

Commissioner

This Declaration of Trust made the Seventeenth day of June 19 46 by



THE SPIRITUALISTS' NATIONAL UNION LIMITED (hereinafter called "the Union") incorporated on the 22nd day of October 1901 and whose registered office is at 64a Bridge Street in the City of Manchester WHEREAS the Union (which was duly incorporated under the Companies Acts 1862 to 1901 as a Company limited by guarantee and not having a capital divided into shares) is empowered by Clause 3 Sections (h) and (v) of its Memorandum of Association as follows:—

(1) To Act with or without remuneration as Trustee for Spiritualist Societies Churches Institutions or Organisations or individuals or corporate or other bodies and for such purpose so far as the law may from time to time allow to take conveyances assignments surrenders or leases of any real copyhold leasehold or purely personal property and to hold and manage the same on such trusts as should be determined on by the Members or Subscribers of such Societies Churches Institutions or Organisations or by such individuals respectively with the approval of the Union and to convey assign or surrender and generally to deal with the same in accordance with the usual practice as to trusts and trust properties. To appoint or join in appointing Trustees to act instead of the Union in the like capacity with the like powers and for the same purposes as last before mentioned and (2) To purchase take on lease hire or otherwise acquire and also to let lease or dispose of any premises or other property for the purposes of the Union and to erect if necessary any buildings for such purposes and to appoint Trustees to hold lands of any tenure for the purposes of the Union AND WHEREAS the Union is now a Trust Corporation AND WHEREAS the property described and set out in the Second Schedule hereto has been transferred to the Union for the purpose of being settled upon trusts identical with or similar to those hereinafter declared in the interests of the public worship of God and the promotion of the cause and teaching of Spiritualism as hereinafter defined among both adults and young people NOW IN CONSIDERATION OF THE PREMISES THIS DEED WITNESSETH AND IT IS HEREBY AGREED AND DECLARED that the Union shall stand possessed of the said property and any new buildings to be erected thereon upon the trusts hereinafter declared of and concerning the same that is to say:—

Permit Buildings to be used as Meeting place.

1. The Union shall permit the said property to be used occupied and enjoyed as a place for the public teaching of Spiritualism or Spiritualistic philosophy (as defined in the First Schedule hereunder written) under the direction as far as possible and practicable of the Hayes Spiritualist Society----- or other the Spiritualist Church or Society for the time being assembling for worship and teaching therein and for the instruction of children and adults and also for such other religious (including Spiritualistic research) or charitable purposes and social gatherings in connection with any of the above mentioned purposes as the said Church or Society shall from time to time direct.

Power to delegate duties to Sub-committees.

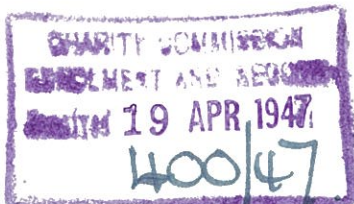
2. To enable the said Church or Society to direct or control to a considerable extent the Management of the said property the Union may and where possible shall delegate any of their powers to Committees consisting of such members of the said Church or Society as they think fit. Any Committee so formed shall in the exercise of the powers so delegated conform to any regulations that may from time to time be imposed on it by the Union.

Permit Ministers to officiate.

3. THE UNION shall permit to officiate on the said property as Ministers or Pastors such persons only as shall hold expound and maintain the doctrines as defined in the First Schedule hereto and no person shall be permitted to officiate as Minister or Pastor on the said property who shall have been by the said Church or Society or a majority of its members found guilty of immoral conduct or shall cease to be a Spiritualist or shall cease to hold and preach any of the said doctrines or shall be rejected or objected to by a special resolution of the said Church or Society.

Subscriptions, Rents, etc.

4. THE UNION shall permit the Treasurer of the said Church or Society or other person or persons appointed for the purpose by the said Church or Society to receive all monies contributed or subscribed and also the net rents arising from any lease of the said property and any other money which may come to the hands of the Union in connection with the said property in the nature of income and after paying thereout the expenses of repairing and insuring the said property and the interest on any Mortgage or debt secured on the said property or incurred in



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the erection completion repair alteration enlargement or improvement of any buildings on the said property to pay such sum for the remuneration of the Ministers Pastors Lecturers Exponents or Teachers of the said Church or Society as the said Church or Society shall have determined and to pay the incidental and other expenses attending the maintenance of public Spiritualist teaching on the said property and the other purposes of these presents as the said Church or Society shall direct provided nevertheless that moneys contributed or subscribed for any specified purpose shall not be subject to this clause but shall be applied to such specified purpose.

Alteration and
Re-building.

5. THE UNION shall from time to time under the direction of the said Church or Society permit the buildings for the time being standing on the said property to be repaired altered enlarged or taken down and rebuilt so as to render the same better adapted for the purposes aforesaid and shall under the like direction from time to time permit the erection of additional buildings.

Power to raise money
by Mortgage.

6. IT SHALL be lawful for the Union without the necessity of obtaining the consent of the said Church or Society to raise by Mortgage of the said property or by deposit of the title deeds thereof such sum or sums of money as the Union may think proper for the purpose of paying off any debt or debts incurred or to be incurred in the acquisition of the said property or in the erection enlargement rebuilding improvement or completion of the buildings erected or to be erected on the said property or in the purchase of furniture and equipment (including an organ) required for or in connection with the purposes of these presents and not provided for by voluntary subscriptions.

Sale, Mortgage,
Lease or Exchange.

7. THE UNION shall whenever required by special resolution of the said Church or Society sell mortgage or lease the trust property or any part thereof or exchange the same or any part thereof for any other freehold or leasehold property in accordance with the directions of the said Church or Society. The Union shall stand possessed of the money arising from any such sale mortgage or exchange and any other moneys which may come to their hands in connection with the trust property in the nature of capital after paying all costs and expenses incurred in relation thereto upon trust to lay out and apply the same in or towards the enlargement rebuilding or improvement or repair of the said property or in or towards the purchase of other property of any tenure or towards any of the other purposes or objects of these presents in such manner as the said Church or Society shall by special resolution direct but so that any property so purchased or so taken in exchange whether freehold or leasehold shall be situate within five miles of the said property described in the Second Schedule and shall be held by the Union upon the same trusts and subject to the same powers and provisions as are herein declared concerning the trust premises. If any difference shall arise as to whether moneys coming in to the hands of the Union are capital or income the decision of the Council of the Union shall be conclusive.

Repayment of
Advances from
Building Fund Pool.

8. IF the said Church or Society shall at any time in repayment of any monies advanced or to be advanced from the Union's Building Fund Pool or any interest thereon make such default as shall in the opinion of the Council of the Union be or be likely to be detrimental to the interests of such Building Fund Pool then the Union shall have full power in its uncontrolled discretion without the necessity of obtaining the consent of the said Church or Society to sell mortgage or lease the trust property and to apply the proceeds of such sale mortgage or lease in repaying the moneys so advanced and the interest thereon. The Union shall stand possessed of the balance of such proceeds (after payment of all costs and expenses) upon the same trusts as are declared in Clause 7 hereof concerning the moneys therein referred to.

Dissolution of Church.

9. NOTWITHSTANDING anything hereinbefore contained if the said Church or Society is dissolved or dispersed or (unless the Church or Society shall have removed within the meaning of Clause 13 hereof) if the regular public Spiritualist teaching on the said property is discontinued for six calendar months together or if the number of the members of the said Church or Society entitled to vote at a special meeting as hereinafter provided for shall be reduced to 12 or less then in any of such events the Union may in its uncontrolled discretion sell mortgage or lease the trust property or any part thereof and may (after payment thereof of all expenses and debts) pay and apply (subject to the proviso at the foot of this Clause) the net proceeds of such sale mortgage or lease and any other moneys in the hands of the Union in connection with the trust property for any purpose tending to the promotion of Spiritualism but not so as to augment or become part of the General Funds of the Union.

PROVIDED ALWAYS that such net proceeds and other moneys in the hands of the Union in connection with the trust property shall (after payment thereof of all expenses and debts) first be separately invested in or upon any of the investments (which shall be deemed for this purpose to include a Loan to or a Deposit in the Building Fund Pool of the Union) from time to time sanctioned by Law for the investment of Trust Funds and earmarked as or under the designation of "the sale proceeds of the meeting at _____ formerly _____" and such investment or investments shall not be disturbed or realised (except for change of investment) for the clear term of 6 years from the date of such of the events hereinbefore referred to as shall first happen subject to the exercise of the next mentioned discretionary power viz:—That if during such 6 years a new Spiritualist Church or Society be formed in the same district (say within three miles of the site of the said property) the Union shall have full discretionary power to devote the whole or any part of the investment or investments for the endowment or capital benefit of the new or revived cause represented by the said new Church or Society.

Mortgagees, etc., not bound to enquire as to validity of powers.

10. UPON any Mortgage lease sale enfranchisement or exchange purporting to be made in pursuance of any trust or power herein contained no mortgagee lessee or purchaser or other person dealing bona fide with the Union shall be bound or concerned to enquire whether the occasion for executing or exercising such trust or power has arisen or as to whether any special or other meeting of the said Church or Society has been held or as to the competency or regularity of any Church or Society meeting or of any requisition or resolution passed or purporting to have been passed thereat or as to whether the said Church or Society has been dissolved or any of the said other events have taken place or otherwise as to the propriety or regularity of any such mortgage lease sale enfranchisement or exchange and notwithstanding any impropriety or irregularity in such mortgage lease sale enfranchisement or exchange the same shall as regards a purchaser mortgagee lessee or other person as aforesaid be deemed to be within the aforesaid trusts or powers and be valid accordingly.

Special meetings of Church.

11. THE FOLLOWING provisions shall apply to every special meeting of the said Church or Society:—

(a) The meeting shall be convened by the Secretary or by the Minister or Pastor or Superintendent for the time being of the said Church or Society or by the authority of the Union or of one-fifth in number of the members of the said Church or Society entitled to vote at such Meeting by notice announcing the place day and hour of the meeting and the business or matter to be transacted or considered and such notice shall be given in writing to every member entitled to vote at least ten days before the date of such meeting. The notice posted to the last known place of abode of a member shall be deemed to be served upon him on the date following the posting of such notice.

(b) The only persons who shall be entitled to attend and vote at such meeting shall be those who whether male or female have attained the age of twenty-one years and have been members of the said Church or Society during at least the six calendar months next preceding the said meeting or from the forming of the said Church or Society.

(c) No vote shall be given by proxy but votes may be given by ballot or otherwise as the said Church or Society may direct.

(d) The term "a special resolution" in these presents means a resolution passed at a special Church or Society meeting by a majority of not less than two-thirds of the persons present and voting on the question before the meeting and the same shall be binding upon all the members of the said Church or Society whether present or not at such meeting.

(e) Except where a special resolution is hereby specially required a resolution passed at a special meeting by a simple majority of the persons voting on the question before the meeting shall be binding on all the members of the said Church or Society whether present or not at such meeting.

(f) The proceedings and resolutions of the meeting shall be evidenced by a minute thereof under the hand of the Chairman who shall have a casting vote and such minute shall be conclusive evidence that any resolution therein expressed to have been passed was passed at a meeting duly convened and held and by the requisite majority and it shall further be presumed that the person subscribing such minutes as Chairman was duly appointed to the office.

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Ordinary General
meetings of Church.

12. EXCEPT WHERE it is hereby expressly provided that a special resolution of the said Church or Society or a Resolution of a special meeting thereof is requisite the affairs of the said Church or Society and the provisions of these presents may in all respects be managed and carried out under the direction of the members of the said Church or Society at ordinary meetings of the said Church or Society to which meetings the provisions of the last preceding Clause hereof shall not apply but the same shall be held and regulated according to the ordinary practices and usages of Protestant Nonconformist Churches which practices and usages shall also apply to special meetings of the said Church or Society subject to the provisions of such last preceding Clause hereof.

Powers not affected by
removal.

13. PROVIDED THAT in the event of the removal of the said Church or Society to another locality the powers hereby vested in the said Church or Society in regard to the trust property shall not thereby be suspended or in any manner impaired or affected.

General Trusts under
Union's Memorandum
Articles of
Association.

14. SUBJECT AS aforesaid the Union shall hold the said property and the proceeds thereof on the trusts and terms declared by or contained in the Memorandum and Articles of Association of the Union.

IN WITNESS whereof the Union has caused its Common Seal to be hereunto affixed the day and year first before written.

THE FIRST SCHEDULE above referred to:—

(1) The Fatherhood of God. (2) The Brotherhood of man. (3) The Communion of Spirits and the Ministry of Angels. (4) The continuous existence of the human soul. (5) Personal responsibility. (6) Compensation and retribution hereafter for all the good and evil deeds done on earth. (7) Eternal progress open to every human soul.

THE SECOND SCHEDULE above referred to:—

ALL THAT piece or parcel of land situate at Hayes in the County of Middlesex abutting on and having a frontage to Albert Road of Fifty feet or thereabouts and a depth on the Northern and Southern sides of One hundred and forty-seven feet or thereabouts and containing in the whole Twenty-seven perches or thereabouts Which said piece of land is more particularly delineated and described in the plan drawn on a Conveyance dated the Tenth day of November One thousand nine hundred and twenty-four and made between The Hayes Development Company Limited of the one part and Ada Hopkins of the other part and thereon coloured pink TOGETHER WITH the hall or building erected thereon and known as The Albert Hall Albert Road Hayes aforesaid.

The Common Seal of the Spiritualists'
National Union Limited was hereunto
affixed in the presence of

J. B. W. Enderby
A. L. L. Vignos.

Members of the Council.

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.



23rd May 1947.



Memorandum
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