

Dated 9th September, 1896.

[COPY]

Deed of Trust

FOR

ADMINISTERING FUNDS

SUBSCRIBED FOR

RELIEF OF SUFFERERS

FROM THE

AUDLEY COLLIERY DISASTER,
1895.

KEARY, MARSHALL & ASHWELL,

STOKE-UPON-TRENT.

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Annual payment
by Trustees to
Relief Committee
of moneys neces-
sary for the
ensuing year

THAT at their first meeting after the execution of this Indenture the Trustees shall pay over or place to the credit of the Relief Committee with the National Provincial Bank of England, Limited, at Stoke-upon-Trent, such sum of money as in the opinion of the Trustees on the Report of the Relief Committee will be sufficient to enable the Relief Committee to carry on and discharge their duties up to the date of the next Annual Meeting, and shall at such Annual Meeting and thereafter at each subsequent Annual Meeting in like manner pay over to the Committee or place to their credit at the Bank aforesaid, or such other Bank as the Relief Committee may appoint, a sum sufficient in the opinion of the Trustees as aforesaid for the ensuing year's requirements.

Annual State-
ment of Accounts
by Relief Com-
mittee

THAT in due course the Relief Committee shall annually lay before the Trustees at their Annual Meeting a statement showing in detail the application of moneys so received by them as aforesaid and an estimate in detail of the moneys likely to be required during the then ensuing year.

Investment

THAT the Trustees shall from time to time invest the moneys coming to their hands and not required for the immediate purposes of the Trust in any of the funds or securities in England mentioned or referred to in the Trustee Act, 1893, or any statutory modification thereof, or upon the mortgages, stocks or securities of any Municipal Corporation in England or Wales, notwithstanding that at the date of such investment the population of the Borough of which such Corporation is the head, is not fifty thousand, or with the Board of Guardians of any Poor Law Union or Parish or with any District Council in England or Wales which may be authorised to raise or obtain loans by any Act of Parliament or by any order or sanction of the Local Government Board or in any one or more of such investments, and with power to the Trustees from time to time to vary such investments or any of them so long as such new investment shall be of the character herein prescribed, and shall from time to time apply the proceeds or interest derived or arising therefrom to and for the purposes of the Trust, and shall, if in their judgment it be necessary so to do, have full power to sell or otherwise use and apply for and to the like purposes any portion of the Corpus.

Mode of Invest-
ment

ANY such investments as aforesaid may be made in the names of any three of the Trustees appointed by the Trustees for the purpose at any duly convened meeting of their body, and any deed or instrument required to be executed by the Trustees for any of the purposes aforesaid shall be sufficient if executed by any three of them appointed in manner last hereinbefore mentioned.

Quinquennial
Actuarial
Valuation

THE Trustees shall every five years obtain an Actuarial Valuation Report or Statement showing what proportion of the Capital of the Fund for the time being, ought to be retained for the purpose of adequately providing in manner aforesaid for the relief of the sufferers by the said Disaster, due allowance being made for unforeseen contingencies, and if, on such report or statement being made, it is found that the capital of the fund is insufficient for the purpose of providing such relief as aforesaid, the said weekly payments shall be proportionately reduced.

Application
of Surplus Capital

THAT whenever at any time hereafter the object of the Fund shall be exhausted, the balance of the Capital shall be paid over to the North Staffordshire Coal and Ironstone Workers' Permanent Relief Society, save and except such portion of the said surplus *pro rata*, as shall have been raised by the said County Borough of Hanley (the amount raised by such County Borough being the sum of £1,088 10s. 7d.), and the said Borough of Longton (the amount raised by such Borough being the sum of £829 15s. 6d.), which said portions shall be paid to the said County Borough and Borough respectively, to be applied by them for the relief of any distress caused by any future Colliery Disaster in the district of North Staffordshire.

When Recipients
reduced to six,
Fund to be closed

THAT whenever the number of recipients entitled under the primary Trusts aforesaid shall be reduced to six in number, the fund shall be closed by commuting the prospective payments, which such recipients may be entitled to receive upon such lines as the Relief Committee with the consent of the Trustees shall think fit to adopt.

Officers

THAT the Trustees and Relief Committee shall jointly appoint a Secretary to act for them and shall pay him such salary as they may deem reasonable, together with any premium payable on his providing security in any approved office for his fidelity, and they may also appoint an Actuary or Actuaries, Treasurer, and all such other officers and servants as they may deem requisite for the due and proper execution of the trust, and pay them such salaries and wages with or without any such premium as aforesaid as the Trustees and Relief Committee may deem reasonable and may call in and pay for such pro-

fessional or other assistance as they may deem requisite. Every such appointment as aforesaid shall continue only during the pleasure of the Trustees and Relief Committee.

Bankers

THAT the Bankers to the Trustees shall be the National Provincial Bank of England Limited, or such other Bankers as the Trustees may from time to time determine.

Cheques

THAT all cheques for the payment of money, either by the Trustees or by the Relief Committee, shall be sufficient if signed by any two of the respective Trustees or Committee, countersigned by the Secretary, and any cheque so signed shall be a good discharge to the Bankers and any other person or persons paying the moneys therein mentioned.

Quorum & Voting at Meetings of Trustees & Relief Committee

THAT at any duly convened meeting of the Trustees or of the Relief Committee three Trustees or five members of such Committee, shall constitute a quorum, for the purposes of carrying out the trusts hereof, and all matters submitted to any such meeting, shall be decided by a majority of those present, and voting on the subject and in case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

Convening of Relief Committee Meetings

THAT meetings of the Relief Committee may be convened by the Secretary or by the Chairman of the Relief Committee, should one be appointed, at such times as to the Secretary or to the Chairman shall seem fit, and that the notices convening such meetings shall be sent and the business to be transacted thereat shall, so far as may be, be sent and conducted in like manner as is hereinafter provided for the notice of meeting and the meetings of the Trustees.

Annual Meeting of Trustees

THAT there shall be held during the month of February in each and every year an Annual Meeting of the Trustees, such meeting to be convened by the Secretary, under the direction of the Trustees by letter sent in the manner hereinafter provided to the Trustees, not less than seven clear days before the date of the meeting.

Occasional Meetings

THAT any two or more of the Trustees or the Chairman (should one be appointed), may at any time and from time to time as occasion shall require, call a Meeting, or Meetings of the Trustees and the Secretary shall on receiving a requisition signed by at least two of the Trustees or five of the Relief Committee call such a meeting, every such meeting to be held at Stoke-upon-Trent, or at such other place as may be directed by the Chairman after not less than seven clear days' notice by letter sent to the official or last known address of the Trustees stating generally the business proposed to be transacted at such meeting, and such business only as therein mentioned shall be dealt with at such meeting.

Salaries of Officers

THAT the Trustees shall have full power and authority to pay out of the Trust Fund the salaries of any officials appointed by the Trustees or by the Trustees and Relief Committee jointly, and all such sums of money as they and the Relief Committee may find necessary for carrying their respective duties into effect, and all costs, charges and expenses incurred by them or any of them in relation thereto.

Liability of Trustees and Members of Committee

THAT each Trustee and Member of the Relief Committee shall be responsible for his own acts and defaults only, and shall not incur any liability for losses occurring without his wilful neglect or default. **And it is hereby declared** that the power of appointing new Trustees conferred by Section 31 of the Conveyancing and Law of Property Act, 1881, and by Section 10 of the Trustee Act, 1893, shall apply to these presents and to the Trust Fund hereby established.

In Witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first before written.

THE SCHEDULE ABOVE REFERRED TO.

FORM OF MEMORANDUM OF ACCEPTANCE OF OFFICE.

Form of Memo: of Acceptance of Office

I, _____ hereby accept office as a Trustee (or Member of the Relief Committee) of the Audley Colliery Disaster Relief Fund, and undertake to perform the duties thereof according to the terms of the Trust Deed for the administration of the said Fund.

Signed by the said
day of

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