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#26.10/-  
Adjudication  
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THIS TRUST DEED made the 3rd day of January One thousand nine hundred and forty four B E T W E E N CONSTANCE EVELYN ROSE of 52, Poulters Lane, Worthing in the County of Sussex, Spinster of the first part THOMAS HAROLD ROSE of 52, Poulters Lane, Worthing aforesaid Gentleman and the said CONSTANCE EVELYN ROSE of the second part and TAVERNER BARRINGTON MILLER of Stone Cross, Wadhurst in the County of Sussex J.P. Sussex and CHARLES GILL FOOTE of Foure Wyndes Wadhurst aforesaid Solicitors' Managing Clerk (hereinafter called "the property trustees") of the third part

W H E R E A S :-

(a) the said Constance Evelyn Rose is seised of the property first hereinafter described and hereby assured for an estate in fee simple in possession free from incumbrances but subject as hereinafter mentioned

(b) the said Thomas Harold Rose and Constance Evelyn Rose are seised of the property secondly hereinafter described and hereby assured for an estate in fee simple in possession free from incumbrances but subject as hereinafter mentioned and upon trust to sell the same and to stand possessed of the proceeds of sale thereof and the rents and profits thereof until sale in trust for themselves in equal shares.

(c) the said Constance Evelyn Rose and Thomas Harold Rose desire to settle the said properties first and secondly hereby assured upon the charitable trusts hereinafter appearing.

NOW THIS TRUST DEED W I T N E S S E T H that in pursuance of the said desire the said Constance Evelyn Rose as settlor as to the said property first hereby assured and the said Thomas Harold Rose and Constance Evelyn Rose as s ettlors as to the said property secondly hereby assured HEREBY GRANT and CONVEY unto the property trustees FIRST ALL THOSE six cottages or tenements with the yards gardens and outbuildings thereunto respectively belonging situate in Western Road Wadhurst in the County of Sussex and known respectively as Rosslyn, Bankside, Homeleigh, Rosemount, Rosehead and Rosedene AND SECONDLY ALL THOSE, three cottages or tenements with

the yards gardens and outbuildings thereunto respectively belonging also situate in Western Road Wadhurst aforesaid and known respectively as The Haven, Roselea and Westcott ALL of which premises first and secondly above described are delineated (for the purpose only of indicating the position thereof) on the Plan hereto annexed and thereon coloured Green and pink TO HOLD the same unto and TO THE USE of the property trustees in fee simple subject to the covenants and conditions <sup>contained</sup> in a Deed of Mutual Covenants dated the Fifteenth day of February One thousand nine hundred and four and made between John Crates of the first part and the persons whose names and seals were or should thereafter be subscribed and set in the Schedule thereto of the second part so far as the same relate to and affect the property hereby conveyed UPON TRUST in perpetuity for the benefit of the poor and deserving inhabitants of the Parish of Wadhurst according to the Scheme set out in the Schedule hereto.

IN WITNESS whereof the said parties hereto have hereunto set their hands and seals the day and year first above written

THE SCHEDULE ABOVE REFERRED TO

THE SCHEME

Vesting of legal estate

1. The property trustees shall take all necessary steps to have the property comprised in the above written deed (hereinafter referred to as "the cottages") vested as soon as may be in the Official Trustee of Charity lands and thereupon all debts liabilities and responsibilities of the property trustees in respect of the cottages shall cease and determine.

Trustees

2. For the administration of the charity constituted under the above written Trust Deed and the management of the cottages and all other (if any) property of the charity and the rents profits and income thereof a body of six trustees shall be constituted consisting of two ex-officio trustees and four representative trustees.

3. The ex-officio trustees shall be the Vicar for the time being of the Parish Church of St. Peter and St. Paul, Wadhurst and the Minister

for the time being of that circuit of the Methodist Church which includes the Church situate in the Town of Wadhurst.

4. The representative trustees shall be appointed two by the parochial Church Council for the parish of Wadhurst and two by the trustees of the Methodist Church situate in the Town of Wadhurst, the trustees so appointed to hold office subject to the provisions of this Scheme for terms of five years. Such appointments shall be made at meetings convened and held according to the ordinary practice of the appointing body. The Chairman of each such meetings shall forthwith cause the names and addresses of the persons appointed to be notified to the trustees or their secretary. Any person appointed need not be a member of the appointing body and representative trustees shall be eligible for re-appointment on completion of a first or subsequent term of office. Every trustee upon his first appointment shall forthwith be supplied with a copy of this Scheme.

5. Any representative trustee who is absent from all meetings of the trustees for a period of fifteen consecutive months (without satisfactory reason) or who is adjudged bankrupt or makes a composition or arrangement with his creditors or who is incapacitated from acting or whom communicates in writing to the trustees a wish to resign shall thereupon cease to be a trustee.

6. Upon the occurrence of any vacancy among the trustees they shall at their next meeting cause a note thereof to be entered in their Minute Book and if the vacancy is in the office of a representative trustee shall also cause notice to be given to the proper appointing body.

7. No person shall be entitled to act as a trustee until after signing in the Minute Book of the trustees a declaration of acceptance and of willingness to act in the trustee<sup>s</sup> of this Scheme.

8. The first trustees shall be :-

(1) The Reverend Ernest Mannering of the Vicarage, Wadhurst, the present Vicar of the Parish Church of St. Peter and St. Paul, Wadhurst

(ii) The following persons nominated by the parochial Church Council Wadhurst, namely:-

(a) Maurice Watts of Byeway, Wadhurst, Clothier and Outfitter.

(b) Emily Podger of Round Oak, <sup>mead</sup> Wadhurst, Widow.

(iii) The Reverend George Haywood Crossland, M.C., of Wesley House, Wadhurst, the Minister for the time being of the Ticehurst Circuit of the Methodist Church which includes Wadhurst.

(iv) The following persons nominated by the trustees of the Methodist Church, Wadhurst, namely:-

(a) Clara Baldwin of Byeway, Wadhurst, Spinster

(b) Frank Arthur Sharp of Wee Brae, Western Road, Wadhurst, House Decorator.

and such persons other than the said Vicar and the said Minister shall hold office (subject to the provisions of this Scheme) until the expiration of five years from the date of this Deed.

#### Proceedings of Trustees

9. 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 or by the Secretary upon the request of any two trustees upon at least four days notice being given to all the other trustees of the matters to be discussed.

10. The trustees may so long as their number is three or more act notwithstanding any vacancy or vacancies in their body.

11. The trustees may delegate any of their powers to committees consisting of such member or members of their body with or without other persons as the trustees shall think fit. Any committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on them by the trustees.

12. There shall be a quorum when three trustees are present at any meeting. The Vicar of Wadhurst and the Minister of the said Methodist Circuit shall act as Chairman at alternative meetings of the trustees. At any meeting at which the Vicar of Wadhurst or the said Minister of the said Methodist Circuit is not present the one of them so present shall act as Chairman. If neither the Vicar of Wadhurst or the Minister of the said Methodist Circuit is present

the trustees present shall appoint a Chairman for that meeting. Every matter shall be determined by the majority of the trustees present and voting without question. In the case of equality of votes the Chairman shall have a casting vote.

13. Any resolution of the trustees may be rescinded or varied at a subsequent meeting.

14. Any notice given to a trustee shall be sufficiently given if sent through the post addressed to his usual or last known place of residence in England and shall be deemed to have been received in the ordinary course of post. Any accidental omission or error in giving notice shall not invalidate the proceedings at any meeting.

15. All acts done at any meeting of the trustees or any committee to whom they have delegated their powers shall notwithstanding that it be afterwards discovered that there was defect in the appointment of any of the trustees or of any member of any such committee or that any of them had ceased to be a trustee or member of such committee be as valid as if every such person had been duly appointed and not ceased to be a trustee or member of such committee.

16. Minutes shall be kept of all the proceedings of the trustees. 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 trustees think fit. Copies thereof may be distributed or published locally in such manner as the trustees think fit.

17. A Banking Account for the purposes of the Charity shall be opened at a proper Bank to be from time to time selected by the trustees and every sum of money received on account of the Charity shall as soon as may be <sup>be</sup> paid into the credit of the said account. All cheques and orders for the payment of money shall be signed by two or more trustees and countersigned by their secretary (if there be one) unless such secretary shall be a trustee in which case he shall be one of the trustees signing the cheque or order.

18. 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 custody of documents and the appointment as secretary during their pleasure of one of themselves (without salary) or of some other fit person.

Administration

19. The trustees shall let the cottages to tenants to be selected by them for such periods at such rents and on such terms generally as they shall determine having regard to the following provisions:-

(a) The trustees shall (unless in any special case they think fit not to do so) give preference as tenants to married couples with young families and particular preference to married couples who owing to their means or the size of their families or both have difficulty in obtaining suitable accommodation elsewhere.

(b) Subject to the last foregoing sub-clause the trustees may let the cottages to any person or persons

~~(c) in any case in which the trustees are of opinion that the~~  
tenant selected by them is not able to pay or will owing to his or her means have difficulty in paying a full rack rent for the cottage let to him or her the trustees may let the cottage at a rent below the rack rent.

20. The trustees shall out of the rents and profits of the cottages or out of income of other property (if any) belonging to the Charity keep in repair and insured against fire the cottages and all other (if any) buildings of the Charity and shall pay all other charges and outgoings payable in respect of the cottages or other property (if any) as aforesaid and may from time to time out of such rents and profits or other income (if any) set aside such sums as they shall think proper to meet any extraordinary expenses in connection with such repairs and outgoings.

21. Subject to the provisions of the last foregoing clause the trustees shall apply the net rents and profits of the cottages and the net income of the other property (if any) of the Charity for the benefit in such way as they think fit of the poor and deserving inhabitants of the Parish of Wadhurst.

22. Within the limits prescribed by this Scheme the trustees shall

have full power from time to time to make such regulations as they shall think fit for regulating the selection of the tenants of the cottages and the terms upon which they are to be let and for insuring that the benefits of the Charity are sufficiently made known to persons qualified to receive the same.

General Provisions

23. The trustees may from time to time receive donations towards any of the objects of the Charity and shall subject to the direction of the donors apply such donations either as capital or income at the discretion of the trustees for such of the purposes of the Charity as the trustees may think fit.

24. The appropriation of the benefits of the Charity shall (subject to the power of delegation hereinbefore contained) be made by the trustees from time to time at meetings of their body and not ~~separately by any individual trustees or trustee.~~

25. The trustees may out of the general income of the Charity pay all proper costs and expenses incidental to the administration of the Charity.

26. No trustee shall receive any remuneration or be interested in the supply of work or goods at the cost of the Charity or take or hold any interest in any property belonging to the Charity.

Signed Sealed and Delivered by the above )  
named Constance Evelyn Rose in the ) C.E. ROSE (LS)  
presence of )

M. SWAN  
17 Richmond Road,  
Brighton, 7.

Housekeeper

Signed Sealed and Delivered by the above )  
named THOMAS HAROLD ROSE in the presence ) T.H. ROSE (LS)  
of )

M. SWAN  
17, Richmond Road,  
Brighton, 7.

Housekeeper.

Signed Sealed and Delivered by the above )  
named TAVERNER BARRINGTON MILLER in the ) T.B. MILLER (LS)  
presence of )

Jean E. Patters,  
Burnorth,  
Wadhurst.

Clerk to Messrs Cheale Son & Mitchell

Signed Sealed and Delivered by the above )  
named CHARLES GILL FOOTE in the )  
presence of )  
Jean E. Batters,  
Burnorth,  
Wadhurst.

CHARLES G. FOOTE (LS)

Recorded in the books of the Charity Commissioners  
for England and Wales pursuant to the provisions  
of Section 29 (4) of the Settled Land Act 1925

(Rubber stamp  
seal)

18th April, 1944.