

THE ROSE SOCIETY OF NSW INC.

APPENDIX "C"

TO BY-LAWS

THE T.A. STEWART MEMORIAL AWARD

THIS TRUST DEED is made the sixteenth day of December One thousand nine hundred and forty nine BETWEEN ALEXANDER WILLIAM JESSOP of the Botanic Gardens Melbourne, WILLIAM ANDERSON STEWART of 34 Queen Street Melbourne and BENJAMIN ADAMS of 9 Clive Street East Brighton who are respectively the President, Secretary and Treasurer of the National Rose Society of Victoria and are hereinafter called "the trustees" of the one part AND LEWIS JOSEPH KIMBER of Curlew Street Toowong Brisbane as President on behalf of The National Rose Society of Queensland CHARLES FROST of the Boulevard Floreat Park Perth and President and on behalf of the National Rose Society of Western Australia GEORGE WILLIAM COOPER of 3 Arundle Street Forest Lodge Sydney as President and on behalf of the National Rose Society of New South Wales ALEXANDER WILLIAM JESSOP of the Botanic Gardens Melbourne as President and on behalf of the National Rose Society of Victoria and CONRAD VICTOR HOLYOAKE of 92 Overton Terrace Wellington New Zealand as President and on behalf of the National Rose Society of New Zealand of the other part:

WHEREAS in order to commemorate the work of the late T.A. STEWART as Editor of the Australian Rose Annual (which later became the Australian and New Zealand Rose Annual) from its first publication until his death nineteen years later in 1946 the National Rose Societies of Victoria, New South Wales, Queensland, Western Australia and New Zealand (hereinafter called the "contributor societies") raised the sum of one hundred and ninety five pounds eighteen shillings and sixpence:

AND WHEREAS the contributor societies agreed that a fitting form of memorial to the late T.A. Stewart would be to make a permanent provision for the award annually of a Plaque to a person who is deemed by the contributor societies to have given outstanding service to the Rose in Australia or New Zealand:

AND WHEREAS certain monies have been expended in the design preparation and making of a cast for the Plaque and the first award of the Plaque was made to the late Alister Clark;

AND WHEREAS there remains out the sum raised as aforesaid the amount of Ninety-eight pounds six shillings and twopence.

AND WHEREAS it is agreed by the parties hereto that the said amount, together with the cast for the Plaque designed, prepared and made as aforesaid, shall establish the T.A. Stewart Memorial Fund which Fund shall be held by three trustees being respectively the President, Secretary and Treasurer for the time being of the National Rose Society of Victoria upon the trusts hereinafter declared:

NOW THIS DEED WITNESSETH as follows:

1. In this deed unless inconsistent with the context or subject matter –
“The contributor societies” means the hereinbefore recited contributor societies:
“The Fund” means the T.A. Stewart Memorial Fund established under this trust deed;
“The Trustees” means the three persons respectively from time to time holding for the time being the offices of President, Secretary and Treasurer of the National Rose Society of Victoria.
2. The amount of Ninety-eight pounds six shillings and two pence remaining at the date of this deed out of the sum raised as hereinbefore recited by the contributor societies, together with the cast for the Plaque designed, prepared and made as hereinbefore recited, shall establish the T.A. Stewart Memorial Fund.
3. The trustees shall hold the Fund upon trust to use and apply the Fund for the purpose of providing annually the award (to be called The T.A. Stewart Memorial Award) in the form of a Plaque to a person who is deemed by the contributor societies to have given outstanding service to the Rose in Australia or New Zealand.
4. The trustees may also apply the Fund to meet the expenses of the Administration of the Fund and this trust deed.
5. Any interest or other monies accruing from the deposit or investment of the monies in the Fund shall be added to and form part of the Fund.
6. The trustees shall open an account in any bank selected by them and all monies in the Fund shall be paid into that account or invested in any securities in which the trustees may lawfully invest funds in Victoria.
7. Any cheque withdrawal form or other document authorized or required to be signed or executed by the trustees may be signed or executed by any two of them.
8. For the purposes of due administration of the Fund and this trust deed the President for the time being of the National Rose Society of Victoria may at any time certify that the persons named in the certificate are the President, Secretary and Treasurer of that Society.
9. Each of the contributor societies may by writing under the hand of the President of the Society delivered to the trustees not later than the thirtieth day of June in any year nominate a person for the Award for that year.
10. If in any year one person only is nominated (whether by one or more of the contributing societies) for the Award, the Award shall be made to that person.
11. If in any year more than one person is nominated by the contributor societies for the Award, the Award shall be made to the person who is selected in accordance with a ballot conducted as provided in the Schedule to this trust deed.

12. When the Award is made in any year the trustees shall cause a Plaque to be made and forwarded, if practicable, to the President of the contributing society in the State of Australia or in New Zealand in which the person to whom the Award is made resides, with a request to the President to arrange for the presentation of the Plaque to that person.