

Sealed 25th June 1912.

1706  
12.

County—**LEICESTER.**

Ancient }  
Parish } **MARKET BOSWORTH.**

Ancient Township—**CARLTON.**

Charity—**Charity Lands.**

B.  
12,700.

Stamp 10s.

Scheme, including—  
Appointment of Trustees.

## CHARITY COMMISSION.

In the Matter of the Charity called the CHARITY LANDS, in the Ancient Township of CARLTON, in the Ancient Parish of MARKET BOSWORTH, in the County of LEICESTER, regulated by a Scheme of the Charity Commissioners of the 31st March 1882 so far as regards appointment of Trustees; and

In the Matter of "The Charitable Trusts Acts, 1853 to 1894."

**The Board of Charity Commissioners for England and Wales**, upon applications duly made to them in writing, as follows:—

(1) Signed by

DAVID TEBBETT, of Carlton, Farmer;

a person acting in the administration of the above-mentioned Charity;

(2) Signed by

WALTER JACKSON OLDACRES, and

JOHN HOLLIS;

inhabitants of the above-mentioned Ancient Township within which the Charity is administered or applicable:

**And** it appearing that the gross annual income of the Charity does not amount to 50%:

**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, Carlton, on the 4th November 1911 (being more than one calendar month before the date hereof); and also sent through the post on the 6th March 1912 (being more than one calendar month before the date hereof) to the

following persons, at their respective last known places of abode in Great Britain or Ireland :—

RALPH ARNOLD, of Shackerstone, Farmer ; and  
WILLIAM THOMPSON, of The Hall, Newbold Verdon,  
Farmer ;

being the Trustees of the Charity and not privy to the said applications ;  
and to

The Reverend JOHN HENRY TOWNSON, Vicar of Herods-  
foot ; and

HENRY ARNOLD, of Shackerstone, Farmer ;

being persons acting in the administration of the Charity and not privy  
to the said applications :

And having received no notice of any objection to the proposed Order  
or suggestion for the variation thereof :

And after due communication of the draft of the subjoined Scheme to  
the Chairman of the Parish Meeting of Carlton :

Do hereby Order as follows :—

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

#### SCHEME.

1. *Administration of Charity.*—The above-mentioned Charity and the endow-  
ments 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  
herein-after constituted, subject to and in conformity with the provisions of this  
Scheme.

2. *Investment of 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.

3. *Trustees.*—The body of Trustees shall (except at first as herein-after  
provided), when complete, consist of six competent persons, being

Four Representative Trustees, and  
Two Coöptative Trustees.

4. *Representative Trustees.*—The Representative Trustees shall be appointed by  
the Parish Meeting of Carlton until a Parish Council is constituted for Carlton, and  
thenceforward by such Council. Each appointment shall be made for a term of  
three years at a meeting convened and held according to the ordinary practice of the  
appointing body. 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 appointing body.

5. *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 the Coöptative Trustee first herein-after named on behalf of the Trustees.

6. *First Coöptative Trustees.*—The following persons shall be the first Coöptative  
Trustees under this Scheme, and shall be entitled, subject to the provisions herein-  
after contained with respect to determination of Trusteeship, to hold office as  
follows :—

The above-named

DAVID TEBBETT, for life ;

RALPH ARNOLD, for life ;

WILLIAM THOMPSON, for life; and

The Reverend JOHN ANDERSON DOUGHERTY, Rector of the Ecclesiastical Parish of Carlton St. Andrew, for five years from the date of this Scheme.

7. *Future Coöptative Trustees.*—Every future Coöptative Trustee shall be a person residing or carrying on business in or near the Ancient Township of Carlton, and shall be appointed for a term of five years by a resolution of the Trustees to be passed at a special meeting.

8. *Declaration by Trustees.*—No person shall be entitled to act as a Trustee, whether on a first or 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.

9. *Determination of Trusteeship.*—Any future Coöptative Trustee who ceases to be qualified as aforesaid, and any Trustee who is absent from all meetings of the Trustees during a period of one year, or who is adjudicated a bankrupt, 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.

10. *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 proper appointing body. 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, and there shall be no such vacancy until the number of Coöptative Trustees is reduced below two.

#### MEETINGS AND PROCEEDINGS OF TRUSTEES.

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

12. *Chairman.*—The Trustees shall at their first ordinary meeting in each year elect one of their number to be Chairman of their meetings for the year. They shall make regulations for supplying his place in case of his death, resignation, or absence. The Chairman shall always be re-eligible.

13. *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.

14. *Quorum.*—There shall be a quorum when three Trustees are present at a meeting.

15. *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 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.

16. *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.

17. *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, the custody of documents, and the appointment as Clerk during their pleasure of one of themselves (without salary) or of some other fit person.

#### MANAGEMENT OF REAL PROPERTY.

18. *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 Charity 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 Charity other than buildings and the appurtenances of buildings.

19. *Management and Letting of Property.*—Subject as aforesaid, all the property of the Charity 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 or other property 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 rackrent, without the sanction of the Charity Commissioners or a competent Court.

20. *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.

21. *Repair and Insurance.*—The Trustees shall keep in repair and insure against fire all the buildings of the Charity not required to be kept in repair and insured by the lessees or tenants thereof.

#### APPLICATION OF INCOME.

22. *Expenses of Management.*—The cost of repairs and insurance, and all other 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.

23. *Apprenticing.*—Subject to the payments aforesaid, the yearly income of the Charity shall be applied by the Trustees in putting out as apprentice to some useful trade or occupation a deserving and necessitous child resident in the Ancient Township of Carlton.

24. *Conditions of Apprenticing.*—Upon the apprenticing of any child—

(1) An indenture of apprenticeship shall be executed containing provisions for carrying into effect the following stipulations:—

(a) The apprenticeship premium shall be not less than 10*l.* and not more than 15*l.*, and shall be payable in not less than two portions, and the second portion and any subsequent portions shall be payable after the lapse of at least six months from the commencement of the term of apprenticeship or from the payment of the preceding portion.

(b) The second or any subsequent portion of the premium shall not be payable unless or until the Trustees have satisfied themselves by personal inquiry that the apprentice is being properly taught.

(c) Substantial wages, increasing yearly, shall be paid to the apprentice on a scale to be specified in the indenture.

(2) The Trustees may also agree for the repayment to them of the whole or any part of the apprenticeship premium out of any wages of the apprentice or otherwise; and may properly refuse to accept any master or mistress except upon the following conditions:—

(a) The permission of a probationary period not exceeding three months, and either with or without wages, during which the apprentice concerned shall be at liberty to recede from his or her engagement.

(b) The permission of access at all reasonable times to the place of employment of the apprentice concerned by any person authorised by the Trustees to inspect and report upon the condition, conduct, and diligence of the apprentice.

(c) Such other conditions or stipulations as to evening instruction or other matters as in the judgment of the Trustees may be beneficial to the apprentice concerned or otherwise advantageous to the Charity.

- (3) Any or all of the arrangements for the apprenticeship and visiting of, and consequent reports upon, the apprentice may be delegated to the National Institution of Apprenticeship, No. 39, York Place, Baker Street, London, W., or to the Apprenticeship and Skilled Employment Association, No. 36, Denison House, Vauxhall Bridge Road, London, S.W., or to any similar Institution which may be nominated by the Trustees and approved by the Charity Commissioners, and in that case the moneys applicable to the apprenticeship shall be paid to the Institution at the time of the signing of the apprenticeship indenture.

25. *Benefit of Poor.*—In so far as the Trustees shall be unable usefully to apply the said income in any year in manner aforesaid, they shall apply the same in making payments, under one or more of the following heads, for the benefit of such deserving and necessitous persons resident in the Ancient Township of Carlton 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 assistance of any persons under the age of twenty-one years by the provision of Outfits, Travelling Expenses, Admission Fees, or otherwise, upon their entering or to enable them to enter upon a trade or occupation or into service:
- II. Contributions towards the provision of Nurses and of medical and surgical assistance for the Sick and Infirm, including medical and surgical appliances, medicines, food and other comforts or necessaries:
- III. The supply of Clothes, Linen, Bedding, Fuel, Tools, Medical or other aid in Sickness, Food or other articles in kind, to an amount not exceeding 5*l.* in any one year.

Provided that the funds of the Charity 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.

26. *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.

27. *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.

28. *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.

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## SCHEDULE.

Two adjoining closes of land, called the Poor's Ground or Poor's Closes, in Carlton, containing 10a. 3r. 2p. or thereabouts, and let at annual rents amounting to 19l. 16s.

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NOTE.—The real property of the Charity was vested in "The Official Trustee of Charity Lands" by the Order establishing the above-mentioned Scheme of the 31st March 1882.

Sealed by Order of the Board this 25th day of June 1912.

L.S.