

Sealed 27th September 1932.

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County—KENT.

Parish—PLUCKLEY.

Charities—1. HILLS.

2. UNKNOWN DONOR.

E.
7,152.

Stamp 10s.

*Scheme, including
Vesting in Official Trustee
of Charity Lands.*

CHARITY COMMISSION.

In the Matter of the following Charities, in the Parish of PLUCKLEY, in the County of KENT:—

1. The Charity known as HILLS'S CHARITY.
2. The Charity of an UNKNOWN DONOR; and

In the Matter of "The Charitable Trusts Acts, 1853 to 1925."

The Board of Charity Commissioners for England and Wales,
upon an application made to them on the 14th September 1931, in writing, signed by
HENRY EVENDEN, of Thorndene, of no occupation;
ASHLEY GEORGE HOMEWOOD, of The Street, Butcher;
ALFRED DUNGATE, of Monday House, Agricultural Engineer; and
LEWIS SIDNEY DUNCAN, of Fairlight, Farmer; all in Pluckley;
a majority of the Trustees or persons acting in the administration of the above-mentioned Charities:

And after due notice of the intention to make this Order published according to the direction of the Board by being affixed to or near a principal outer door of the Parish Church and the Post Office, Pluckley, on the 19th December 1931; and also sent through the post to

The Reverend RICHARD BEVAN PYPER, Rector of Pluckley; and
The CHURCHWARDENS of Pluckley;

being those of the Trustees or persons acting in the administration of the Charities, who were not privy to the said application, at their respective last known places of abode in Great Britain or Ireland, on the 9th December 1931 (being in each case more than one calendar month before the date hereof):

And after due consideration of all objections made to the proposed Order and suggestions for the variation thereof:

And after due communication of the draft of the subjoined Scheme to the Parish Council of Pluckley:

Do hereby Order as follows:—

The subjoined Scheme is approved and established as the Scheme for the regulation of the Charities.

SCHEME.

1. *Administration of Charities.*—The above-mentioned Charities and the endowments thereof specified in the Schedule hereto, and all other the endowments (if any) of the said Charities, 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 Charities.

3. *Investment of Cash.*—All sums of cash now or at any time belonging to either the Charities 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 four competent persons, to be appointed from time to time by the Parish Council of Pluckley. Each appointment shall be made for a term of four years at a meeting convened 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.

5. *First Trustees.*—The first Trustees shall be appointed as soon as possible after the date hereof. At the end of two years from the date of the appointment of the first Trustees if more than two 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.

6. *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.

7. *Determination of Trusteeship.*—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.

8. *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 shall cause notice thereof to be given as soon as possible to the said Council. Any competent Trustee may be re-appointed.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

9. *Meetings of Trustees.*—The Trustees shall hold ordinary meetings at least twice in each year. A special meeting may at any time be summoned by any two Trustees upon four days' notice being given to the other Trustees of the matters to be discussed.

10. *Quorum.*—There shall be a quorum when two Trustees are present at any meeting.

11. *Chairman and Voting.*—At every meeting the Trustees present shall appoint a Chairman. 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 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.

12. *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 Charities

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.

13. *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 Charities, 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.

14. *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.

15. *Allotments Extension Act, 1882.*—The Trustees shall let and otherwise manage in conformity with the provisions of the Allotments Extension Act, 1882, such of the lands belonging to the Charities as are subject to the provisions of the Fourth Section of that Act. The Trustees may set apart and let in allotments in the manner prescribed by and subject to the provisions of the said Act any portion of the land belonging to the Charities other than buildings and the appurtenances of buildings.

16. *Management and Letting of Lands.*—Subject as aforesaid, all the lands belonging to the Charities not required to be retained or occupied for the purposes thereof shall be let and otherwise managed by the Trustees: In every case public notice of the intention to let any land shall be given by the Trustees in such manner as they consider most effectual for ensuring full publicity. The Trustees shall not create any tenancy in reversion after more than 3 years of any existing term, or for more than 21 years certain, or for less than the improved annual value at rack-rent, without the sanction of the Charity Commissioners or a competent Court.

17. *Leases.*—The Trustees shall provide that on the grant by them of any lease the lessee shall execute a counterpart thereof: and every lease shall contain covenants on the part of the lessee for the payment of rent and the proper cultivation of the land, and all other usual and proper covenants applicable to the property comprised therein, and a proviso for re-entry on non-payment of the rent or non-performance of the covenants.

APPLICATION OF INCOME.

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

19. *Benefit of Poor.*—Subject to the payments aforesaid, the yearly income of the Charities shall be applied by the Trustees in making payments, under one or both of the following heads, for the benefit of such poor persons resident in the Parish of Pluckley and not in receipt of Poor-law relief other than medical relief, as the Trustees select for this purpose, and in such way as they consider most advantageous to the recipients, and most conducive to the formation of provident habits—

I. The supply of Clothes, Boots, Linen, Bedding, Fuel, Tools, Medical or other aid in Sickness, Food or other articles in kind:

II. Temporary assistance in money, by way of loan or otherwise, in case of sickness, special distress or unexpected loss.

Provided that income shall in no case be applied in aid of any rates for the relief of the poor or other purposes, or so that any individual may become entitled to a periodical or recurrent benefit therefrom.

GENERAL PROVISIONS.

20. *Appropriation of Benefits.*—The appropriation of the benefits of the Charities shall be made by the Trustees from time to time at meetings of their body, and not separately by any individual Trustee or Trustees.

21. *Trustees not to be personally interested.*—No Trustee shall take or hold any interest in property belonging to the Charities 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 Charities.

22. *Questions under Scheme.*—Any question as to the construction 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.

SCHEDULE.

Description.	Tenant.	Gross Yearly Income.
<i>Hills's Charity.</i> Land situate in the Parish of Bethersden, in the County of Kent, containing 16 acres or thereabouts, and known by the name of the Knock Land.	Henry Joseph Climpson	£ s. d. 17 0 0
<i>Unknown Donor.</i> Land situate in the Parish of Pluckley, containing 1 a. 1 r. or thereabouts, and known by the name of the Morris Land.	Robert Biron Amos ...	7 0 0

Sealed by Order of the Board this 27th day of September 1932.

