

20/1/24

DATED

27th June

1952

MARTINS BANK LIMITED

THE WAKEFIELD BEQUEST
for the Poor of Hythe

COPY/

DECLARATION OF TRUST

Parker, Garrett & Co.,
St. Michael's Rectory,
Cornhill,
London, E.C.3.

Presented -
17th July, 1952
No. 18719

STAMP

£25

17. 7. 52.

Commissioners
of Inland
Revenue

Adjudged
duly stamped
17. 7. 52.

THIS DECLARATION OF TRUST is made the twenty seventh day of June One thousand nine hundred and fifty two by MARTINS BANK LIMITED the registered office of which is situate at 4 Water Street in the City of Liverpool (hereinafter called "the Bank")

W H E R E A S :-

A. The Right Honourable Sarah Frances Viscountess Wakefield of Hythe (hereinafter called "the Testatrix") by her Will dated the Ninth day of September One thousand nine hundred and forty one after appointing the Bank

~~_____~~ and ~~_____~~ to be executors and trustees thereof bequeathed to the Bank the sum of One hundred thousand pounds to be dealt with at the discretion of the Bank

B. The Testatrix died on the Seventeenth day of February One thousand nine hundred and fifty and her said Will was proved in the Principal Probate Registry on the Sixth day of April One thousand nine hundred and fifty by the said executors

C. During her life the Testatrix expressed to the Bank the wish (but without imposing any trust or obligation on the Bank) that the sum of Ten thousand pounds part of the said sum of One hundred thousand pounds should be applied for the benefit of the poor of the Borough of Hythe under the terms of a trust to be settled at the absolute discretion of the Bank

D. In pursuance of the said wish and bequest the Bank are desirous of paying with the authority of the Charity Commissioners for England and Wales to the banking account of the Official Trustees of Charitable Funds at the Bank of England the sum of Ten thousand

pounds sterling in order that the same may be invested in the purchase in their name of Two and one-half per cent Treasury Stock One thousand nine hundred and seventy five or after and that the dividends thereof may be applied to the charitable purposes hereinafter declared and through the agency of the Trustees hereinafter mentioned

E. The Bank have been requested by the said Commissioners to declare before such payment the intended trusts of the premises

N O W in pursuance of the said desire THIS DEED
W I T N E S S E T H A N D I T I S H E R E B Y D E C L A R E D as follows:-

1. THE said sum of TEN THOUSAND POUNDS STERLING is proposed to be paid by the Bank or by the procurement of the Bank into the name of the said Official Trustees under the order of the said Commissioners UPON TRUST that the dividends to arise from the aforesaid investment may for ever thereafter be paid or remitted by the said Official Trustees unto or in accordance with the direction of the Trustees hereinafter mentioned UPON TRUST to be applied by such Trustees to the purposes hereinafter set out
2. THE expression "the Trustees" if not inconsistent with the context shall herein mean the body of Trustees for the time being as hereby constituted
3. THE Trustees shall consist of the following persons namely:-
 - Two ex-officio trustees
 - Three representative trustees
 - Not more than five co-opted trustees
4. NO person (not being a trustee ex-officio) shall be entitled to act as trustee under this scheme whether upon his first or any subsequent appointment until he

shall have signed a declaration in the minute book of the Trustees to the effect that he accepts the office of trustee and is willing to act in the trusts hereof

5. THE ex-officio trustees shall be the Mayor for the time being of the Borough of Hythe in the County of Kent and the Vicar for the time being of the Parish Church of Hythe aforesaid
6. THE representative trustees shall be appointed by the Council of the said Borough of Hythe at a meeting of the said Council convened and held as nearly as may be in accordance with its ordinary rules and practice
7. THE first representative trustees shall be appointed as soon as conveniently may be after the date hereof
8. EVERY representative trustee shall be appointed to office for a term of four years from the date of the meeting at which he was appointed
9. A representative trustee need not be a member of the said Council and if any representative trustee was at the date of his appointment as such trustee a member of the said Council and he thereafter ceases to be such a member he shall nevertheless continue to be a representative trustee until his term of office as such a trustee expires or his said term of office is determined under the provisions hereinafter contained
10. THE following persons shall be deemed to be the first co-opted trustees, viz:-

Lady Mabel A Bovenschen of "Holnicote", Tanners Hill, Hythe

Mrs. Melesina Gladys Deedes, J.P. of "Galt" Seabrook Road, Hythe

Councillor Mrs. Nellie Smith of 115 Seabrook Road, Hythe

Miss Barbara Stevens of Flat 2G, Hotel Imperial, Hythe

Leonard Farley of 19 Ormonde Road, Hythe

11. THE term of office of the first co-opted trustees shall be reckoned from the date hereof

12. FUTURE co-opted trustees shall at the date of their appointment be persons residing or carrying on business within two miles of the Parish Church of Hythe aforesaid or within the present boundaries of the said Borough whichever be the greater and shall be appointed in each case by the Trustees by a resolution passed at a meeting of the Trustees

13. EVERY co-opted trustee shall be appointed to office for a term of five years and such term shall in the case of every co-opted trustee other than one of the first co-opted trustees be reckoned from the date of the meeting at which he was appointed

14. EVERY appointment of a trustee shall forthwith be notified by or under the directions of the Trustees to the Charity Commissioners

15. ANY trustee who fails to attend any meeting of the Trustees during a consecutive period of two years or who is adjudicated bankrupt or is incapacitated to act or who communicates in writing to the Trustees his wish to resign shall thereupon cease to be a trustee

16. UPON the occurrence of a vacancy the Trustees shall at their next ensuing meeting cause a note thereof to be entered in their minute book and shall if the vacancy be in the office of representative trustees cause notice thereof to be given as soon as conveniently may be to the Town Clerk of the said Borough

17. ANY person who has already served one or more periods of office as a representative trustee or a co-opted trustee may be re-appointed for a further period of office as a representative trustee or a co-opted trustee

18. THE Trustees shall apply the said dividends first in the payment of all expenses of and incidental to the administration and management of the Charity intended to be hereby established (including the costs of and incidental to the preparation execution and stamping of this deed so far as the same shall not have been provided by the Bank from other sources)

19. SUBJECT thereto the Trustees shall distribute the balance of the said dividends among such of the poor persons of the Borough of Hythe aforesaid as the Trustees shall at their discretion select and as shall be eligible to benefit under the provisions hereinafter contained

20. THE following persons shall be eligible to benefit under the provisions hereof that is to say poor persons who have at the time of the exercise of the Trustees' discretion been resident within the present boundaries of the Borough of Hythe aforesaid for a period of not less than twelve months

21. THE Trustees shall be at liberty to distribute such balance of the said dividends to the persons selected as aforesaid either by single payments or by pensions payable weekly or monthly or by applying the same in any manner (whether by the provision of articles in kind or otherwise howsoever) which they may think fit for the benefit of such persons PROVIDED that the aggregate value of the benefits to any person in any one year shall not exceed fifty-two pounds

22. THE Trustees shall hold ordinary meetings at least once in each year and at any time the Town Clerk for the time being or his assistant or deputy shall call a meeting of the Trustees on the requisition in writing of any three trustees

23. EVERY distribution or application of the income of the charity shall be made and conducted in accordance with the decisions of the Trustees reached at meetings of the Trustees called for the purpose

24. EVERY meeting of the Trustees shall be convened by the Town Clerk for the time being of the said Borough or by his assistant or deputy for the time being Notice in writing of every such meeting shall be delivered or sent by post to each Trustee four days at least before the date of the meeting and every notice of a meeting shall state the place day and hour of the meeting and the nature of the business to be transacted thereat

25. AT every meeting of the Trustees three trustees shall be a quorum and the Mayor for the time being of the said Borough (if present) shall be the chairman. If he is absent the Trustees present shall elect one of their number to be chairman for that meeting. Every matter shall be determined by the majority of the Trustees present and voting on the question. In the case of an equality of votes on any question the Chairman shall have a second or casting vote

26. THE Town Clerk for the time being of the said Borough or his assistant or deputy for the time being shall attend every meeting of the Trustees in the capacity of Secretary to the Trustees and shall keep full and accurate minutes of all business transacted thereat and the Borough Treasurer for the time being of the said Borough or his assistant or deputy for the time being shall act as Treasurer to the Trustees and shall enter full and accurate accounts (in proper books of account provided for the purpose) of all moneys received and paid respectively on account of the Charity hereby established and of the application

thereof but no remuneration shall be payable in respect of any services rendered by any officer of the said Council in accordance with the provisions of this Clause

27. IT is the desire of the Bank that the charity intended to be hereby established shall be called The Wakefield Bequest


I N W I T N E S S whereof the Bank has caused its Common Seal to be hereunto affixed the day and year first above written.

THE COMMON SEAL of MARTINS BANK
LIMITED was hereunto affixed in
the presence of :-

Seal

 Director.

of

 Secretary. MARTINS BANK LIMITED