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Chancery

Victoria

1846

*[Decorative flourish]*

Copy Charter  
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*[Faint handwritten text]*



Upon Search It appeareth that the  
Enrollment of the Charter remains  
of Record amongst the Rolls in the  
Rolls office of Her Majestys high  
Court of Chancery in Ireland of which  
the following is a Copy

**Victoria** by the Grace of God of the United  
Kingdom of Great Britain and Ireland Queen Defender  
of the Faith and so forth To all unto whom these presents  
shall Come Greeting. **Whereas** by Letters patent  
enrolled in Our High Court of Chancery of Ireland the  
fourteenth day of July in the Ninth year of the Reign of His  
late Majesty King George the Third His said late Majesty  
did Grant ordain Constitute and appoint George Viscount  
Townsend the Lieutenant General and General Governor of  
Our Kingdom of Ireland and the Chief Governor or  
Governors of Our said Kingdom for the time being and the  
several other Officers and persons in the said 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 Letters  
patent enrolled in Our high Court of Chancery in Ireland the  
Sixth day of February in the forty eighth year of the Reign



in that part of our said United Kingdom called Ireland more effectually and permanently benefitted if We would be pleased to Grant to the said Corporation new Letters patent making such Alterations in the Constitution and Government of the said Corporation and Containing such further and other Clauses provisions Ordinances powers or authorities as are herein after expressed and Contained. And Whereas at a General Meeting of the said Corporation duly Convened and held under and pursuant to the said herein before mentioned Letters patent on the eighth day of December one thousand eight hundred and forty six a resolution was duly agreed upon and adopted by the said Corporation and under the Common Seal to the effect following that is to say - That such new Letters patent as aforesaid in such form and substance as herein after set forth would be received and accepted by the said Corporation And that the Constitution and Government of the said Corporation should from the time of the Granting of such new Letters patent be founded thereon and regulated thereby And the said Corporation having besought Us to Grant new Letters patent to the effect and with the powers and Clauses herein after 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 John William Earl of Besborough our Lieutenant General and General



Governor of that part of our said United Kingdom of Great  
Britain and Ireland Called Ireland and according to the  
tenor and effect of our Letter under our Privy Signet  
and Royal Sign Manual bearing date at our Court  
at Saint James's the twenty eighth day of October One  
thousand eight hundred and forty six in the Tenth year  
of our Reign and now enrolled in the Rolls of our  
High Court of Chancery in Ireland aforesaid Have  
made Ordained Authorized Constituted and appointed And  
by these presents for us our heirs and Successors  
We do make Ordain Authorize Constitute and appoint our  
Right Trusty and Right well beloved Cousin and Councilor  
John William Earl of Bessborough our Lieutenant General  
and General Governor of Ireland and also our Chief  
Governor or Governors of Ireland for the time being the  
1 General Officer Commanding the Forces in Ireland, The  
2 General Officer Commanding the Dublin district, The  
3 Deputy Adjutant General to the Forces in Ireland, The  
4 Deputy Quarter Master General to the Forces in Ireland  
5 The Officer Commanding the Royal Artillery in Ireland  
6 The Officer Commanding the Royal Engineers in Ireland  
7 The Officer Commanding the Garrison of Dublin, Lieutenant  
8 General Shortall as Superintendent of the Magazine Fort  
9 The Inspecting Field Officer of the Recruiting Service in  
10 Dublin, Commissary General Gaines The Military Secretary  
11 not under rank of Lieutenant Colonel, The Chief  
12 Commissioner of the Board of Works being an Officer  
of the Army and not under the rank of Lieutenant Colonel



its contents  
shall be the same?

- 12 The Inspector General of Constabulary being an Officer of the Army and not under the rank of Lieutenant Colonel
- 13 The Military Commissioner of Police not being under the rank of Lieutenant Colonel The Inspector in Chief of Revenue Police being an Officer of the Army and not under the rank of Lieutenant Colonel The Assistant Adjutant General of the Dublin district not being under the rank of Lieutenant Colonel
- 14 <sup>The Assistant Quarter Master General of the Dublin district not being under the rank of Lieutenant Colonel</sup> The Assistant Adjutant General of the Royal Artillery in Ireland not being under the rank of Lieutenant Colonel. The Dublin District Commanding Officer of Royal Artillery not being under the rank of Lieutenant Colonel. The Dublin district Commanding Officer of Royal Engineers not being under the rank of Lieutenant Colonel. The Field Officers of the Garrison of Dublin not being under the rank of Lieutenant Colonel. The Principal Military Medical Staff Officer of the Army in Ireland not being under the rank of a Deputy Inspector General. The Deputy Judge Advocate General of Ireland and such others only being Military Officers of Rank not less than that of Lieutenant Colonel as shall from time to time be added to the number of the said persons by His or by the special appointment of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being any thing in the said former Letters patent to the contrary in any wise notwithstanding to be and body politic and Corporate in Deed and in name for the care of Soldiers Children by the name of "The Royal Hibernian Military School" and by the said name to be 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 demands whatsoever any thing in any of said Letters patent aforesaid to the Contrary in any wise notwithstanding

And We do hereby Ordain direct and provide that the said name shall from henceforth stand and be in place and Stead of the names or name so given as aforesaid in and by the said former Letters patent or any of them And further We do hereby declare and Grant that they and their Successors may have and use such Common Seal as they shall think proper AND that it may be lawful for them and their Successors to Change break alter and make new the same as they shall think fit,

And further We do hereby declare and Grant that it may be lawful for them and their Successors by that name to hold and enjoy all and any Manors lands Tenements hereditaments rents annuities Pensions Tithes and all other real and personal Estate now vested in or belonging to the said Corporation Created by the said Letters patent or any of them and to purchase have take receive and enjoy to them and their Successors in fee and in perpetuity any Manors lands Tenements rents annuities pensions Tithes and other hereditaments in Ireland not exceeding in the whole the Clear yearly value of Three Thousand pounds and to take and receive any Sum or Sums of money or any manner or portion of Goods or Chattles that shall to them be given granted devised or bequeathed by any person or persons Living or Bodies Politic or Corporate Capable of making a Gift or devise



thereof and therewith and thereunto to erect maintain  
and support in all places in Ireland where they shall  
Judge the same to be most necessary and Convenient  
such and so many Schools or others Institutions for the  
purpose aforesaid as they shall think proper And We do  
hereby direct that the said Body Corporate shall have a general  
Meeting of the Members thereof yearly on some day in the  
Month of November in every year the particular day and  
the place of holding each such <sup>annual</sup> general meeting to be appointed  
by the Vice President of said Corporation for the time being  
and Notice thereof to be given by Summons in writing to  
be delivered to be delivered to or left at the usual place of  
residence of each of the Members for the time being of the said  
Corporation or so many of them as shall be then residing  
in or within five miles of the City of Dublin three days  
before the day on which such meeting is intended to be held  
And in Case default shall be made by the said Vice President  
in appointing such day and place for holding such annual  
General Meeting and giving such Notice as aforesaid in any  
particular year or years then that the annual general meeting  
for that year or years shall be held at the Institution  
of the said Corporation at the Phoenix Park or other the  
principal Institution for the time being of the said Corporation  
on the last day of November in such year or years unless such  
day shall happen on Sunday and then on the Monday following  
And the said Corporation shall also have other or special  
general meetings of the Members thereof as often and to whom  
and where they shall think meet And the Vice President  
for the time being and also the Committee



for the time being to be Elected as hereinafter provided shall  
respectively have Power from time to time when they shall  
respectively think fit upon such Notice and given in such  
manner as herein before is directed to Summon and Convene  
Special general Meetings of the said Corporation and any five  
Members of the said Body who shall Convene or assemble at the  
said time and place for holding any such general meeting  
whether Annual or Special as aforesaid shall be a Quorum of  
the said General Meeting and be able and Capable to do and  
transact all matters and things relating to the affairs of the said  
Corporation Provided however that one at least of the  
Officers next herein<sup>after</sup> mentioned for the time being that is to  
Say. The General Officer Commanding the Troops in Ireland  
The Deputy Adjutant General The Deputy Quarter Master General  
The General or Officer Commanding the District The Officer  
Commanding the Garrison of Dublin, The Officer Commanding  
the Artillery in Ireland. The Officer Commanding the  
Engineers in Ireland or the Principal Military Medical Staff  
Officer of the Army in Ireland shall be present at every  
general meeting And our further Will and pleasure is  
And We do hereby declare and Grant that our Lieutenant  
General and General Governor of Ireland for the time being  
shall be always the President and the Commander of the Forces  
or in his absence the General Officer Commanding the Troops  
in Ireland shall be always the Vice President of the said  
Corporation And We do hereby empower Authorize and require  
the Commander of our Forces in Ireland for the time being  
with the approbation of the Commander in Chief for the time



being to nominate such Military Officers as he shall from  
time to time think proper to fill the following offices  
under the said Corporation, that is to say, The Commandant  
The Adjutant and Secretary and the Surgeon or Medical  
Officer. Provided however that the Officer appointed to be  
Commandant shall not be lower in Rank than a Lieutenant Colonel  
And the person appointed to be Adjutant and Secretary shall not  
be lower in rank than a Captain such Officers so to be appointed  
by the Commander of Our Forces to be considered as purely  
Military Offices or appointments and in rank equal to Staff appoint-  
ments And We do further authorize empower and require  
the said Body Corporate when they shall be assembled at any  
General Meeting to elect by plurality of Voices such other Officers  
as also such Servants as they shall find needful. And  
further We do hereby direct that the first General meeting of the  
said Body Corporate shall be held as soon as conveniently may  
be after the date of these Our Letters patent and that such first  
General Meeting shall accordingly be Summoned and Convened  
by the said President or Vice President for the time being of  
the said Body Corporate in such manner and upon such Notice  
as herein before is provided with respect to the Summoning  
and Convening of general Meetings And We do hereby  
empower authorize and require the said Body Corporate at  
their first General Meeting to nominate and appoint seven  
of the said Body in conjunction with the Vice President  
to be a Committee to meet once in every month between  
the first and eighth days of such Month or oftner as need  
shall require either at the institution of the said Body



Corporate in the Phoenix Park or at such other place or places  
as the said Body Corporate or the said President and  
Vice President for the time being shall from time to time  
appoint of which place or places of Meeting and also of  
the time or times of holding the same threedays notice  
shall be given in such manner as is herein before provided  
Respecting Notices of the general Meetings of said Body Corporate  
and any three of the members of the said Committee who shall  
Convene or assemble at the aforesaid times and places shall  
be and constitute a Quorum or full meeting of the said  
Committee And We do hereby direct that in case the  
said Vice President shall be absent from any meeting of the  
said Committee The Members of the said Committee present  
at the Commencement of the business of such meeting who shall  
be highest in rank in our Service shall be the Chairman  
thereof And We do hereby further direct and declare that the  
said Committee are to be Authorized and empowered to Carry  
into Execution such Orders Rules and directions as shall from  
time to time be made by the said Corporation and which  
Committee shall Continue till the first annual general  
meeting next following the said first general meeting at which  
time and afterwards at every annual general meeting the  
said Corporation shall nominate Seven of their Members  
in Conjunction with the said Vice President to be a Committee  
for one year for the purposes aforesaid to<sup>at</sup> which election  
or nomination not more than five members of the preceding  
Committee shall be Capable of being re-elected And our  
further Will and pleasure is And We do hereby empower



And Authorize the said Corporation at their General Meetings if they shall think it necessary so to do to nominate and appoint lesser Committees in all places where any Schools shall hereafter be Erected for the purposes aforesaid in the said Letters patent which lesser Committees shall be appointed at such times and places and Continue for such time or times as the said Corporation shall think proper And Our further Will and pleasure is And We do hereby further empower Authorize direct and require the said Corporation that when ever a Vacancy shall take place the said Committee of Seven 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 We do hereby further empower and authorize the said Corporation at their General Meetings to nominate and appoint fit persons in any place of our Dominions or elsewhere to receive Subscriptions Money or other things Contributed towards the said Institution And we hereby empower and authorize the said Corporation to nominate and appoint fit and able persons to be Schoolmasters in the Schools or other Institutions during the will of the said Corporation



to teach the Orphans and other Children of Soldiers in the said Schools or other institutions to read and to instruct them in Arithmetick and such other parts of Education as to the said Corporation shall seem meet And We do

hereby further Authorize and empower the said Corporation to nominate and appoint fit and able Artificers to teach the Orphans and other Children of Soldiers in said Schools or other Institutions respectively such Trades as may seem meet to the said Corporation

And We do also further empower and authorize the said Corporation to nominate and appoint Chaplains for their respective Schools during the will of the said Corporation to instruct such of the said Orphans and other Children of Soldiers in the said Schools or other Institutions as shall be Protestants of the Church established in Ireland in the principles of the Protestant Religion established in Ireland and at proper times and places to perform Divine Service and all other religious rites and observances for the benefit of the said Children being such Protestants as aforesaid, But We do hereby declare

and Ordain that every Child of a Roman Catholic Soldier shall if it shall be so desired by the Parents or Guardians of such Child be exempted from receiving in any of the said Schools or Institutions instructions in the principles of the Protestant Religion established in Ireland, And that every Child of a Roman Catholic Soldier or the Child of any Soldier belonging to any Sect of Protestant Dissenters shall if it be so desired as aforesaid by his Parents or Guardians, And also be exempted from the duty



of Learning or being Examined in the Catechism of said  
Protestant Church And shall also be exempted from attending  
Public Worship as performed in said Church if same be  
inconsistent with the Religious belief of such Soldier -  
And further We do hereby Ordain and declare that every  
such Child be permitted under such regulations as the  
discipline of the Establishment may require to attend the  
Public Worship of the Religious persuasion of such Soldier  
at proper times and places to be appointed and named  
by the said Corporation And then and there to perform  
their Spiritual duties and also to remain after divine service  
to receive Religious Instruction for such time as may be  
Specially appointed for that purpose by the said Corporation  
And for the more Convenient attainment of the said last  
mentioned objects We do hereby empower and Authorize the  
said Body Corporate from time to time to nominate and  
appoint Priests or Ministers of the Roman Catholic Religion  
or of any Protestant Dissenting Sect respectively which said  
Priests or Ministers respectively shall be permitted at such  
times as the said Body Corporate or the said Committees  
respectively shall from time to time direct <sup>to visit</sup> the said School  
And then and there to instruct such of the said Children  
as shall be of the Religious persuasion of such Priest or  
Minister respectively in the principles of their said Religion  
And also at proper times and places to be appointed by  
the said Body Corporate or the said Committee respectively  
to Celebrate or perform Divine Service according to the forms  
of such Religion and to perform and administer all other



rites and observances of the said Religion respectively for  
the benefit of such of the said Children as shall be of such  
Religious persuasion respectively AND our further Will  
and pleasure is And We do hereby direct that all the Officers  
under the said Corporation shall be accountable to the  
Committee of Seven at all times when required by the  
said Committee, And the said Committee are hereby required  
to Report Annually at such times as the said Corporation  
shall think proper to the said Corporate Body the State of  
the funds of the said Corporation and receipts and disbursements  
of the year in order that they may be examined and  
entered in a Book to be kept for that purpose the said Book  
and all other the Books and papers of the said Corporation  
to be at all times open and free for the perusal of the  
several Members thereof And our further Will is And We do  
hereby empower authorize and require the said Corporation  
at their said General Meetings in all times coming to make  
such Rules and Ordinances and from time to time to alter the  
same as they shall Judge most convenient and needful  
for the good Government of the said Corporation and  
management of the affairs thereof and the effectual promotion  
of the good ends intended thereby and to give such instructions  
directions encouragements and Salaries to those they employ  
as they shall Judge needful and reasonable such Salaries  
however to be Subject to the approbation of our Secretary at  
War for the time being And provided that the said  
Rules Ordinances Instructions and directions be not repugnant  
to the Laws and Statutes in force in Ireland such Rules



Ordinances Instructions and directions not to require any further Confirmation or approval by any person or persons whatsoever Any thing in our said former Letters patent to the contrary thereof in any wise notwithstanding And Our further Will and pleasure is And We do hereby empower and authorize the said Corporate Body and their Successors at any General Meeting to remove and displace any of the Officers or Servants of the said Corporation so to be appointed by the said Corporation as aforesaid for any reasonable Cause and to Elect others in the place or places of the person or persons so removed And that as often as it shall happen that any of the Officers or Servants of the said Corporation for the time being so to be appointed by the said Corporation as aforesaid shall die or be removed for reasonable Cause as aforesaid or that any Vacancy shall occur of any <sup>such</sup> Officer or Officers of the said Corporation it shall and may be lawful for the said Corporation And they shall be required within forty days at a Special General Meeting to be Convened for that purpose And in the Summonses for which such purpose shall be Stated to Choose and elect into the place or places of such Officer or Officers some other person or persons in the manner and Subject to the regulations herein before mentioned And provided also that it shall be Lawful for the said Committee of Seven at any time or times to Suspend from the exercise of their Offices respectively And from the receipt of any Salary or Emolument annexed thereto the said Officers or Servants whose appointment is herein before given to the said Corporation or any of them for any Act or



Cause which in the Opinion of the said Committee shall afford a sufficient Ground for such Suspension the said Suspension to Continue until the next General Meeting of the said Corporation when such Officers or Officer Servants or Servant shall be either dismissed or reinstated as to such General Meeting shall seem fit And our further Will and pleasure is And we do hereby direct that in case the President and Vice President shall be absent from any general Meeting that such member of the said Corporation present at such meeting and at the Commencement of the business thereof as shall be highest in rank in our Service shall be Chairman at such Meeting And such President, Vice President or Chairman shall have a Casting Vote in case of an equality of Votes, and said President Vice President or Chairman at any of the said General Meetings, And also the said Chairman of the said Committee of Seven at any Meeting thereof duly Convened shall have power to administer an Oath to any person or persons for discovering the Truth of any matter or thing offered or proposed to the said Corporation And our further Will and pleasure is And We do hereby direct that no Lease or Leases of any lands or Tenements belonging to the said Corporation shall be made or executed but at some General Meeting of the said Corporation And that every Lease so to be made shall be of Lands Tenements & Hereditaments in possession <sup>in reversion</sup> and for a Term not exceeding three lives or thirty one years whereon shall be reserved the best yearly rent that can be had for the said lands or Tenements at the time



of making such Leases respectively without any fine or other income to be taken or had for the same And that it shall 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 Amities Pensions Tithes or other hereditaments wherof they shall be at any time seized or possessed but that they shall confine their expences yearly to such annual rent or income and to such sum of money goods and Chattels as shall from Year to year be subscribed or given to them or the interest or profits thereof Save and except as follows that is to say That the said Corporation shall have the power of Changing the nature of the property in manner here following viz<sup>t</sup> - We do hereby authorize and empower the said Corporation to sell or dispose of any lands Tenements Tithes or other hereditaments wherof they now are or any time or times hereafter may be seized or possessed And to vest the money or produce arising there - from in the Government funds of Ireland or of our United Kingdom and from time to time receive the Interest and dividends thereon for the Use and Support of the said Corporation and its Institutions - 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 We do also direct and Ordain that no Child or Children shall be received into any School



or Institution of the said Corporation now erected or  
hereafter to be Erected unless a Certificate shall first  
be obtained from some Commissioned Officer or other  
Credible person or persons that such Child or Children  
is or are to the best of his belief the Child or Children  
or are to the best of his belief the Child of a Non  
Commissioned Officer or Soldier of the Line or of a Non  
Commissioned Officer or Soldier deceased or discharged but  
that upon such Certificate such Child or Children may  
be received and admitted Any thing in our former Letters  
patent or any of them to the contrary thereof in any wise  
notwithstanding And our further Will is and We do hereby  
direct that in the selection of Children for admission prefer-  
ence in general shall be given first to Orphans, Secondly  
To those whose fathers have been Killed or have died on  
Foreign or Home Service, Thirdly To those who have lost  
their Mothers and whose Fathers are absent on duty abroad  
Fourthly To those whose Fathers are ordered abroad on  
foreign Service or whose parents have other Children  
to maintain And that the parents or friends applying  
for the admission of Children shall be required to sign  
their Consent to such Children remaining in the said  
Royal Hibernian Military School as long as the said  
Governors thereof may think fit and to their being disposed  
when of proper Ages with their own Consent at the  
discretion of the Governors as Apprentices or Servants or  
if Boys to their being placed with their own free Consent  
in our Regular Army as Private Soldiers in such



Corps as it may be our Royal Pleasure to appoint 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 Enrollment thereof  
shall be in all things firm good valid sufficient and effectual  
in the Law unto the said Corporation according to the  
tenor and purport thereof without any further Grant  
License or toleration from Us our heirs or Successors  
to be had provided 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 void  
and of none effect any thing hereon Contained to the contrary  
in any wise notwithstanding In Witness whereof We have  
Caused these our Letters to be made patent Witness our  
aforesaid Lieutenant General and General Governor of Ireland  
at Dublin the seventeenth day of December One thousand eight hundred  
and forty six ~

Enrolled the twenty second day of December One thousand eight hundred and forty six

Wm. M. Ashby D. G. R.