

Mr R Henderson
Scottish Office
Solicitor's Office

From: Ronald Powell SOLB3
Date: 1 May 1991

MACFARLANE (SPECIAL PAYMENTS) (NO.2) TRUST DEED

1. I enclose a copy of the current working draft of the Macfarlane Trust deed. You will see I have made numerous small amendments in the light of comments from the Macfarlane Trustees and their solicitors.

2. It is likely that the offer to settle the proceedings in England and Wales will be sent out today or tomorrow and I would like to have the Trust deed submitted to the Trustees for signature at the same time as the offer goes out.

3. Bearing in mind the power to vary the Trust which the deed now contains (and which will have to be exercised within two weeks or so to incorporate the covenant to put in extra funds if necessary) I am not too fussed if there are any other matters you want put right in the main text. However as a result of the fiddling about with the paragraphs the cross-referencing in your schedule has now lost coherence. Can you check this aspect for me and let me have the correct references as soon as possible? I should like if possible to send the ~~entirement~~ to the Trustees today or tomorrow.

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ENCS: