

I, GILBERT JAMES INNES of Gartaneaglais, Killearn, being desirous of helping in the promotion and advancement of the welfare and interests of the inhabitants of the Parish of Killearn, have on this account resolved to create a Trust for this purpose to be known as "The Second Killearn Trust" (hereinafter referred to as "The Trust") being these presents NOW THEREFORE I do hereby make over to the Trustees hereinafter designed the sum of FIVE POUNDS STERLING but always in trust for the ends, uses and purposes and subject to all the provisions conditions and stipulations here-in-after set forth, videlicet :-

**FIRST** The objects and purposes of the Trust are to inaugurate and/or assist either financially or in any other way any scheme purpose society or object which may in any way promote the moral social and intellectual welfare of the inhabitants of the Parish of Killearn.

**SECOND** The Trustees who shall administer and carry out the functions of the Trust shall be me the said Gilbert James Innes who shall in my option be entitled to hold office as long as I determine and the Representative for the time being of the Parish of Killearn on the County Council of the County of Stirling, The Minister of Killearn Church and the Head Teacher of Killearn School who shall all hold office ex officio with power to said Trustees to co-opt three persons (and in the event of me the said Gilbert James Innes resigning office then power to co-opt four persons) male or female who shall be resident in the Parish of Killearn to be additional Trustees and in the event of this power being exercised then the Killearn Branch of the British Legion shall be entitled to nominate one of their members to be one of such additional Trustees. Further, in the event of any of said persons entitled to act ex officio as a Trustee declining to do so then the number of additional Trustees who may be co-opted may be increased so as to bring the number of Trustees acting up to the maximum of seven in all. In no event shall the Trustees be less than two in number.

**THIRD** Any person who may be co-opted as a Trustee under the provision of the foregoing Clause shall hold office as Trustee for a period not exceeding three years if the number of co-opted Trustees be three and for a maximum of four years if four Trustees be co-opted but on the expiry thereof may be co-opted for a further period.

**FOURTH** The Trustees shall appoint a Secretary and Treasurer who need not be of their own number, and who shall have the duty of calling meetings of the Trustees, keeping Minutes of the Meetings supervision of the funds of the Trust and generally of carrying out such duties as a Secretary and/or Treasurer would in the ordinary circumstances undertake.

**FIFTH** The Trustees shall be entitled to use and employ the whole free income of the Trust from time to time for the furtherance of its various objects or any of them but they shall not (except for purposes which are in the nature of Capital expenditure) be entitled to use or encroach upon the Capital thereof unless powers so to do are conferred upon them by the person or persons who may in terms of Section Ninth hereof have donated money to the Trust for the purposes thereof. Further the Trustees shall only be entitled to invest the funds of the Trust in such investments as Trustees in Scotland are by law entitled to hold, but they shall be entitled to retain so long as they deem fit any investment or investments although not a Trustee Security which may be donated to the Trust.

**SIXTH** The Trustees shall keep regular books and accounts showing the whole of their intrusions with all monies which fall to and complete balance once in every year as at the thirty-first day of March. Said Books and Accounts shall be audited either by two persons appointed by the Trustees or by a qualified Accountant and a Summary of the Accounts for each year along with a full copy of the Report thereon by the Auditors or Auditor shall within three months thereafter be circulated in such manner as the Trustees deem suitable. Any householder in the Parish shall on request be entitled to receive a copy thereof.

**SEVENTH** The Trustees shall have power to hold, purchase, lease or take on feu any heritable property which may be required for the carrying out of the objects of the Trust and they shall also have power to sell same.

EIGHTH The Trustees shall be entitled to delegate the management and/or supervision of any one or more specific subsidiary interests in any scheme or object which may be under their charge, but notwithstanding such delegation the Trustees shall take all reasonable and proper safeguards from time to time to ensure that the interests so delegated are receiving due and proper attention and that any sums of money paid by the Trustees on this account are properly expended and duly accounted for to the Trustees.

NINTH The Trustees shall be entitled to accept and receive from any source donations or gifts whether by way of cash or otherwise towards the objects of the Trust but subject always to the conditions that such gifts shall form part of the assets of the Trust and be subject to all the conditions here contained with regard to administration and control.

TENTH In the event of the Trust being for any reason wound up or ceasing to exist the whole assets of the Trust and/or proceeds of the sale or disposal thereof shall be devoted to charitable purposes only.

ELEVENTH Should the Trustees at any time deem it advisable to broaden the basis of management of the Trust by substituting an electoral or other method of election of Trustees they shall be entitled to do so provided always that such alteration is approved of by the Clerk for the County Council of the County of Stirling for the time being whose decision shall be final: IN WITNESS WHEREOF these presents typed on this and the [two] preceding page[s] are, [under the declaration that the words "of election" are interlined to be read immediately after the word "method" occurring in the twenty-sixth line of this page,] subscribed by me at Killearn on the twenty-seventh day of March in the year Nineteen hundred and thirty five before these witnesses George Simpson Russell residing at Killearn, Mason and Miss Isobel Jean Smith residing at Drumbeg Cottage, Killearn.

(Sgd.) G.J. INNES

(Sgd.) George S. Russell, Witness (Sgd.) Isobel J.  
Smith, Witness