

NAS02026 C2-269-00066

Charter of Incorporation to the
Carnegie Dunfermline and Hero
Fund Trustees 1919.

George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas. King, Defender of the Faith. To all to whom these Presents shall come. Greeting: Whereas Our Trusty and Well-beloved John Ross, Doctor of Law, Dunfermline, Chairman of the Carnegie Dunfermline Trustees and of the Carnegie Hero Fund Trustees; Our Trusty and Well-beloved David Deas Blair, Solicitor, Dunfermline; Our Trusty and Well-beloved James Brown, Dyer, Dunfermline; Our Trusty and Well-beloved Edward James, Earl of Elgin and Kincardine; Our Trusty and Well-beloved John Hynd, Retired Miner, Dunfermline. Our Trusty and Well-beloved; James Currie Macbeth, Solicitor, Dunfermline, Our Trusty and Well-beloved David Marshall, Master of Arts, Dunfermline; Our Trusty and Well-beloved George Mathewson, Manufacturer, Dunfermline; Our Trusty and Well-beloved James Norval, Photographer, Dunfermline; Our Trusty and Well-beloved Sir William Robertson, Knight Bachelor; Our Trusty and Well-beloved John Sanderson, Minister of Religion, Dunfermline; Our Trusty and Well-beloved Andrew Scobie, Architect, Dunfermline; Our Trusty and Well-beloved Andrew Reid Shearer, Manufacturer, Dunfermline; Our Trusty and Well-beloved John Shaw Soutar, Procurator Fiscal, Dunfermline; Our Trusty and Well-beloved Robert Stevenson,

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Stevenson, Minister of Religion, Dunfermline; Our Trusty and Well-beloved Alan Leonard Smith Tuke, Bachelor of Medicine and Master in Surgery, Dunfermline; Our Trusty and Well-beloved David Harley, Provost of the Royal Burgh of Dunfermline; Our Trusty and Well-beloved James Dick, one of the Bailies of the Royal Burgh of Dunfermline; Our Trusty and Well-beloved Robert Wilson, one of the Bailies of the Royal Burgh of Dunfermline; Our Trusty and Well-beloved John Dowie Taylor, one of the Bailies of the Royal Burgh of Dunfermline; Our Trusty and Well-beloved William Irvine, one of the Bailies of the Royal Burgh of Dunfermline; Our Trusty and Well-beloved John Hutchison Fisher, one of the Councillors of the Corporation of Dunfermline; Our Trusty and Well-beloved William Andrew Hutchison, Minister of Religion Dunfermline; and Our Trusty and Well-beloved Charles Donaldson Allister, Manufacturer, Dunfermline; have presented to Us their humble Petition setting forth as follows:- That Andrew Carnegie of New York and of Skibo in the County of Sutherland, Scotland, by a Trust Deed executed by him on the eighteenth and recorded in the Books of Our Lords of Council and Session on the twenty-sixth, both days of August one thousand nine hundred and three (of which Trust Deed a copy is contained and marked number I in The Schedule hereto annexed), undertook to deliver to, or transfer to, and did thereafter deliver and transfer to an vest in the sixteen persons therein named and in such other person or persons as they might assume to act in room of such of their number as might die or resign office; and also in six members of the Corporation of Dunfermline and three members of the School Board of Dunfermline or other Educational Authority of the Burgh for the time being, the first appointed to act being chosen by these bodies within two months from the date of the said Trust Deed to serve for a period not exceeding three years and thereafter to be chosen every three years in all time coming, the Provost of the Corporation and the Chairman of the School Board or other Educational Authority for the time being always of the said six and three members respectively providing always that in the event of any failure

failure by the above bodies to elect members the other Trustees should have power to act alone. First. Bonds of the United States Steel Corporation of the aggregate value of Two million five hundred thousand dollars and Second the property in Dunfermline acquired by said Andrew Carnegie from James Maitland Hunt of Pittencrieff (with certain exceptions) which Bonds and property he provided should be held and administered by the Trustees before named and referred to, in Trust for the purpose of providing such means as they might from time to time devise as being best calculated to carry out in Dunfermline and its environs the experiment which he had indicated and which is more particularly explained in a letter from him to the Trustees dated the second day of August One thousand nine hundred and three (of which Letter a copy immediately follows the copy of the said Trust Deed in the same Schedule hereto annexed) and which he thereby declared to be an integral part of the said Trust Deed and declaratory of the duties of the trustees: And that by the said Trust Deed it is provided that the Trustees in their joint Capacity should be known and designated as "The Carnegie Dunfermline Trustees"; That the said Andrew Carnegie in a Letter to the said John Ross, as Chairman of the Petitioners dated the nineteenth day of January One thousand nine hundred and eleven wrote as follows:- The success of the Fund has been so great that I have decided to send you Two hundred and fifty thousand pounds more in five per cent. Bonds, and shall watch with deep interest the use the Trust makes of it. That these Bonds being also Bonds of the United States Steel Corporation were duly received and were held along with the Bonds referred to in the said Trust Deed: That the said Andrew Carnegie by a Trust Deed executed by him on the seventeenth and recorded in the Books of the Lords of our Council and Session on the twenty-ninth both days in October One thousand nine hundred and eight (of which Trust Deed a copy is contained and marked number **II** in the said Schedule hereto annexed) did on the narrative therein and in consideration that he had resolved

resolved to extend to his native land the benefits of the Hero Fund which he had established upon the North American Continent and he feeling well assured that the fund would be of great practical utility to those described in the Letter by him to the Trustees bearing date the twenty first day of September One thousand nine hundred and eight (of which Letter a copy immediately follows the said copy of the last mentioned Trust Deed in the said Schedule hereto annexed) as falling within its scope and being equally well assured that the fund will be faithfully administered by "the Carnegie Dunfermline Trustees" undertook and bound and obliged himself to deliver and transfer and did thereafter deliver and transfer Bonds of the United States Steel Corporation of the aggregate value of one and one quarter million dollars to and in favour of the said "Carnegie Dunfermline Trustees" being the sixteen persons therein Named; and also to and in favour of such other person or persons as they might thereafter assume to act in room of such of their number as might die or resign office; and also to and in favour of six members of the Corporation of Dunfermline and three members of the School Board of Dunfermline or other Educational Authority of the Burgh for the time being, to be chosen every three years in all time coming, the Provost of the Corporation and the Chairman of the School Board or other Educational Authority for the time being always of the said six and three members respectively, providing always that in the event of any failure of the above bodies to elect members the other members should have power to act alone, which body of Trustees should in their joint capacity be known as "The Carnegie Hero Fund Trustees" and be directed that the interest on income to be received upon the said Bonds and the interest or income to be derived from any securities or properties upon which the capital sums in said Bonds might thereafter be invested should be applied by the said The Carnegie Hero Fund Trustees in carrying out the purposes expressed in the said last mentioned Letter and

and which he thereby declared to be an integral part of and to be read along with and as explanatory of the said last mentioned Trust Deed and declaratory of the duties of the Trustees: And which Petition further sets forth that as it now appears, the said last mentioned Trust Deed crated no new Trust, but although the funds require to be kept distinct, fall to be administered under the Trust constituted by the said first mentioned Trust Deed, for the administration of which Trust further provisions were made in said Trust Deeds and relative Letters and further that the Petitioners have administered and are administering the Trust in accordance with the directions and powers contained in the said Trust Deeds and relative Letters and they have in the course of such administration acquired sundry properties and investments and have exchanged the whole of the Bonds referred to in the two Trust Deeds and in the Letter of the nineteenth day of January one thousand nine hundred and eleven for British War Loan Stock and Exchequer Bonds: And they find it necessary for the greater facility in carrying out the administration of the Trust that they be authorised to make Standing Orders thereanent and rules and byelaws for the regulation of the use by the public of the properties which they hold for the public behoof and according: ly they desired to make humble application to Us that We might grant to them a Charter of Incorporation for the purpose of constituting them and their successors in Office one body corporate and politic, with perpetual succession by the name and style of "The Carnegie Dunfermline and Hero Fund Trustees", having a Common Seal, with power to frame Standing Orders and make rules and bye-laws for the regulation of the use by the public of the properties which they hold for the public behoof and with the powers immunities and privileges provided in the said Trust Deeds, and with such other powers privileges and authorities as are usually given to other bodies corporate and politic, of the like nature in such manner as We in Our royal wisdom might appoint; and whereas We are minded to comply with the said prayer

prayer and to grant a Charter containing the Provisions hereinafter set forth Now Know Ye That We, having taken the premises into Our consideration, of Our special grace certain knowledge and mere motion, do will, ordain, constitute declare and appoint as follows that is to say:-

1. For the purpose of Carrying out the provisions of the said Trust Deeds and relative Letters and all other purposes of this Our Charter, We do hereby constitute the said John Ross, David Deas Blair, James Brown, The Earl of Elgin and Kincardine, John Hynd, James Currie Macbeth, David Marshall, George Mathewson, James Norvall, Sir William Robertson, John Sanderson, Andrew Scobie, Andrew Reid Shearer, John Shaw Soutar, Robert Stevenson, and Alan Leonard Smith Tuke and also such other person or persons as they might hereafter assume to act in room of such of their number as may die or resign office; and also the said David Harley, James Dick, Robert Wilson, John Dowie Taylor, William Irvine, and John Hutchison Fisher, being six members of the Corporation of Dunfermline; and the said William Andrew Hutchison, and Charles Donaldson Allister who along with the before-mentioned John Ross (the Chairman of the School Board) form three members of the School Board of Dunfermline; and also such other six members of the Corporation of Dunfermline and three members of the School Board of Dunfermline or other Educational Authority of the Burgh for the time who may be appointed to act in succession to the members of these bodies the Provost of the Corporation of Dunfermline and the Chairman of the School Board or other Educational Authority of the Burgh for the time being always of the said six and three members respectively, one body politic and corporate by the name and style of “The Carnegie Dunfermline and Hero Fund Trustees” of whom ten Trustees present at any meeting duly called shall form a quorum; and We do grant that by the same name and style the said Trustees (hereinafter referred to as the Trustees) shall have perpetual succession and a Common Seal with power to make Standing Orders for the administration of the Trust and for regulating the carrying on of the business of the Corporation and procedure at meetings including the appointment of a

a Chairman who shall have a casting as well as a deliberative vote; and to lay down from time to time such rules as to the signature of deeds, transfers, agreements, cheques, receipts, and other writings as they may consider desirable in order to secure the due and safe transaction of the business of the Corporation. And We do hereby ratify, confirm and approve of the Standing Orders of the Trustees made at a meeting thereof, held on 26th September 1918; but notwithstanding this notification it shall be in the power of the Trustees at any of the annual meetings not only to alter or innovate the said existing Standing Orders, but also to rescind the same in part or in whole if they shall see good cause, and to substitute in their place others which may appear better calculated to promote the interest and welfare of the Corporation; provided always that the same shall not be repugnant to the provisions of this Our Charter or to the laws of Our realm; and also with power to frame rules and bye-laws for the regulation of the use by the public of the properties which they hold for the public behoof; and We do further grant that the said body politic may by and in the same name and style sue and be sued in any Court or Place of Judicature. And We direct and ordain that service and notice be given to the Secretary for the time being of the Corporation shall be a sufficient service on a notice to the Corporation; And We direct and ordain that the Secretary shall have charge of the Seal of the Corporation which shall be kept in such a place as the Corporation shall from time to time fix. 2. We do hereby grant to the Trustees all the powers and privileges conferred by the law of Scotland upon gratuitous Trustees and all the powers and immunities conferred upon Trustees under the Trusts (Scotland) Acts 1861 to 1910. or under any subsequent Statutes or Statutory Rules and Orders amending or extending the powers of investment of Trustees and without prejudice to this generality the following powers and immunities. viz :- Power to uplift and realise the Securities on which they have placed or may place their funds and the interest or income thereof and to reinvest the same and such other funds as may come into their hands

hands in the purchase of heritable property or on such securities as Trustees in Scotland and England or Trustees in the States of New York, New Jersey or Pennsylvania are authorized to invest funds upon, and also on such other securities as they in the exercise of their own discretion may select, and to alter or vary the investments from time to time as they may think proper; and power to hold upon, and for the trusts intents, and purposes respectively set forth in the aforesaid Trust Deeds and relative Letters, all investments and properties, heritable and moveable which from the respective funds administered under the said Trust Deeds and are now vested and held in the names of "The Carnegie Dunfermline Trustees" and "The Carnegie Hero Fund Trustees or in the names of the said John Ross, their Chairman and William George, their former Secretary or Robert Burns, their present Secretary or any other parties, and to administer the same as separate Funds for the respective Trust purposes prescribed for each of the said Funds; and the said investments and property, heritable and moveable real and personal, including all interests and rights in to and out of property heritable and moveable real and personal & including servitudes obligations and things in action belonging to the Trust and hitherto administered as held by The Carnegie Dunfermline Trustees and by The Carnegie Hero Fund Trustees or as being investments and property to which they respectively had right in law or equity, by whatever name or title shall from and after the date hereof pass to and vest in and be held to be conveyed and transferred to the Corporation as fully and effectively as if formal Dispositions Assignations Conveyances or Transfers were granted in favour of the Corporation by the persons in whose name the said investments and property now stand and every infestment in favour of any person or persons for behoof of The Carnegie Dunfermline Trustees and of the Carnegie Hero Fund Trustees by whatever name or title shall for and after the date hereof be deemed to be an infestment in favour of the Corporation and this Charter shall be sufficient Warrant to the Corporation to uplift and realise the same excepting the aforesaid property in Dunfermline acquired by the said Andrew Carnegie

Carnegie from James Maitland Hunt of Pittencrieff which is to be held in perpetuity for the purposes expressed in the said first mentioned Trust Deed and relative Letter and that either by public roup or private bargain at such prices and on such terms as they may deem reasonable and to dispone, assign, convey, transfer, discharge and otherwise deal with the said investments and property excepting as aforesaid or to authorize others to do so without any further title and shall also be sufficient warrant to procure the registration of the Corporation in the books of any Bank, Company or Corporation as Proprietor or Holder of any Estate or interest therein. **3.** And We declare that all Charters, dispositions, bonds, and dispositions in security assignations or other deeds affecting real or heritable property and all personal bonds, contracts, or other deeds or instruments to be granted to and in favour of the Trustees shall be made and executed under the said Corporate name and title of "The Carnegie Dunfermline and Hero Fund Trustees" without specifying the names of the Trustees or any of them, or any of the office bearers of the Corporation, and without specifying or referring to the purposes expressed in the said Trust Deed, and that all Charters, dispositions, assignations, bonds, contracts or other deeds or instruments to be granted by the Trustees shall bear to be granted by the Trustees without specifying the names of the Trustees or of them or any of the office-bearers of the Corporation, and shall be subscribed on behalf of the Corporation by the Chairman and one of the remaining Trustees, and by the Secretary and sealed with the Common Seal of the Corporation and that all deeds and instruments so subscribed and sealed shall be equally valid as if the same had been subscribed by the whole Trustees. **4.** And We do further grant to the Trustees our Licence to erect or purchase or acquire and hold in perpetuity or otherwise by themselves solely or in conjunction with other persons Trustees or Corporations, lands, buildings tenements and hereditaments and also power to sell or otherwise dispose of the same by themselves solely or in conjunction with the said persons Trustees or Corporation. **5.** And We do further grant to the Trustees power to receive and hold the objects and purposes of the Trust and to invest along with the Trust Funds

Funds all such other monies, investments, and property as may be assigned, conveyed, or paid to them by any persons or Trustees, or Corporations, or as may be bequeathed to them.

6. And We do further grant to the Trustees power to enter into contracts or agreements with any person or Trustees or Corporations or other Institutions relative to the objects and purposes of the Trust or as they may consider necessary or expedient for giving effect to these objects and purposes. **7.** And We do further grant power to the Trustees from time to time to take or lease or to purchase or build offices or other buildings for carrying on the business of the Trust, and also power to sell or otherwise dispose of the same and to appoint such Secretaries, Treasurers, Auditors, Clerks, and Agents and other persons as shall be Necessary or as they may think proper for transacting the business of the Trust or for carrying this Our Charter into execution and to assign to such persons respectively the performance of such duties and to allow and pay to them out of the income of the Trust such salaries or remuneration as such Trustees shall think proper, and if and when they shall think proper to remove any person or persons as appointed and appoint other persons in their room. **8.** And We do further grant power to the Trustees to pay out of the income of the Trust the travelling and personal expenses which the Trustees may incur in attending meetings or otherwise in carrying out the business of the Trust. **9.** And we do hereby appoint that the Accounts of the Trustees shall annually be audited by an Auditor to be appointed on their application by the Sheriff of the County of Fife and an Abstract of the Accounts, as audited, shall be inserted in one or more Newspapers of Dunfermline and also that a full Report of their proceedings be made and be so published. **10.** It shall be lawful for us, Our heirs and successors by supplemental Charter to add to, amend, or repeal the provisions of this Our Charter or any of them provided that a resolution to accept and approve such supplemental Charter shall have been submitted to the Trustees and shall have been carried by a majority of not less than two thirds of the Trustees present and voting at a general meeting specially summoned for the purpose. Lastly

Lastly We do hereby for Us, Our heirs and successors grant that these, Our Letters Patent, shall be in and by all things good, firm, valid, sufficient, and effectual in law notwithstanding any omission, imperfection, defect, matter; cause or thing whatsoever to the contrary thereof in these Our Letters Patent contained, and shall be taken, construed and adjudged in the most favourable and beneficial sense and to the best advantage of and for the said Trustees as well in Our Courts of Law as else: . where, notwithstanding any recital, misrecital, uncer: . tainty or imperfection in these Our Letters Patent. In Witness whereof We have ordered the Seal appointed by the Treaty of Union to be kept and used in Scotland in place of the Great Seal thereof to be appended to these Presents Given at Our Court at St. James's the eighth day of February. One thousand nine hundred and nineteen in the Ninth year of Our Reign (By his Majesty's Command (Signed) Robert Munro) Per Signaturam Manu S.D.N. Regis Supra Scriptam. Written to the Seal and Registered The twenty eighth day of February, 1919 (signed) J.C. Strettell Miller, Director of Chancery. Sealed at Edinburgh The twenty eighth day of February on thousand nine hundred and nineteen (Signed) Wm. Crosbie, Substitute Keeper of the Seal. £80 Scots.

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The Charter of Incorporation to the Carnegie Dunfermline and Hero Fund Trustees of 1919 then appends copies of the terms of the 2 Schedules referred to in the foregoing Charter of Incorporation.

Schedule I : The Trust Deed written by Andrew Carnegie at Skibo Castle on 18th August, Registered in Edinburgh on 26th August 1903 and the Letter written by Andrew Carnegie at Skibo Castle dated 2nd August 1903 which are the articles of the Carnegie Dunfermline Trust.

Schedule II : The Trust Deed written by Andrew Carnegie at Skibo Castle on 17th October, Registered in Edinburgh on 29th October 1908, and the Letter written by Andrew Carnegie at Skibo Castle dated 21st September 1908 which are the articles of the Carnegie Hero Fund Trust.

These documents are set out below:-

I. Trust Deed and Letter by Andrew Carnegie creating the Carnegie Dunfermline Trust.

Trust Deed of Andrew Carnegie, 26th August 1903.

I Andrew Carnegie of New York and Skibo in the County of Sutherland, Scotland pursuance of a duty which I have long felt incumbent on me, and which I have so far already endeavoured to discharge, videlicet:- to distribute in my lifetime the surplus wealth which I possess in such a manner as shall best advance the well

being and happiness of the greatest number of beneficiaries; and being desirous of testing by experiment the advantages which a community may derive by having placed at its disposal, under the administration of public spirited and intelligent men chosen from among themselves, funds dedicated to the purpose of providing the means of introducing into the daily lives of the masses such privileges and enjoyments as are under present circumstances considered beyond their reach, but, which if brought within their reach are calculated to carry into their homes and their conduct sweetness and light; And being assured that the friends hereinafter named, who are well known to me as having shown by their public spirits their interest in duties such as I desire to assign to them, will carry out to the best of their ability the Trust hereby reposed in them, and will as occasion arises elect fit successors to succeed themselves; but being also persuaded that it is desirable that they should always be in accord with and be strengthened by having associated with themselves members of the Corporation of Dunfermline and of the School Board or Educational authority of the Burgh of Dunfermline for the time being; Therefore I hereby undertake and bind and oblige myself, my heirs, executors and successors forthwith validity to deliver to or transfer to and vest in the following persons, who are all resident in or about Dunfermline, and in such other person or persons as they may hereafter assume to act in room of such of their members as may die or resign office, as Trustees for the purposes after-mentioned, videlicet:-

1. Henry Beveridge, of Pitreavie.
2. James Brown, Dyer.
3. The Right Honourable Edward James Lord Bruce.
4. Andrew Burt, Solicitor.
5. The Rev. Wm. George M A.
6. John Hynd, Miner.
7. James Currie Macbeth, Solicitor.
8. George Matthewson, Manufacturer.
9. William Robertson, Manufacturer.
10. John Ross, LLD., Solicitor.
11. Andrew Scobie, Architect.
12. Andrew Shearer, Manufacturer.
13. The Rev. Robert Stevenson M A
14. Alan Leonard Smith Tuke, Bachelor of Medicine and Master of Surgery.
15. Robert Emery Walker, Manufacturer.
- 16 John Weir, Miners Secretary.

And also six members of the Corporation of Dunfermline and three members of the School Board of Dunfermline or their Educational Authority of the Burgh for the time being, the first appointed to act being chosen by these bodies within two months from the date hereof to serve for a period not exceeding three years, and thereafter to be chosen every x (x = three margin note) years in all time coming, the Provost of the Corporation and the Chairman of the School Board or other Educational Authority for the time being, always of the said six and three members respectively, providing always that in the event of any failure by the above bodies to elect members, the other Trustees shall have full power to act alone; **First**, Bonds of the United States Steel Corporation, of the aggregate value of Two million five hundred thousand dollars, and bearing interest at the rate of five per cent. per annum, together with the interest which may accrue on the said

Bonds from and after the twenty fifth day of November Nineteen hundred and three; and **Second**, The property in Dunfermline recently acquired by me from James Maitland Hunt, Esquire, of Pittencrieff (with certain exceptions), which Bonds and property shall be held and administered by the Trustees before named and referred to, in Trust for the purpose of providing such means as they may from time to time devise as being in best calculated to carry out in Dunfermline and its environs the experiment which I have indicated, and which is more particularly explained in a letter by me to the Trustees dated second August Nineteen hundred and three, a copy of which is hereto annexed and is hereby declared to be an integral part of and to be read along with and as explanatory of these presents, and declaratory the duties of the Trustees; but in carrying out the purposes expressed in the said letter I desire the Trustees to have in view that my wish is that they should not relieve the Community from their own proper municipal duties, or from the taxation which may properly be required to carry out these duties as they ought to be carried out by an advanced Community of intelligent Citizens; and I hereby Provide that the Trustees herein named or to be assumed or appointed as before provided shall have all the powers and privileges conferred by the law of Scotland on gratuitous Trustees, and that the Trustees in their joint capacity shall be known and designated as “The Carnegie Dunfermline Trustees” and that any ten of their number present at any meeting duly called in accordance with the regulations of the Trustees shall be a quorum; And I hereby confer on the Trustees full power to appoint such Officers, Employees, or Work people as they may consider proper for carrying on the business or work of the Trust, and to assign to them such salaries or remuneration as in their discretion they may deem suitable, with power to award a retiring allowance in cases that they may think deserving; And I empower them to make such Standing Orders from time to time as they may consider judicious for carrying on the business of the Trust, and to appoint Committees of their number to whom they may delegate any part or parts of the business of the Trust and to lay down rules in regard to the signature of Deeds, Transfers, Agreements, Cheques, Receipts, and other writings for the purpose of securing the safe and convenient transaction of the financial business of the Trust; And I empower the Trustees to purchase for the purposes of the Trust such heritable or other property or effects as they may consider advisable to acquire, either by public roup or private bargain, at such prices and on such conditions as they may consider reasonable, the title to which may be taken in the names of the Chairman and the Secretary of the Trust and their successors in office in their official capacity for the time being; And I likewise empower them to sell any property or effects which may be so acquired by public roup or private bargain; And I further hereby provide that the Trustees shall be entitled to the whole of the expenses which may be incurred by them in the administration of the Trust including in such expenses the personal expenses which they or any of their number may incur in attending meetings or in conducting investigations or visiting other localities for the purpose of acquiring information which it may be thought desirable to obtain in the interests of the Trust; And I hereby confer on the Trustees all the powers and immunities conferred upon Trustees under the Trusts (Scotland) Acts, Eighteen hundred and sixty one to Eighteen hundred and ninety one, and without prejudice to this generality the following powers and immunities, videlicet:-

Power to uplift and realise the said Bonds and the principal sums therein contained, and the interest thereof, to grant discharges or receipts therefor, to sell the said Bonds either by public rroup or private bargain, at such prices and on such terms as they may deem reasonable, to assign or transfer the same, to sue for payment of the principal sums or interest, either in or furth of the United Kingdom, to invest the sums which from time to time may be received from the said Bonds as may otherwise come into their hands in the purchase of heritable property, or on such securities as Trustees in Scotland or England or Trustees in the States of New York, New Jersey, or Pennsylvania where authorised to invest Funds upon, and also on such other securities as they in the exercise of their own discretion may select, and to alter or vary the investment from time to time as they think proper; all which investments may be taken in the names of the Chairman and the Secretary of the Trust and their successors in office for the time being; And I hereby expressly provide and declare that the Trustees shall to no extent and in no way be responsible for the safety of the said Bonds, or for the sums therein contained, or for the securities upon which the proceeds of the said Bonds may at any time hereafter be invested, or for any depreciation in the value of the said Bonds or securities, or for the honesty or solvency of those to whom the same may be entrusted relying as I do, solely on the belief that the Trustees herein appointed or to be assumed shall act honourably; And I further hereby empower the Trustees to receive and administer any other funds or property which may be donated or bequeathed to them for the purposes of the Trust; And, in as much as it may hereafter be considered necessary or desirable to obtain a Royal Charter of Incorporation, or to obtain powers from Parliament, or from the Court of Session fully to carry out the purposes of the Trust, or to modify & adapt those powers to circumstances which may hereafter emerge, I hereby authorise the Trustees from time to time to apply for such a Charter or to promote such Bills in Parliament, or to make application for such Provisional Orders, or to present such Petitions to the Court of Session, and that either by themselves or in association with others, for such powers as they may consider desirable the more effectually to carry out the purposes of the Trust or to modify or adapt them as aforesaid; And I provide and declare that the whole expenses attendant on such proceedings shall be paid out of the Trust Funds; And I appoint that the accounts of the Trustees shall annually be audited by an Auditor to be appointed on their application by the Sheriff of the County of Fife, and that an abstract of the Accounts as audited shall be published for the information of the public in one or more newspapers of Dunfermline, and also that a full Report of their proceedings be made and so published; And I consent to the registration hereof in the Books of Council and Session for preservation; In Witness Whereof these presents consisting of this and the five preceding pages, together with the letter hereto annexed on the three succeeding pages, all written by Thomas Thomson, Clerk to John Ross Solicitor, Dunfermline, are (under the declaration that all the words on the fourteenth line counting from the top of page one, with the exception of the first three words, and all the words on the fifteenth, sixteenth, and seventeenth lines counting from the top of the same page are deleted before subscription), subscribed by me at Skibo Castle on the eighteenth day of August Nineteen hundred and three, before these witnesses, Mrs Louise Whitfield or Carnegie, my Wife, and Andrew Carnegie, gentleman, residing in Pittsburg Pennsylvania
(signed)

Andrew Carnegie,

Louise Whitfield Carnegie, Witness

Andrew Carnegie. 2nd Witness.

Registered in the books of Council and Session on 26th August 1903.

Letter by Mr Carnegie to the Trustees referred to in the preceding Trust Deed, and which letter is therein declared to be an integral part of said Deed.

Skibo Castle, Dornoch August 2nd 1903

Gentlemen of the Commission,

The Trust Deed of which this may be considered explanatory, transfers to you Pittencrieff Park and Glen and Two million five hundred thousand dollars in five per cent Bonds, giving you an annual revenue of Twenty five thousand pounds, all to be used in attempts to bring into the monotonous lives of the toiling masses in Dunfermline more of sweetness and light. To give to them (especially the young) some charm, some happiness, some elevating conditions of life which residence elsewhere would have denied; that the child of my native town looking back in after years, however far from home it may have roamed, will feel that simply by virtue of being such, life has been made happier and better. If this be the fruit of your labours you will have succeeded, if not you will have failed.

It is more that twenty years since I provided in my will for this experiment, for experiment it is. My retirement from business enables me to act in my own lifetime, and the fortunate acquisition of Pittencrieff, with its lovely Glen, furnishes the needed foundation upon which you can build, beginning your work by making it a Recreation Park for the people. Needed Structures will have admirable sites upon its edge in the very centre of population. I have said your work is experimental. The problem you have to solve is What can be done in towns for the benefit of the masses by money in the hands of the most public spirited "citizens"?

If you prove that good can be done you open new fields to the rich which I am certain they are to be more and more anxious to find for their surplus wealth.

Remember you are pioneers and do not be afraid of making mistakes, those who never make mistakes never make anything. Try many things freely and discard just as freely.

As it is the masses you are to benefit, it follows you have to keep in touch with them and must carry them with you. Therefore do not put before their first steps that which they cannot take easily but always that which leads upward as their tastes improve.

Not what other cities have is your Standard; it is the something beyond this which they lack, and your funds should be strictly devoted to this. It is not intended that Dunfermline should be relived from keeping herself abreast of other towns, generation after generation, according to the standards of the time. This is her duty and no doubt will continue to be her pride.

I can imagine it may be your duty in the future to abandon beneficent fields from time to time when Municipalities enlarge their spheres of action and embrace these. When they attend to any departments it is time for you to abandon it and march forward to new triumphs. "Pioneers always ahead" would not be a bad motto for you.

As conditions in life change rapidly you will not be restricted as to your plans or the scope of your activities.

Permit me to thank you one and all for the cordial acceptance of the onerous duties of the Trust. Britain is most fortunate in the number and character of able educated men of affairs who labour zealously for the public good without other reward than the consciousness of service done for others. I am most fortunate in having a companion commission in charge of the Trust for the Universities of Scotland, also another in charge of Pittsburg Institute, whose success has been phenomenal and I believe yours is to be. Let me commend a great truth to you, which has been one of my supports in life: "The gods send thread for "a web begun". Thread will be sent for that you are about to weave, I am well assured. You have the first instalment already in your Chairman, emphatically the right man in the right place. Indeed Dr John Ross seems specially designed for this very task, original though it be. Gratefully your obliged fellow Townsman
(Sgd) Andrew Carnegie
(Signed) Andrew Carnegie
Written by James Lumsden
Collated by J W Watson.

II. Trust Deed and Letter by Andrew Carnegie creating the Carnegie Hero Fund Trust.

Trust Deed.

I Andrew Carnegie of New York and of Skibo in the County of Sutherland, Scotland, considering that I executed a Deed of Trust which is dated the eighteenth and was recorded in the Books of Council and Session on the 26th both days in August 1903, by which Deed I conveyed to the persons therein named and also to six members of the Corporation of Dunfermline and three members of the School Board of Dunfermline or other educational authority of the Burgh for the time being chosen as therein mentioned, all of whom it was provided be known and designated as "The Carnegie Dunfermline Trustees",

First. Bonds of the United States Steel Corporation of the aggregate value of two million five hundred thousand dollars and having interest at the rate of five per centum per annum and, **Second,** property in Dunfermline acquired by me from James Maitland Hunt Esquire of Pittencrieff, which Bonds and property were by the said Trust Deed directed to be held and administered by the said Trustees for the purposes therein mentioned and also considering that I have resolved to extend to my native land the benefits of the Hero Fund which I have already established upon the North American Continent and feeling well assured that the fund will be of great practical utility to those described in the letter after mentioned as falling within its scope and being equally well assured that the Fund will be faithfully administered by the "Carnegie Dunfermline Trustees" who to my great satisfaction are administering the Trust created by Deed already referred to.

Therefore, I hereby undertake and bind and oblige myself, any heirs, executors, and successors, forthwith validly deliver and Transfer Bonds of the United States Steel Corporation of the aggregate value of one and one quarter million dollars bearing interest at the rate of five per centum per annum to and in favour of the said "Carnegie Dunfermline Trustees" being the persons aforementioned, and also to and in favour of such other person or persons as they may hereafter assume to act in room of such of their number as may die or resign office as Trustees for the purposes aforementioned, videlicet:

One. Henry Beveridge of Pitreavie.

Two. David Deas Blair, Solicitor.

Three. James Brown, Dyer.

Four. The Right Honourable Edward James, Lord Bruce.

Five. John Hynd, Miner.

Six. James Currie Macbeth, Solicitor.

Seven. George Mathewson, Manufacturer.

Eight. William Robertson, Manufacturer.

Nine. John Ross, Doctor of Law, Solicitor.

Ten. Andrew Scobie, Architect.

Eleven. Hay Chennan, Sheriff Substitute in the County of Fife, Master of Arts.

Twelve. Andrew Reid Shearer, Manufacturer.

Thirteen. The Reverend Robert Stevenson, Master of Arts.

Fourteen. Alan Leonard Smith Tuke, Batchelor of Medicine and Master of Surgery.

Fifteen. Robert Emery Walker, Manufacturer.

Sixteen. John Weir, Miners Secretary.

And also to and in favour of the six members of the Corporation of Dunfermline and three members of the School Board of Dunfermline or other educational authority of the Burgh for the time, being always of the said six and three numbers respectively, providing always that in the event of any failure by the above bodies to elect members the other Trustees shall have full power to act alone, which body of Trustees hereby appointed shall in their joint capacity be known as the "Carnegie Hero Fund Trustees", and any ten of their number present at any meeting duly called in accordance with the regulations of the Trustees shall be a quorum and I direct that the interest on income received upon the said Bonds, and the interest or income to be derived from any securities or properties upon which the capital sums in the said Bonds may hereafter be invested shall be applied by the said "The Carnegie Hero Fund Trustees" in carrying out the purposes expressed in a letter by me bearing date the twenty first day of September Nineteen hundred and eight and addressed to Dr John Ross Chairman and Members of the Carnegie Hero Fund Trust, a copy of which letter is hereto annexed and is hereby declared to be an integral part of and to be read along with an explanatory to these present and declaratory of the duties of the Trustees, and I hereby explain that the geographical area to which the Trust applies is Great Britain and Ireland and the adjacent islands pertaining thereto, including the Channel Islands and the territorial waters surrounding the said countries and islands, and having herein provided that the Fund hereby created and the Funds and Properties transferred by the Trust Deed in favour of the "Carnegie Dunfermline Trustees" above referred to are to be administered by the same Trustees. I hereby provide that both funds shall be administered under the same conditions and that the Trustees named or to be assumed or appointed as before provided shall have all the powers privileges and immunities in administering Fund which are expressed in the said Deed of Trust

granted to the “Carnegie Dunfermline Trustees” as if the same had been fully embodied in these presents; and I direct that that the accounts of the Trustees shall annually be audited by the same auditor as is appointed to audit the accounts of the “Carnegie Dunfermline Trustees” in terms of the provision in the said Trust Deed; and I consent to the registration hereof in the Books of Council and Session for preservation. In witness whereof I have subscribed these presents consisting of this and the preceding page together with the letter on the two succeeding pages, at Skibo Castle on the Seventeenth day of October Nineteen hundred and eight before these witnesses James Bartram my private Secretary and George Irvine, my Butler. Andrew Carnegie. Jas. Bartram Witness. George Irvine Witness.

Letter by Mr Andrew Carnegie to the Trustees referred to in the preceding Trust Deed and which letter is therein declared to be an integral part of said Deed.

Letter to Dr John Ross, Chairman and members of the Carnegie Hero Fund Trust.

21st September 1908, Skibo Castle, Dornoch, Sutherland.

Gentlemen. The success of the Hero Fund upon the North American Continent has been so great that I have decided to extend its benefits to my native land. We live in an heroic age. Nor seldom are we thrilled by deeds of heroism where men or women are injured or lose their lives in attempting to preserve or rescue their fellows; such are the heroes of civilisation. The false heroes of barbarism maimed or killed theirs. I have long felt that such true heroes and those dependent upon them should be freed from pecuniary cares resulting from their heroism, and as a Fund for this purpose, One and a quarter Millions of Dollars in five per cent. Bonds, yielding Twelve thousand five hundred Pounds Stg. per annum, will be sent you. Judging from our experience, this sum is ample to administer the Trust; meeting the cost of maintaining injured heroes and their families during disability of the heroes; the widows and children of heroes who may lose their lives in the United Kingdom, and still have a surplus for emergencies and contributions under Article Four hereof.

The interest of the Fund is to be used as follows:

First: To place those following peaceful vocations, who have been injured in heroic efforts to save human life, in somewhat better positions pecuniarily than before, until again able to work. In case of death, the widow and children to be provided for until the widow re-marries, and the children until they reach self-supporting age. If there be any other immediate dependants the Trustees in their discretion may provide for them also. For exceptional children exceptional grants may be made for advanced education. Grants in money or in other forms may also be made to heroes and heroines as the Trustees deem advisable—each case to be judged upon its merits. As a rule, grants should be paid monthly.

Second: No grant is to be continued unless it is being soberly and properly used, and the recipients remain respectable well-behaved members of the community. No exception will be made to this rule; but heroes and heroines are to be given at first a fair trial, no matter what their antecedents. They deserve pardon and a fresh start.

Third: Many cities provide pensions for policemen, firemen and others, and some may give rewards for acts of heroism. All these and other facts the Trustees will take into account and act accordingly in making grants. Nothing could be further from my intention than to deaden or interfere with these most creditable provisions, doubly precious as showing public and municipal appreciation of faithful and heroic service. I ask for the Trustees most careful guard against this danger. Whether something cannot judiciously be done in cases of heroism by policemen and firemen or others at the request or with the approval of the city authorities, the Trustees shall determine. I hope there can be.

Fourth: For many years claims upon the income will not exhaust it. In course of time however the number of pensioners will increase. Should the Trustees find, after allowing liberally for this that a surplus will still remain, they have power to make grants from such surplus to those injured in case of accidents, preferably where a hero has appeared. They should not act, however, until employers and communities have done their parts, for their contributions benefit both givers and recipients. Widows with children are to be given first care.

Fifth: The field embraced by the funds is the British Islands and the waters thereof. The sea is the scene of many heroic acts.

Sixth: No action is more heroic than that of doctors and nurses volunteering their services in the case of epidemics. Railroad employees are remarkable for their heroism. All these and similar cases are embraced. Whenever heroism is displayed by a man or woman in saving human life in peaceful pursuits the Fund applies.

Seventh: When the King presents medals for heroism in peaceful pursuits in the United Kingdom, you will make immediate and careful enquiries into the circumstances of the recipients, and wherever needed make provision for their wants, or those of their families in accordance with the requirements in paragraphs in 1st 2nd and 3rd. If His Majesty ever chooses to express a wish in these cases, it is to be your law. I am glad to inform you that the purpose and general plan of this Fund have been honoured by His Majesty's gracious approval.

Eighth: You will give instructions for the preparation of a formal Trust Deed to be signed by me giving legal effect to the arrangements in this letter and containing the powers of the Trustees and granting them the same immunities as are expressed in the Trust Deed creating the Carnegie Dunfermline Trust and providing also that the Trustees are the sole judges of the proper action to be taken in each case.

Ninth: An Annual Report including a detailed statement of sums granted, and to whom, and the reason thereof, shall be made and widely published each year. A finely executed roll of the heroes and heroines shall be kept and displayed in the office in Dunfermline. At our recent conference there I stated that it was your admirable administration of the Dunfermline Fund "for bringing into the lives of the toilers more of sweetness and light" that induced me to appeal to you to take this Fund also into your wise keeping. Your prompt and unanimous response was only what I expected from such a body of men. That I privileged to know you well, and also the Trustees of my Scottish Universities' Fund and your worthy compeers of similar Funds across the Atlantic, who labour as you do, is one of the chief pleasures of my

life. While I only give money, many of you are giving yourselves fully to service for your fellows without compensation other than that all-sufficient reward of knowing you are thus performing a holy duty, since the highest worship of God is service to man. With deep and abiding gratitude,
Always yours. Andrew Carnegie.