

1431
98.

County—**DERBY.**

Ancient Parish—**BAKEWELL.**

Ancient Chapelry—**BASLOW.**

Townships—**BASLOW** and **BUBNELL.**

CALVER.

CURBAR.

FROGGATT.

Charities—**The Baslow Charities.**

C.
62,982.

Scheme.



CHARITY COMMISSION.

In the Matter of The **BASLOW CHARITIES**, in
the Townships of **BASLOW** and **BUBNELL**,
CALVER, **CURBAR**, and **FROGGATT**, in the
Ancient Chapelry of **BASLOW**, in the Ancient
Parish of **BAKEWELL**, in the County of
DERBY, regulated by a Scheme of the Charity
Commissioners of the 20th December 1889; and

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

The Board of Charity Commissioners for England
and Wales, upon an application made to them on the 27th
November 1896, in writing, signed by

EDWARD MASON WRENCH, and

WILLIAM SMITH TOMLINSON, the then Church-
wardens of Baslow; and
The Reverend JEREMIAH STOCKDALE, Vicar of
Baslow;
THOMAS WILLIAM ELLIOTT, of Curbar; and
RICHARD GREGORY, of Froggatt, Nurseryman;
a majority of the then Trustees of the above-mentioned
Charities:

And it appearing that the endowments of the Charities
consist of the particulars mentioned in the Schedule to the
subjoined Scheme:

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 Church of
Baslow, and of the Church of Curbar in or about the month of
December 1897, and of the Church of England School at Baslow,
and the National School at Curbar, on the 26th December 1897,
and by advertisement in the newspaper called "The Derbyshire
Times" on the 25th December 1897, and in the newspaper called
"The High Peak News" on the 1st January 1898 (being in
each case more than one calendar month previously to the date
hereof); and also sent through the Post to

The present CHURCHWARDENS of Baslow;
The Reverend THOMAS FOSBROOKE SALT, Vicar
of Curbar; and

WILLIAM GILL, of Calver, Grocer;
being those of the Trustees 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 26th April 1898:

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

Do hereby Order as follows:—

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

SCHEME.

1. From and after the day on which this Scheme is approved and established by an Order of the Charity Commissioners, 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 herein-after constituted, subject to and in conformity with the provisions of this Scheme.

Administration of Charities.

2. All sums of cash now or at any time belonging to 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."

Investment of cash.

TRUSTEES.

3. The body of Trustees shall, when complete, consist of eight Trustees competent persons, being—

One Ex-officio Trustee,
Five Representative Trustees, and
Two Coöptative Trustees. B H C A

4. The Ex-officio Trustee shall be—
The VICAR of Baslow for the time being. W

Ex-officio Trustee.

5. The Representative Trustees shall be appointed as follows:—
TWO by the ~~Urban District Council~~ ^{PARISH} of Baslow and Bubnell;
ONE by the Parish Council of Calver; B F
ONE by the Parish Council of Curbar; and D M
ONE by the Parish Meeting of Froggatt until there is a Parish Council for Froggatt, and thereafter by that Council. C M

Representative Trustees. A T J C

Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the appointing body, or in case of need or doubt, according to rules made or approved by the Charity Commissioners. The Chairman of the meeting shall forthwith cause the name of each person appointed to be notified to the Trustees or their Clerk or Secretary. The person appointed need not be a member of the appointing body.

6. The first Representative Trustees shall be appointed as soon as possible after the date hereof, and their names shall be notified to the Vicar on behalf of the Trustees. Of the first Representative Trustees appointed by the Urban District Council of Baslow and Bubnell, one, to be determined by lot, shall go out of office at the end of two years from the date of appointment, but shall be eligible for re-appointment.

First Representative Trustees.

7. Subject as herein provided, one of the Coöptative Trustees shall be a person residing or carrying on business in the Township of

Coöptative Trustees.

Baslow and Bubnell, and the other shall be a person residing or carrying on business in one of the Townships of Calver, Curbar, or Froggatt.

First Coöptative Trustees.

8. The following persons shall be the first Coöptative Trustees, and shall be entitled, subject to the provisions herein-after contained with respect to determination of Trusteeship, to hold office for five years from the date of this Scheme:—

The Reverend THOMAS FOSBROOKE SALT, Vicar of Curbar;

WILLIAM GILL, of Calver, Grocer.

Future Coöptative Trustees.

9. Every future Coöptative Trustee shall be appointed for a term of five years. Every future Coöptative Trustee shall be provisionally appointed by a resolution of the Trustees to be passed at a special meeting, and to be forthwith notified by the Trustees to the Charity Commissioners with an application for their approval (which may be according to the form annexed hereto). A provisional appointment shall become valid only if and when the said Commissioners have certified their approval of it under their Official Seal, and shall date from that approval.

Declaration by Trustees.

10. 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.

Determination of Trusteeship.

11. Any Coöptative Trustee who ceases to be qualified as aforesaid, any Representative or Coöptative Trustee who is absent from all meetings of the Trustees during a period of two consecutive years, and any Trustee who is adjudicated a bankrupt, or who is incapacitated to act, or who communicates in writing to the Trustees a wish to resign, shall thereupon cease to be a Trustee.

Vacancies.

12. 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.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

Meetings of Trustees.

13. 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 all the other Trustees of the matters to be discussed.

Quorum.

14. There shall be a quorum when three Trustees or members of a Committee are present at any meeting.

15. At every meeting the Trustees or members present shall appoint a Chairman. Every matter shall be determined by the majority of the Trustees present and voting on the question. 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. Chairman and voting.

16. A minute book and books of account shall be provided and kept by the Trustees and the Committee herein-after mentioned. 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. Minutes and accounts.

17. 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, the custody of documents, and the appointment as Clerk or Secretary during their pleasure of one of themselves (without salary) or of some other fit person. General power to make regulations.

MANAGEMENT OF REAL PROPERTY.

18. 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 portions of the land belonging to the Charities other than buildings and the appurtenances of buildings. Allotments Extension Act, 1882.

19. Subject as aforesaid, all the property of 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 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, or for more than seven years certain, or for less than the improved annual value at rackrent, without the sanction of the Charity Commissioners or a competent Court. Management and letting of property.

20. 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. Leases.

Timber and
minerals.

21. Any money arising from the sale of timber, or from any mines or minerals on the property of the Charities, shall be treated as capital, and shall be invested in the name of "The Official Trustees of Charitable Funds," under the direction of the Charity Commissioners, except in any special cases in which the Trustees may be authorised by the said Commissioners to deal otherwise with such money or any part thereof.

Repair and
insurance.

22. The Trustees shall keep in repair and insure against fire all the buildings of the Charities not required to be kept in repair and insured by the lessees or tenants thereof.

Sale or letting of
Ford School.

23. The Trustees may, subject to the approval of the Charity Commissioners, sell the property known as Ford, or Stanton Ford, School. If the property is not sold, the Trustees shall take steps for letting the same from time to time at the best rent obtainable.

APPLICATION OF INCOME.

Expenses of
management.

24. The Trustees shall first defray—

(1.) The costs of repairs and insurance, and all other charges and outgoings payable in respect of each of the properties constituting the endowments of the Charities specified in the Schedule hereto out of the income thereof respectively; and

(2.) All the proper costs, charges and expenses of and incidental to the administration and management of the said properties, so far as may be out of the income thereof rateably.

Application of
income.

25. Subject to the payments aforesaid, the yearly income of the Charities shall be applied in the manner and to the objects herein-after prescribed.

Advancement of
education of
children attending
Public Elementary
Schools.

26. One third part of the net income of the property specified in Parts 1, 2, and 5 of the said Schedule, together with two-fifth parts of the net income of the property specified in Part 3 of the said Schedule, and the whole of the net income of the property specified in Part 4 of the said Schedule, shall be applied by the Trustees in the advancement of the education of children who are bona fide resident in the Townships of Baslow and Bubnell, Calver, Curbar, and Froggatt,—who are and have, for not less than the periods herein-after respectively prescribed, been scholars in some Public Elementary School or Schools,—and who have received from the Managers of the School or Schools such a certificate or certificates, in writing, of their good conduct, regularity in attendance, and progress in learning, as may be satisfactory to the Trustees—in one or both of the following ways, as they think fit, viz:—

Prizes.

(a.) In granting Prizes or Rewards, not exceeding in value 1*l.* in any one case, to children qualified as aforesaid who have attended School for not less than two years.

26. In the award of payments, at the rate of not more than 5l. a year each, for the benefit of children qualified as aforesaid, who, in every case, have attended School for not less than five years and have reached the standard for total exemption from School attendance fixed by the byelaws in force for the time being in the School District in which such children are respectively resident. Every payment so awarded shall be made only so long as the child continues to attend a Public Elementary School, and to satisfy the Trustees as to his or her continued good conduct, regularity in attendance, and progress in learning.

Payments to encourage continuance at School.

The Trustees shall, at their discretion, apply every sum awarded under the foregoing provisions in or towards paying the tuition fees (if any) of the child or otherwise for his or her maintenance or benefit, or they shall deposit the same in a Savings Bank or otherwise accumulate the same for his or her benefit.

Mode of application.

27. One other third part of the net income of the property specified in Parts 1, 2, and 5 of the said Schedule, together with one other fifth part of the net income of the property specified in Part 3 of the said Schedule, shall be paid to the Vicar of Baslow for the time being, upon his sole receipt.

Payment for Vicar.

28. The remaining one third part of the net income of the property specified in Parts 1, 2, and 5 of the said Schedule, together with one other fifth part of the net income of the property specified in Part 3 of the said Schedule, shall be paid by the Trustees to a Committee of their body composed of the Ex-officio Trustee, the Representative Trustees appointed by the Urban District Council of Baslow and Bubnell, and any Co-optative Trustee residing or carrying on business in Baslow and Bubnell, and shall be applied by such Committee in making payments, under one or more of the following heads, for the benefit either of the poor of the Township of Baslow and Bubnell, generally, or of such deserving and necessitous persons resident therein as the Committee 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:—

General benefit of poor.

(a.) Subscriptions or donations in aid of the funds of any Dispensary, Infirmary, Hospital, or Convalescent Home, or any Institution in which children suffering from any bodily infirmity are taught any trade or employment, whether general or special, upon such terms (so far as may be) as to enable the Committee to secure the benefits of the institution for the objects of the Charities.

(b.) Subscriptions or donations in aid of the funds of any Provident Club or Society established in the Ancient Parish of Bakewell or its neighbourhood, for the supply of Coal, Clothing, or other necessities.

(c.) Contributions towards the provision of Nurses for the Sick and Infirm.

(d.) The supply of Clothes, Linen, Bedding, Fuel, Tools, Medical or other aid in sickness, Food, or other articles in kind.

The remaining one-fifth part of the net income of the property specified in Part 3 of the said Schedule shall be paid by the Trustees to a Committee of their body composed of the Representative Trustees appointed by the Parish Councils of Calver and Curbar, and by the Parish Meeting or Parish Council of Froggatt, and any Cooptative Trustee resident in one of those Townships, and shall be applied by such Committee in one or more of the ways specified in this clause (as shall be considered most advantageous to the recipients and most conducive to the formation of provident habits) for the benefit of persons to be selected by the Committee from amongst deserving and necessitous persons resident in the Townships of Calver, Curbar, and Froggatt.

Regard to be had to interested Townships.

29. In the application of the income of the Charities, the Trustees and Committees shall have due regard to the wants of the deserving and necessitous persons bonâ fide resident in the interested Townships.

GENERAL PROVISIONS.

Variation of payments.

30. The amount and conditions of any payment or allowance prescribed by this Scheme may be varied from time to time by the Trustees, with the sanction of the Charity Commissioners.

Appropriation of benefits.

31. The appropriation of the benefits of the Charities shall be made by the Trustees and Committees from time to time, at meetings of their body, and not separately by any individual Trustee or Trustees.

Trustees not to be personally interested in the Charities.

32. No Trustee shall take or hold any interest in any 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.

Charities not to relieve rates.

33. The funds or income of the Charities shall not in any case be applied, directly or indirectly, in aid of any rates for the relief of the poor or other purposes in the Parish, or so that, except in the case of the said payment to the Vicar, any individual or institution may become entitled to a periodical or recurrent benefit therefrom.

Questions under Scheme.

34. 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.

Form of Application for the Approval of Provisional Appointments of Trustees.

To the Charity Commissioners for England and Wales.

In the Matter of The BASLOW CHARITIES, at BASLOW and elsewhere, in the Ancient Parish of BAKEWELL, in the County of DERBY, regulated by a Scheme of the Charity Commissioners of the 10th May 1898.

The undersigned, being* of the above-mentioned Charities, submits the following statement:—

* The application may be made by the Trustees or by the Chairman of the Meeting, or by the Clerk or Secretary, on their behalf.

1. A vacancy in the office of Trustee occurred on the _____ day of _____ 189 , by the [*state cause of vacancy*] of [*state full name, address, and description of Trustee who vacates his office*].

2. At a special meeting of the Trustees duly held on the _____ day of _____ 189 , at which there were present:—
(in the Chair), and

it was resolved that [*state full name, address, and description of proposed new Trustee*] be provisionally appointed to fill such vacancy.

3. The provisionally appointed Trustee has expressed in writing his willingness to accept and act in the trusts of this Scheme.

4. In these circumstances the Trustees now apply to the Charity Commissioners to approve such provisional appointment under their Official Seal.

_____ declare that the above statements are in all respects true according to _____ information and belief.

Dated this _____

day of _____

189 .

The applicant or applicants should sign here adding the capacity in which the application is made by him or them.



SCHEDULE OF PROPERTY.

Description.	Extent or Amount.	Tenant, or Persons in whose Name invested.	Gross Yearly Income.
PART 1.			
Land at Wheaton, in the Parish of Tideswell, in the County of Derby.	A. R. P. 3 3 13	John Goodwin	£ s. d. 5 0 0
PART 2.			
<i>Consol.</i> Land at Pilsley	6 3 38	Richard Evans	21 6 4 13 12 0
PART 3 (Chapman's Charity).			
Land at Hartington, in the County of Derby, copyhold of the Manor of	5 1 14	Richard Lomas	8 0 0
PART 4 (Ford School).			
School house and field at Baslow	2 0 0	Frank S. Bush	21 0 0
Land at Curbar	4 0 0	Joseph Harrison	3 8 0
PART 5 (Charity for Ministers &c.).			
New Consols	£ s. d. 25 6 9	"The Official Trustees of Charitable Funds."	0 13 8

NOTE.—The legal estate in the freehold hereditaments belonging to the Charities is vested in "The Official Trustee of Charity Lands," under an Order of the County Court of the 8th July 1858, and the Order of the Charity Commissioners establishing the Scheme of the 20th December 1889.

Sealed by Order of the Board this 10th day of
May 1898.

Thos. Allchin

AUTHORIZED UNDER 50 & 51 VICT. C. 49, SEC. 3.



*Memorandum that this document —
was covenanted to be produced to
H^o Phyllis Howell the Purchaser
under a Conveyance dated 19th
January 1976 in respect of Baslow
Ford House/Stanton
Ford House was sold to*