

PRESENTED

17 NOV 1937

No. 22730



This

SETTLEMENT is made the *fourteenth* day

of *November* One thousand nine hundred and thirty seven

B E T W E E N WILFRED FRANCIS SOUTHALL of the Gable House 107 Middleton Hall Road Kings Horton in the City of Birmingham Gentleman (hereinafter called "the Settlor") of the first part the said WILFRED FRANCIS SOUTHALL and LEGAL TRUSTEE LIMITED whose Registered Office is situate at Number 31 Bell Street Shaftesbury in the County of Dorset (hereinafter called "the Holding Trustees") of the second part and the said WILFRED FRANCIS SOUTHALL KENNETH HENRY SOUTHALL of 32 Davenant Road in the City of Oxford Bachelor of Medicine and MARY GWENDOLEN CATCHPOOL of 49 Parliament Hill London S.W.3. wife of Thomas Pettifer Corder Catchpool (hereinafter called "the Trustees" which expression shall except where repugnant to the context include the survivors or last survivor of them or the personal representatives of such survivor or other the trustees or trustee for the time being of this deed) of the third part _____

W H E R E A S the Settlor is desirous of establishing a charitable trust and has transferred or is about to transfer into the name of the Holding Trustees the stocks funds and securities specified in the Schedule hereto (hereinafter referred to as the Trust Funds) and the Holding Trustees have consented to act as such Trustees upon the terms and conditions hereinafter contained. _____

A N D W H E R E A S the Settlor is desirous of declaring such trusts of the Trust Funds as is hereinafter contained. _____

N O W T H I S D E E D W I T N E S S E T H as follows:

1. The Charitable Trust hereby created shall be known as the "W. F. Southall Trust". _____

Name of Charity

Investment
Clause.

2. The Holding Trustees shall retain the Trust Funds when the same shall have been transferred to it in their existing state of investment so long as the Settlor in his discretion shall think fit or shall upon his direction sell call in and convert the same or any part thereof into money and invest the net proceeds of such sale calling in or conversion in its name in or upon such investment as the Settlor shall in his lifetime direct And after the decease of the Settlor the Holding Trustees shall invest the Trust Funds in such securities as the Trustees shall in their discretion direct being investments authorised by law for the investment of trust funds and may upon such discretion as aforesaid from time to time vary such investments into any other or others of a like nature But the Trustees shall have power to authorise the retention of any investments upon which the Trust Funds are invested at the date of the decease of the Settlor And shall also have power to authorise investments in or upon

(a) The Stocks or shares (preference or ordinary) or the security of Southalls (Birmingham) Limited or of any subsidiary Company thereof or of any Company carrying on the same class of business with which it may be amalgamated or in succession thereto.

(b) The mortgage of any leasehold houses or land in the British Isles held for any term leaving sixty years to run at the time of investment or on freehold properties up to three quarters of the value thereof without obtaining the report of a Surveyor or Valuer.

(c) The stocks or shares (preference or ordinary) or the securities of any public gas water or electric light or electric power or electric railway or tramway Company in the United Kingdom and at the time of

investment paying a dividend of not less than five per centum per annum on its ordinary stocks or shares.

(d) The stocks shares or securities of any Company in a British Colony or Dependency interest whereon may be wholly or partially guaranteed by the Government of any British Colony or Dependency or of any Province thereof.

(e) The debentures debenture stock preference shares or preference stocks of any Company incorporated in the United Kingdom and which has for each of the five years preceding investment paid a dividend of not less than five per centum per annum on its ordinary stock or shares.

Income to be paid to Trustees Bank Account.

3. The Holding Trustees shall pay the income arising from the Trust Funds into the Bank Account of the Trustees as they shall direct and they shall not be personally responsible for the application of the income from Trust Funds.

Fees of Legal Trustee Limited.

4. Legal Trustee Limited shall be entitled to an annual fee of two pounds two shillings payable on the twenty fifth day of March in every year and in addition a fee of two shillings and six pence for the sealing of any document other than a direction for the payment of the income into the Trustees Bank Account.

Holding Trustees to act on a certified copy of Minutes of Trustees.

5. The Holding Trustees shall be entitled to act on a copy of any minutes of a meeting of the Trustees certified as a true copy by the Secretary for the time being of the Trust.

Declaration of Trust.

6. The Trust Funds shall be held upon trust both as to capital and income for any or all of the following charitable objects or purposes in such proportions as the Trustees shall in their absolute discretion from time to time determine namely:

SOCIETY OF FRIENDS

The Religious Society of Friends
including

Friends Temperance Union.
Sidcot School.
Sibford School.
Woodbrooke Council.
Friends Service Council.
Bedford Institute Association.
Friends Education Council.
Friends Peace Committee.
Friends Home Service Committee.
Occupational Centres.
John Woolman Settlement.
Work carried on at Friends Hall, Farm Street, Birmingham.

ADULT SCHOOLS.

The National Adult School Union
and in particular the
Midland Branch of the National Adult School Union
and including the
Bewdley Guest House Trust.

TEMPERANCE.

United Kingdom Band of Hope Union.
United Kingdom Alliance.
National British Women's Total Abstinence Union.
Temperance Council of the Christian Churches.
Birmingham Temperance Society.
Native Races and the Liquor Traffic United Committee.
Society for the Study of Inebriety.
Midland Band of Hope League.
Temperance Collegiate Association.
Workers' Temperance League.
North Birmingham and District Band of Hope Union.
National Commercial Temperance League.

PEACE

National Peace Council.
Peace Pledge Union.

War Resisters' International.

HOSPITALS AND INSTITUTIONS.

Young Men's Christian Association.

Student Christian Movement.

The Boy's Brigade.

Anti-Gambling League.

National Council of the Evangelical Free Churches and
any District Free Church Council.

Birmingham Sunday School Union.

Alliance of Honour.

Birmingham Society for the Care of Invalid Children.

Birmingham Christian Social Council.

Watville Street Mission, Birmingham.

Maes-yr-haf Settlement and Unemployed Clubs.

The Salvation Army.

National Institute for the Blind.

Birmingham and Midland Eye Hospital.

Nursing Associations in Birmingham and District.

Birmingham Adult Deaf and Dumb Association.

Birmingham General Hospital.

Queen's Hospital, Birmingham.

Baptist Church Bewdley and its Sunday School.

Methodist Church Bewdley and its Sunday School.

The Sutton Coldfield Home of Rest.

British and Foreign Bible Society.

Birmingham Maternity Hospital.

The Birmingham Settlement.

The Birmingham Royal Institution for the Blind.

Birmingham White Ribbon Bands.

Birmingham Citizens Society.

Save the Children Fund.

Royal Cripples Hospital, Birmingham.

Royal School for Deaf Children, Birmingham.

Birmingham Young Women's Christian Association.

Society for the Relief of Infirm Aged Women.

The Church Army.

Society for the Prevention of Cruelty to Children.

Church of England Zenana Missionary Society.

John Groom's Crippleage and Flower Girls Mission.
Birmingham Children's Country Holiday Society.

and any other charities having the like or similar purposes to the above.

7. The administration of the Charitable Trust hereby constituted shall be in the uncontrolled discretion of the Trustees and the Trustees may at any time make such arrangements draw up such a scheme or schemes and make and frame such bye-laws and regulations as they shall in their uncontrolled discretion think fit for the administration of the Charitable Trust hereby constituted. They may at any time amend alter or repeal any of the said arrangements schemes bye-laws or regulations as they shall think fit.

Provisions
as to
meetings of
Trustees.

8. Every power authority or discretion hereinbefore or hereinafter conferred upon the Trustees shall be exercised or signified by some documents in writing to be signed by all the Trustees or by the resolution of the whole number or the majority of those of the Trustees who shall be present and vote at a meeting of the Trustees notice of intention to hold which shall have been given to all the Trustees the Chairman of the meeting to have a casting vote in case of an equality of votes. A general meeting of the Trustees shall be held at least once in every year at which the Accounts of the Charitable Trust hereby constituted and a report concerning the same to be prepared by such person or persons and in such manner as the Trustees shall direct shall be presented and subject to the provisions of this clause the meetings of the Trustees shall be held on such occasions at such times and places and with such notice and the business to be transacted at such meetings shall be conducted and the resolutions and proceedings passed and had at such

appoint from amongst themselves or other person or themselves jointly with other persons or if the Trustees shall consider it necessary or expedient by a professional accountant whom they may employ and pay for the purpose. _____

Power of appointment of New Trustees.

10. The power of appointing new Trustees of this Deed including additional Trustees and Holding Trustees shall during his lifetime be vested in the Settlor After the death of the Settlor if and so often as the Trustees or any of them or any Trustees or Trustee of this Deed appointed under this present power or clause eleven hereof or any statutory power or by a court of competent jurisdiction shall die or desire to be discharged from or refuse or neglect or become incapable or unfit to act in the trusts of this deed or remain out of the United Kingdom for more than twelve months the surviving or continuing Trustees or Trustee for the time being of this Deed (and for this purpose any retiring or refusing Trustee shall if willing to act in the execution of this power be considered a continuing Trustee) may appoint new Trustees or a new Trustee in the place of the Trustees or Trustee so dying or desiring to be discharged or refusing or neglecting or becoming incapable or unfit to act or remaining out of the United Kingdom and upon every such appointment the number of Trustees may be increased or diminished.

Power of appointing additional Trustees.

11. If at any time either before or after a vacancy shall occur in the number of Trustees hereby appointed the Trustees shall consider it expedient to appoint an additional Trustee or additional Trustees of this deed it shall be lawful for them to appoint such additional Trustee or Trustees. _____

12. Every person who shall be appointed a new or an additional

meeting shall be recorded and proved in such manner as the Trustees shall by their regulations from time to time approve And until such regulations shall be made or a secretary appointed as hereafter provided any such meeting as aforesaid may be summoned either by the Settlor or by any two of the Trustees and be held at such place as shall be specified in such notice And unless otherwise provided by such regulations it shall be the duty of the Secretary (whom the Trustees are hereby authorised to appoint and to remunerate if the Trustees shall so determine out of the trust funds) to summon meetings of the Trustees and to enter minutes of all the proceedings had at such meetings in a book And a copy of any minute of any resolution or other act or proceeding of the Trustees certified in writing by the secretary for the time being of the Trustees to be a true copy thereof shall be conclusive evidence for all purposes of the passing doing or taking of such resolution act or proceeding and of the meeting at which the same took place having been duly convened and held and of the regularity of all proceedings thereat and of the appointment of the certifier as such secretary. PROVIDED ALWAYS that the Settlor shall during his life so long as he shall remain a Trustee of this deed be and have the privileges of the chairman of any such meeting as aforesaid at which he shall be present and it shall not be competent for the Trustees by any regulation made or resolution passed by them or otherwise to deprive him of this right but he may waive it when and so often as he may please.

Accounts to be kept and audited.

9. Proper accounts showing all receipts and disbursements had and made on account of the Charitable Trust hereby constituted shall be kept by the Trustees and shall be duly audited with all necessary vouchers once at least in every year by such auditor or auditors as the Trustees shall

Qualification of new or additional Trustees.

Power to declare irrevocably any particular charitable trust.

Trustee of this deed must be a Member of the Society of Friends (commonly known as Quakers).

13. If at any time the Trustees shall consider it expedient irrevocably to declare any particular or definite charitable trusts or purposes upon which the Trust Funds hereby assured or any part thereof for the time being subject to the trusts of these presents or any part thereof respectively shall thenceforth be held instead of being held upon such charitable trusts and for such charitable purposes as the Trustees shall from time to time in their discretion determine as provided by clause six hereof the Trustees may irrevocably declare any such particular or definite charitable trusts or purposes as they shall then determine as to the whole or any part of the trust property for the time being subject to the trusts of this deed and so put and end either wholly or partially as the case may be to the discretion given to them by clause six hereof and any such particular or definite charitable trusts or purposes to be so declared may be those of any then existing charity or otherwise and if they shall be those of any then existing charity then the Trust Funds hereby assured or any part thereof being subject to the trusts of this deed or those or them or that part thereof respectively of which such particular or definite charitable trusts or purposes being those of some then existing charity shall be so declared may be assured or transferred by the Trustees to the Trustees for the time being of such then existing charity who shall not be required to have the qualifications specified in clause twelve hereof or if the particular or definite charitable trusts or purposes to be so declared as aforesaid shall be for the benefit of the public then the Trust Funds hereby assured or those of them or that

part thereof whereof such charitable trusts for the public benefit shall be so declared may be assured or transferred to any Corporation Urban or Rural District Council Parish Council or other public Local Authority as the Trustees shall then determine to retain. _____

14. The Trustees may delegate all or any of the powers authorities and discretions hereinbefore conferred on them except those conferred by clauses ten eleven and thirteen of this deed to any committee or committees either of some of the Trustees or some of the Trustees together with any other person or persons or of any other persons not being Trustees whom the Trustees may select. And at any time, revoke either wholly or partially the authority so conferred on any such committee.

15. The notes appearing in the margin of this deed are inserted therein for convenience of reference only and are not intended to form any part of this deed or to be referred to as a guide to the meaning or construction of this deed or any clause or provision herein contained.

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

THE SCHEDULE above referred to.

30,000 Southalls (Birmingham) Limited 5/- shares.

SIGNED SEALED and DELIVERED by the
above named WILFRED FRANCIS SOUTHALL
in the presence of:-

Wilfred F. Southall

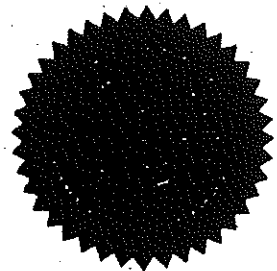
*Robert de Putter
54 Middle Park Road, Selby, York
Doct. of Medicine*

The COMMON SEAL of LEGAL TRUSTEE LIMITED
was hereunto duly affixed in the presence
of:-

*W. de Putter
W. de Putter
Alice M. Legg*

DIRECTORS

SECRETARY



SIGNED SEALED and DELIVERED by the
above named KENNETH HENRY SOUTHALL
in the presence of:-

Kenneth H Suthall

*Low class Domestic
Gable House Kings Barton*

SIGNED SEALED and DELIVERED by the
above named MARY GWENDOLEN CATCHPOOL
in the presence of:-

Mary Gwendolen Catchpool

*Robert L. Kuttler
57 Middle Park Road Selly Oak
Dorset of Medicine*

DECEMBER

11th November 1937

V. P. SOUTHALL TRUST

SETTLEMENT

upon

CHARITABLE TRUSTS