

[Substantive matters highlighted in blue, editorial comment in red italic type. Paragraph blocking not in the original document. Note that this instrument is essentially an amendment of the 1808 charter.]

CHARTER of INCORPORATION of the HIBERNIAN SOCIETY

GEORGE the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth:

To all to whom these presents shall come, greeting :

Whereas by our letters patent enrolled in our high court of Chancery of Ireland, the fourteenth day of July, in the ninth year of our reign, we did, grant, ordain , constitute, and appoint George Viscount Townshend, our lieutenant general and general governor of our kingdom of Ireland, and our chief governor or governors of our said kingdom for the time being, and the several other officers and persons in the letters patent particularly mentioned , and their successors for ever, to be one body politic and corporate, in deed and in name, by the name of "The Hibernian Society," in Dublin, for maintaining, educating, and apprenticing the orphans and children of soldiers in Ireland, for ever; and, by the same name, to have perpetual succession:

And whereas by our letters patent enrolled in our high court of Chancery in Ireland, the sixth day of February, in the forty-eighth year of our reign, we did grant, ordain, constitute, and appoint our right trusty and well-beloved cousin and counsellor Charles, Duke of Richmond, our lieutenant general and general governor of Ireland, and our chief governor or governors of Ireland for the time being, and the several other officers and persons in the said letters patent particularly mentioned, being the persons who then composed the said herein before mentioned corporation, and their successors for ever, to be one body politic and corporate, in deed and in name, by the name of "The Hibernian Society," in Dublin, for maintaining, educating, and apprenticing, or placing in our regular army as private soldiers, in such corps as from time to time we shall please to appoint, the orphans and children of soldiers in Ireland, for ever, and by the same name to have Charter of the perpetual succession:

And whereas our said letters patent last mentioned were duly accepted by the said corporation first hereinbefore mentioned:

And whereas it hath been represented unto us that the ends and purposes for which the said letters patent were granted may be more effectually promoted, and our military service in that part of our said United Kingdom called Ireland more essentially and permanently benefited, if we should be pleased to grant to the said corporation new letters patent, with further and other clauses and powers, to the effect hereinafter mentioned ; and the said corporation having besought us to grant. unto them new letters patent, to the effect and with the powers and clauses hereinafter mentioned , we are graciously pleased to condescend thereto :

Know ye, therefore, that we, of our special grace, certain knowledge, and mere motion, by and with the advice and consent of our right trusty and right well-beloved cousin and counsellor Charles Chetwynd Earl Talbot, our lieutenant general and general governor of that part of our United

Kingdom of Great Britain and Ireland called Ireland, do hereby give and grant unto the said society and corporation, and their successors, for ever, that they shall be and be deemed and taken to be, and we do, for us, our heirs and successors, hereby ordain, constitute, and appoint the said society and corporation, and their successors, to be henceforth one body politic and corporate, in deed and in name, by the name of "**The Hibernian Society**" for the care of soldiers children, and by no other name whatsoever; and by the said name to sue and be sued, plead and be pleaded, to answer and be answered, to defend and be defended, in all courts and in all suits, plaints, and demeanors whatsoever, any thing in any of our said letters patent aforesaid to the contrary in anywise notwithstanding :

And we do hereby ordain, direct, and provide, that the said name shall from henceforth stand and be in the place and stead of the name so given as aforesaid in and by our said letters patent last recited; and that all and every the clauses, matters, and things in our said letters patent contained shall be applicable and applied to the said corporation by their said name of The Hibernian Society," for the care of soldiers children, as fully and effectually, to all intents and purposes, as if the said name and no other had been given to them in and by the said letters patent: And we do by these presents, for us, our heirs and successors, **hereby confirm the said letters patent in all other respects, save as far as the same, or any of the premises thereof, is or are hereinafter expressly altered:**

And whereas we did, by our said letters patent last mentioned, empower, authorize, and require the said body corporate, at their first general meeting, to nominate and appoint fifteen of the said body to be a committee, to meet in Dublin the first Tuesday in every month, or oftener, as need should require, in such place, or places as should be agreed on by the said corporation, which committee were to be authorized and empowered to carry into execution such orders, rules, and directions as should from time to time be made by the said corporation, and which committee should continue until the first Monday in November next following the first general meeting; at which time and afterwards, on every first Monday in November yearly, the said corporation should nominate fifteen of their members to be a committee for one year, for the purposes afore said:

And we did, by our said letters patent, further empower, authorize, and require the said corporation, at their general meetings, to nominate and appoint lesser committees in all places where any hospitals should thereafter be erected, for the purposes expressed in the said letters patent, which lesser committees were to be appointed at such times and places, and continued for such time or times as the said corporation should think proper;

our further will and pleasure is, and we do hereby further empower, authorize, direct, and require the said corporation, that whenever a vacancy shall take place in the said committee of fifteen, or in any of the said lesser committees, by death, resignation, or otherwise howsoever, then and in every such case the president or vice president of the said corporation shall and do, within ten days after such vacancy shall be notified or known to him, summon a meeting of the said corporation, to elect one of their body to supply such vacancy, and become and be a member of such committee respectively, from thence in like manner, and for the same period, as the person whose place shall be so filled would have been if such vacancy had not taken place:

And whereas we did, by our said last herein before mentioned letters patent, authorize and empower the said committee of fifteen, in the said city of Dublin, and the lesser committees, in all places

where hospitals for the purposes aforesaid should thereafter be erected, to nominate and appoint chaplains for their respective hospitals, and also fit and able persons to be schoolmasters of the said hospitals during the will of the said corporation, to teach the orphans and other unfortunate children of soldiers in said hospitals to read, especially the Holy Scriptures, and to instruct them in the principles of the Protestant religion established in Ireland, and in arithmetic, and such other parts of education as to the said society shall seem meet; such chaplains and schoolmasters nevertheless to be licensed by the ordinaries in Ireland in their respective dioceses ;

we do hereby further authorize and empower the said committees respectively, to nominate and appoint fit and able artificers, to teach the orphans and other unfortunate children of soldiers in said hospitals respectively, such trades as may seem meet to the said society :

And whereas we did by our said letters patent last mentioned empower and authorize the said body corporate, when they should be assembled, to elect, by plurality of voices, such officers, other than the president and the vice president of the said society, as they should find needful, to continue until the first Monday in November next thereafter, and until others should be chosen to succeed them; and did also thereby empower, authorize, and require the said president and vice president, or, in their absence, any two members of the said corporate body, to administer an oath or oaths to the said officers, which they were thereby required to take, for due and faithful execution of their respective offices; and did further empower, authorize, and require the said corporation, upon the first Monday in November in all times thereafter, or, in case any emergency should prevent their meeting on that day, then at the next quarterly meeting thereafter, to make a new election of persons to serve in the said offices, or to continue the former officers, as they should think most convenient; and that as often as it should happen that any of the officers of the said corporation for the time being should die or be removed for reasonable cause, as therein directed, or that any vacancy should occur of an officer or officers of the said corporation , it should and might be lawful for the said members of the said corporation, and they should be required, within forty days (ten days notice being given), to choose and elect into his or their place or places, some other person or persons of the said corporation, in the manner herein mentioned, to continue in his or their office or offices till the first Monday in November next following his or their election or elections, and until some other person or persons should be elected into his or their office or offices:

We do hereby further direct and ordain, that all officers of the said society, save the president and vice president thereof, shall in future be elected in manner herein-after mentioned and provided, and not otherwise:

And we do hereby authorize and empower the said committee of fifteen, in Dublin, and the said lesser committees in their respective hospitals, whenever any of the offices of the said corporation in their said district respectively shall be vacant, to elect by plurality of voices into such offices such persons as they shall think proper respectively, and also annually at their respective meetings, which shall first take place and be holden next after the first Monday in November in each year, to make new elections in their respective districts as aforesaid, of persons to serve in the said offices respectively, or to continue their former offices, or any of them, as they respectively shall think most convenient, each person so elected in any of the said cases to remain in office until he shall be superseded by a new election as aforesaid, or till he shall die, resign, or be duly removed; and every such person so

elected respectively as aforesaid, to be removable by the said committees respectively in their respective districts, when they shall judge it fit so to do:

And we do also hereby further authorize, empower, and require the president or vice president, or in their absence any two members of the said respective committees in their respective districts, to administer an oath or oaths to the said officers respectively, for the due and faithful execution of their respective offices; and we do hereby require every such officer to take the said oath accordingly :

And we hereby further authorize and empower the said committee of fifteen, from time to time at their said meetings, which shall happen next after the first Monday in November in each year, to institute, direct, and establish such new offices, and to abolish such old offices of the said corporation, not being established by the terms of any royal letters patent or charter, as they shall from time to time find it necessary or useful to institute or establish :

And we do also direct and ordain, that no member of any of the said committees, or of the said corporation, shall at any time be eligible to any office of the said corporation, to which any salary or emolument shall be annexed or shall belong :

And whereas we did in and by the said charter last mentioned ordain that it should not be lawful for the said body corporate to diminish their capital stock, arising from the annual rent or income of any manors, lands, tenements, annuities, pensions, tythes, or other hereditaments, whereof they should be at any time seised or possessed, but that they should confine their expenses yearly to such annual rent or income, and to such sum of money, goods, and chattels as should from year to year be subscribed or given to them, or the interest or profits thereof :

Yet nevertheless it is our will and pleasure that the said corporation should have the power of changing the nature of the property in manner here following :

We do therefore, by these presents, further authorize and empower the said corporation to sell or dispose of any lands, tenements, tythes, or other hereditaments whereof they now are or at any time or times hereafter may be seized or possessed, and to vest the money or produce arising therefrom in the Government funds of Ireland or of our United Kingdom, and from time to time to receive the interest and dividends thereon, for the use and support of the said society, anything in the letters patent aforesaid, or in any or either of them contained, to the contrary thereof in anywise notwithstanding:

And lastly, our will and pleasure is, and we do hereby declare and ordain, that these our letters patent, and every clause, sentence, and article therein contained, or the enrolment thereof, shall be in all things firm, good, valid, sufficient, and effectual in the law unto the said corporation, according to the purport and tenor thereof, without any further grant, license, or toleration from us, our heirs or successors, to be had, procured, or obtained:

Provided always, that these our letters patent be enrolled in the rolls of our High Court of Chancery, in that part of our said United Kingdom called Ireland, within the space of six months from the date hereof, otherwise these our letters patent to be null and void and of none effect, anything herein contained to the contrary in anywise notwithstanding.

In witness where of we have caused these our letters to be made patent;

Witness, our aforesaid Lieutenant General and
General Governor of Ireland, at Dublin, the fifth
day of December, in the
fifty-ninth year of our reign .

Enrolled in the Office of the Rolls of His Majesty's High
Court of Chancery in Ireland, the seventh day of December
one thousand eight hundred and eighteen. R . Wogan,
Deputy Keeper of the Rolls.

Entered, Thomas Bouchiere, Deputy Clerk of the Crown
and Hanaper.

Source: *Sixth Report of the Commissioners of Irish Education Inquiry*, 1826-27, H.C. Sess. Papers, No. 441.