

Laws of Her Majesty's Province of Newfoundland, passed in the year 1839.

3 Victoria – Chapter 9

An Act to Incorporate the Benevolent Irish Society. (Passed 12th October, 1839.)

Whereas in the Year of Our Lord One Thousand Eight Hundred and Six, the Right Reverend Doctor O'Donnell, Lieutenant Colonel John Murray, James M'Braire, Esquire, John M'Killop, Esquire, Joseph Church, Esquire, Captain Winckworth Tonge, and other persons, Inhabitants of this Island, established and formed themselves into an Association or Society under the name and title of the Benevolent Irish Society, for the purpose of providing for the wants of the Poor, and other purposes; and since which period the said Society has been joined by numerous additional Members, and is now subsisting: And whereas the said Society has acquired a large sum of Money, now lodged in the Public Stock or Funds of the United Kingdom of Great Britain and Ireland, the Interest whereof is appropriated to the purposes of the said Society: And whereas it is expedient for the better regulation thereof, that the said Society shall be constituted a Body Corporate and Politic with perpetual succession.

Be it therefore enacted, by the Governor, Council, and Assembly of Newfoundland, and by the authority of the same, that the President, Vice President, the First Assistant, the Second Assistant, the Treasurer, and the Secretary of the said Society, and all other Persons who are now or who shall hereafter be duly admitted Members of the said Society, and their Successors for ever, shall be, and they are hereby constituted and declared to be, one Body Corporate and Politic, in Deed, and in Law, by the name of "The Benevolent Irish Society;" and the same shall be a perpetual Corporation, and have a Common Seal, with power to change, alter, and make new the same; and they and their Successors in the name aforesaid may sue and be sued, implead and be impleaded, defend and be defended, answer and be answered unto, in all or any Court or Courts of Judicature within this Island, in all manner of Actions, Suits and Causes whatsoever, and also of Contracting and being Contracted with relative to the Funds of the said Corporation, and the business and purposes for which it is hereby constituted.

II. And be it further enacted, that the Rules and Regulations made by the said Society on the Eighth day of February, in the year of our Lord One Thousand Eight Hundred and Six, and registered in the Records of the Court of Sessions of St. John's in this Island, on the Fifteenth day of October in the year last aforesaid, shall be, and they are hereby declared to be, the Rules and Regulations of the said Society: Provided always, that it shall and may be lawful for the said Society, from time to time, to add to, alter, amend or revoke, all or any of the said Rules and Regulations, as they may deem necessary and expedient for the better regulation and management thereof; And provided always, that such Rules or Regulations shall not be in anywise contrary to the Laws of this Island, or the Provisions of this Act.

III. And be it further enacted, that it shall and may be lawful for the said Corporation, by the name aforesaid, to purchase and possess any real or personal Estate, or to accept, hold and possess such as may be gratuitously given, granted, devised or bequeathed, for the use and benefit of the said Corporation; Provided that such real and personal Estate shall not at any time altogether exceed the

yearly value or income of Three Thousand Pounds, sterling: And also provided always, that no part of the principal sum now lodged in the Public Stock or Funds of the United Kingdom of Great Britain and Ireland shall be expended or lessened by the said Corporation; it being the intent and meaning of this Act, that the Interest only of the said Money shall be applied to the annual expenses of the said Corporation.

IV. And be it further enacted, that it shall and may be lawful for the said Corporation to invest all or any part of the said Monies now in the Public Funds of the United Kingdom of Great Britain and Ireland, in other Public Securities of the said United Kingdom, or of this Island, or to appropriate all or any portion of the same to the purchase of fee-simple Property for the use and benefit of the said Corporation; Provided always, that such purchase be ordered pursuant to Resolutions passed at a Public General Meeting of the said Society, duly convened by notice specifying the object of such Meeting, and such Resolutions be also passed by not less than two thirds of the votes of Members then resident within the District of St. John's; and provided also, that it shall not at any time be lawful for the said Corporation to transfer, convey, or sell the Lands or Tenements of the said Corporation, except on Leases not exceeding Forty Years.

V. And be it further enacted, that on the Seventeenth Day of February in each and every Year, or on such other convenient Day within seven Days of the said Seventeenth Day, as may be duly appointed for the same, a General Meeting of the Members of the said Society shall be holden, when such Members, or a Majority of the Members, present at such General Meeting, shall elect and choose a President, a Vice President, a First Assistant, a Second Assistant, a Treasurer, a Secretary, a Chairman of Committee of Charity, and a Chairman of Review and Correspondence, who shall, for the Year next ensuing such choice or election, and until a new election shall take place, be the Officers of the said Corporation, under the Provisions hereinbefore made and prescribed.

VI. And be it further enacted, that upon the death, resignation or absence from this Island of the said President, or any of the said Officers, it shall and may be lawful for the said Corporation to elect, nominate and appoint another such President or other Officer as aforesaid, in the place and stead of any such Officer dying, resigning, or being absent as aforesaid.