charity having a founder.

27. *Questions under Scheme.*—Any question as to the con-
struction of this Scheme or as to the regularity or the validity of
any acts done or about to be done under this Scheme shall be
determined conclusively by the Charity Commissioners upon
such application made to them for the purpose as they think
sufficient.

28. *Date of Scheme.*—The date of this Scheme shall be the
date of the Act of Parliament confirming the same.

[Ch. xxv.] *Poor's Allotments in Walton-upon-Thames Charity Scheme Confirmation Act, 1937.* [1 EDW. 8. & 1 GEO. 6.]

A.D. 1937.

SCHEDULE.

The following lands situate in the Ancient Parish of Walton-upon-Thames and belonging to the Charity and any other lands belonging to the Charity :—

Description.	Approximate area in acres.
Walton Common - - - - -	56·975
Station Road Allotments - - - - -	20·529
St. Mary's Allotments - - - - -	12·171
Manor Road Allotments - - - - -	3·352
Terrace Field - - - - -	9·440
Cottimore Field - - - - -	7·279
Florence Road Allotments - - - - -	11·318
Cromwell Road Allotments - - - - -	7·784
Rydens Road Allotments - - - - -	33·346
Halfway Allotments - - - - -	6·522
Surrey Lodge Allotments - - - - -	5·215
Larkhill Meadows - - - - -	24·025
Burhill Meadows - - - - -	32·971
Upper Common - - - - -	13·606

NOTES.—(1) Parts of the above-mentioned lands are let in allotments at rents amounting in the aggregate to about £100.

(2) A part containing about 5 acres of the above-mentioned Florence Road Allotments is being sold by the present Trustees of the Charity under compulsory powers.

£3,110 19s. 10d. 2½ per cent. consolidated stock held by "the Official Trustees of Charitable Funds."

Sealed by order of the Board this thirtieth day of December one thousand nine hundred and thirty-six.

L.S.

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