



CHAPTER xviii.

An Act to amend the provisions of the trust deed creating the Carnegie Hero Fund Trust and for other purposes. A.D. 1931.
[29th April 1931.]

WHEREAS Andrew Carnegie of New York and of Skibo in the county of Sutherland by a deed of trust of the seventeenth and recorded in the books of the Council and Session on the twenty-ninth days of October one thousand nine hundred and eight after narrating that by a deed of trust dated the eighteenth and recorded in the books of the Council and Session on the twenty-sixth days of August one thousand nine hundred and three he had conveyed to the persons therein named (all of whom it was provided should be designated "the Carnegie Dunfermline Trustees") bonds of the United States Steel Corporation of the aggregate value of two million five hundred thousand dollars bearing interest at the rate of five per centum per annum and certain property in Dunfermline to be held and administered by the said trustees for the purposes therein mentioned and after further narrating that he had resolved to extend to his native land the benefits of the hero fund which he had already established upon the North American continent and that he was well assured that the fund therefor would be faithfully administered by the Carnegie Dunfermline Trustees undertook to deliver and transfer bonds of the said United States Steel Corporation of the aggregate value of one and a quarter million dollars bearing interest at the rate of five per centum per annum to and

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A.D. 1931. in favour of the Carnegie Dunfermline Trustees and to
— and in favour of such other person or persons as they
might thereafter assume to act in room of such of their
number who might die or resign office as trustees 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 of Dunfermline for the time being to be chosen in
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 :

And whereas by the said now narrating deed of trust
it was provided that the body of trustees thereby ap-
pointed should in their joint capacity be known as " the
Carnegie Hero Fund Trustees " :

And whereas it was by the said now narrating deed
of trust directed that the interest or 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 the said bonds might thereafter be invested
should be applied by the said trustees in carrying out the
purposes expressed in a letter by the said Andrew Carnegie
bearing date the twenty-first day of September one
thousand nine hundred and eight and addressed to
Doctor John Ross chairman and members of the Carnegie
Hero Fund Trust a copy of which letter was annexed to
the now narrating deed of trust and was thereby declared
to be an integral part of and to be read along with and as
explanatory of the said deed of trust and declaratory of
the duties of the said trustees :

And whereas by the said now narrating deed of
trust it was explained 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 it was further provided that the
fund thereby created and the funds and properties trans-
ferred by the said deed of trust in favour of the Carnegie
Dunfermline Trustees were to be administered by the
same trustees and under the same conditions and that the
trustees under the now narrating deed of trust should
have all the powers privileges and immunities in admin-
istering the fund thereby created which are expressed in

the said deed of trust in favour of the Carnegie Dunfermline Trustees : A.D. 1931.

And whereas by the said letter of the twenty-first day of September one thousand nine hundred and eight the said Andrew Carnegie after mentioning that the said bonds would yield twelve thousand five hundred pounds per annum directed that the interest of the fund was to be used first for placing those following peaceful vocations who have been injured in heroic effort to save human life in somewhat better position than before until again able to work and that in case of death the widow and children were to be provided for until the widow re-marries and the children until they reach self-supporting age with power to the trustees in cases in which there be any other immediate dependants in their discretion to provide for them also The said letter (inter alia) declared that the trustees should determine whether something could not judiciously be done in cases of heroism by policemen and firemen or others at the request or with the approval of the city authorities concerned and after stating that the sea is the scene of many heroic acts and that no action is more heroic than that of doctors and nurses volunteering their services in cases of epidemics and that railway employees are remarkable for their heroism stated that all these and similar cases were embraced in the fund and that whenever heroism was displayed by man or woman in saving human life in peaceful pursuits the fund applied The said letter further directed the trustees to deal specially with cases in which His Majesty the King presents medals for heroism in peaceful pursuits in the United Kingdom :

And whereas by the said deed of trust of the eighteenth day of August one thousand nine hundred and three (the trusts whereof apply as aforesaid to the said deed of trust creating the Carnegie Hero Fund Trust) it is stated that inasmuch as it might thereafter be desirable or necessary 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 and adapt those purposes to circumstances which might thereafter emerge the trustees were authorised 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

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A.D. 1931. — Court of Session for such powers as they might consider desirable the more effectually to carry out the purposes of the trust or to modify or adapt them as aforesaid And it was provided and declared that the whole expenses attendant on such proceedings should be paid out of the trust fund :

And whereas by Royal Charter granted on the eighth day and sealed at Edinburgh on the twenty-eighth day of February one thousand nine hundred and nineteen after narrating the said two deeds of trust hereinbefore mentioned and referring (inter alia) to the said letter of the twenty-first day of September one thousand nine hundred and eight hereinbefore referred to the persons who were then by virtue of the deed of trust of the eighteenth day of August one thousand nine hundred and three the Carnegie Dunfermline Trustees were for the purpose of carrying out the provisions of the said trust deeds and the said letter and all other purposes of the said charter constituted one body politic and corporate by the name and style of " the Carnegie Dunfermline and Hero Fund Trustees " with perpetual succession and with a common seal and the various powers as in the said charter more particularly set forth :

And whereas doubts have arisen as to the class of persons who may receive benefits arising from the Carnegie Hero Fund Trust and in particular whether persons who perform acts of heroism in saving human life but who are not injured in so doing may receive benefits therefrom :

And whereas the income from the trust fund for the year one thousand nine hundred and twenty-nine was twenty-one thousand eight hundred pounds of which a balance of approximately six thousand pounds is available to be carried to reserves :

And whereas it is expedient that the said doubts should be resolved and that such provision as is hereinafter contained in this Act should be made :

And whereas the purposes aforesaid cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords

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Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

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—

1. This Act may be cited for all purposes as the Carnegie Hero Fund Trust Act 1931 and shall come into operation on the date of the passing of this Act.

Short title:

2. In this Act unless there be something in the subject or context repugnant to such construction—

Interpre-
tation.

“the trustees” means the Carnegie Dunfermline and Hero Fund Trustees;

“the trust deed” means the deed of trust subscribed by Andrew Carnegie of New York and Skibo in the county of Sutherland creating the Carnegie Hero Fund Trust and dated the seventeenth and recorded in the books of the Council and Session on the twenty-ninth days of October one thousand nine hundred and eight and includes the letter of the twenty-first day of September one thousand nine hundred and eight in the said deed of trust referred to;

“the Royal Charter” means the Royal Charter granted on the eighth day and sealed at Edinburgh on the twenty-eighth day of February one thousand nine hundred and nineteen constituting the Carnegie Dunfermline and Hero Fund Trustees.

3. The trust deed shall be read and construed as if the trustees were thereby authorised at their discretion to apply any interest and income arising from the fund therein referred to in making provision for persons following peaceful vocations who make heroic effort to save human life in Great Britain and Ireland and the adjacent islands pertaining thereto including the Channel Islands and the territorial waters surrounding the said countries and islands but who are not injured in making such effort and that the provisions of the trust deed relating to the roll of heroes and heroines shall extend and apply to such persons.

Amending
trust deed.

4. Subject to and except so far as may be inconsistent with the provisions of this Act the Royal Charter and the trust deed shall continue to have the same validity force

Saving for
Royal
Charter

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A.D. 1931. and effect in all respects as if this Act had not been passed.

Costs of Act.

5. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be borne and paid by the trustees.

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