

# TERMS OF THE PEACE TREATY

## FREE STATE OF IRELAND.

### ARTICLES OF HISTORIC AGREEMENT.

#### A RELATIONSHIP THE SAME AS WITH CANADA.

#### "ULSTER" GETS A MONTH TO SAY IF SHE WILL STAY IN.

#### IRISH PROVISIONAL GOVERNMENT AT ONCE

The following Official Copy of the Treaty was issued at Downing St. at 6.45 last evening.

CONFERENCE ON IRELAND, OCT. 11-DEC. 6, 1921.

- |                            |                          |
|----------------------------|--------------------------|
| <b>BRITISH DELEGATION:</b> | <b>IRISH DELEGATION:</b> |
| Mr. Lloyd George,          | Mr. A. Griffith,         |
| Mr. Chamberlain,           | Mr. M. Collins,          |
| Lord Birkenhead,           | Mr. Robert Barton,       |
| Mr. Churchill,             | Mr. E. J. Duggan,        |
| Sir L. Worthington Evans,  | Mr. Gavan Duffy.         |
| Sir H. Greenwood, and      |                          |
| Sir Gordon Hewart.         |                          |

**SECRETARIES:**

- |                    |                         |
|--------------------|-------------------------|
| Mr. Thomas Jones,  | Mr. Erskine Childers,   |
| Mr. Lionel Curtis, | Mr. Fionan Lynch,       |
|                    | Mr. John Chartars,      |
|                    | Mr. Djarmaid O'Hegarty. |

#### TREATY BETWEEN GREAT BRITAIN AND IRELAND.

#### ARTICLES OF AGREEMENT, SIGNED DECEMBER 6, 1921.

1. Ireland shall have the same Constitutional status in the community of Nations, known as the British Empire, as the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa, with a Parliament having powers to make laws for the peace, order, and good government of Ireland, and an Executive responsible to that Parliament, and shall be styled and known as the Irish Free State.

#### Irish Free State.

2. Subject to the provisions hereinafter set out, the position of the Irish Free State in relation to the Imperial Parliament and Government and otherwise shall be that of the Dominion of Canada; and the law, practice, and constitutional usage governing the relationship of the Crown or the representative of the Crown and of the Imperial Parliament to the Dominion of Canada shall govern the relationship of the Irish Free State.

3. The representative of the Crown in Ireland shall be appointed in like manner as the Governor-General of Canada, and in accordance with the practice observed in the making of such appointments.

#### Form of Oath.

4. The Oath to be taken by members of the Parliament of the Irish Free State shall be in the following form:—

"I do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established, and that I will be faithful to H. M. King George V., his heirs and successors by law in virtue of the common citizenship of Ireland with Great Britain, and her adherence to, and membership of, the group of nations forming the British Commonwealth of Nations."

#### Share of Public Debt.

5. The Irish Free State shall assume liability for the service of the Public Debt of the United Kingdom as existing at the date hereof, and towards the payment of War Pensions as existing at that date, in such proportion as may be fair and equitable, having regard to any just claims on the part of Ireland by way of set-off or counter-claim, the amount of such sums being determined, in default of agreement, by the arbitration of one or more independent persons being citizens of the British Empire.

#### Naval Provisions.

6. Until an arrangement has been made between the British and Irish Governments whereby the Irish Free State undertakes her own Coastal Defence, the defence by sea of Great Britain and Ireland shall be undertaken by His Majesty's Imperial Forces, but this shall not prevent the construction or maintenance by the Govern-

ment of the Irish Free State of such vessels as are necessary for the protection of the Revenue or the Fisheries.

The foregoing provisions of this Article shall be reviewed at a Conference of Representatives of the British and Irish Governments, to be held at the expiration of five years from the date hereof with a view to the undertaking by Ireland of a share in her own Coastal Defence.

7. The Government of the Irish Free State shall afford to His Majesty's Imperial Forces

- (a) In time of Peace such harbour and other facilities as are indicated in the annex hereto, or such other facilities as may from time to time be agreed between the British Government and the Government of the Irish Free State; and
- (b) In time of War, or of strained relations with a foreign Power, such harbour and other facilities as the British Government may require for the purposes of such defence as aforesaid.

#### Irish Military Force.

8. With a view to securing the observance of the principle of International Limitation of Armaments, if the Government of the Irish Free State establishes and maintains a Military Defence Force, the establishments thereof shall not exceed in size such proportion of the Military establishments maintained in Great Britain as that which the population of Ireland bears to the population of Great Britain.

9. The ports of Great Britain and the Irish Free State shall be freely open to the ships of the other country on payment of the customary port and other dues.

10. The Government of the Irish Free State agrees to pay fair compensation on terms not less favourable than those accorded by the Act of 1920 to judges, officials, members of police forces, and other public servants who are discharged by it, or who retire in consequence of the change of Government effected in pursuance hereof, provided that this Agreement shall not apply to members of the Auxiliary Police Force, or to persons recruited in Great Britain for the Royal Irish Constabulary during the two years next preceding the date hereof. The British Government will assume responsibility for such compensation or pensions as may be payable to any of these excepted persons.

#### "Northern Ireland."

11. Until the expiration of one month from the passing of the Act of Parliament for the ratification of this instrument, the powers of the Parliament and the Government of the Irish Free State shall not be exercisable as respects Northern Ireland; and the provisions of the Government of Ireland Act, 1920, shall so far as they relate to Northern Ireland, remain of full force and effect, and no election shall be held for the return of members to serve in the Parliament of the Irish Free State for constituencies in Northern Ireland unless a resolution is passed by both Houses of the Parliament of Northern Ireland in favour of the holding of such elections before the end of the said month.

12. If, before the expiration of the said month, an address is presented to His Majesty by both Houses of the Parliament of Northern Ireland to that effect the powers of the Parliament and the Government of the Irish Free State shall no longer extend to Northern Ireland, and the provisions of the Government of Ireland Act, 1920 (including those relating to the Council of Ireland), shall, so far as they relate to Northern Ireland, continue to be of full force and effect, and this instrument shall have effect subject to the necessary modifications; provided that if such an address is so presented a Commission consisting of three persons, one to be appointed by the Government of Northern Ireland, and one, who shall be chairman, to be appointed by the British Government, shall determine in accordance with the wishes of the inhabitants, so far as may be compatible with economic and geographic conditions, the boundaries between Northern Ireland and the rest of Ireland, and for the purposes of the Government of Ireland Act, 1920, and of this instrument the boundary of Northern Ireland shall be such as may be determined by such Commission.

#### After One Month.

13. For the purpose of the last foregoing Article the powers of the Parliament of Northern Ireland under the Government of Ireland Act, 1920, to elect members of the Council of Ireland shall, after the Parliament of the Irish Free State is constituted, be exercised by that Parliament.

14. After the expiration of the said month, if no such address as is mentioned in Article 12 hereof is presented, the Parliament and Government of Northern Ireland shall continue to exercise as respects Northern Ireland the powers conferred on them by the Government of Ireland Act, 1920; but the Parliament and Government of the Irish Free State shall, in Northern Ireland, have, in relation to matters in respect of which the Parliament of Northern Ireland has not power to make laws under that Act (including matters which under the said Act are within the jurisdiction of the Council of Ireland), the same powers as in the rest of Ireland, subject to such other provisions as may be agreed in manner hereinafter appearing.

#### Safeguards.

15. At any time after the date hereof the Government of Northern Ireland and the Provisional Government of Southern Ireland hereinafter constituted may meet for the purpose of discussing the provisions subject to which the last foregoing article is to operate, in the event of no such address as is therein mentioned being presented, and those provisions may include:—

- (a) Safeguards with regard to Patronage in Northern Ireland;
- (b) Safeguards with regard to the Collection of Revenue in Northern Ireland;
- (c) Safeguards with regard to Import and Export Duties affecting the trade or industry of Northern Ireland;
- (d) Safeguards for Minorities in Northern Ireland;
- (e) The settlement of the Financial Relations between Northern Ireland and the Irish Free State;
- (f) The establishment and powers of a local Militia in Northern Ireland and the relation of the Defence Forces of the Irish Free State and of Northern Ireland respectively;

- (b) Safeguards with regard to the Collection of Revenue in Northern Ireland;
- (c) Safeguards with regard to Import and Export Duties affecting the trade or industry of Northern Ireland;
- (d) Safeguards for Minorities in Northern Ireland;
- (e) The settlement of the Financial Relations between Northern Ireland and the Irish Free State;
- (f) The establishment and powers of a local Militia in Northern Ireland and the relation of the Defence Forces of the Irish Free State and of Northern Ireland respectively;

And if, at any such meeting, provisions are agreed to, the same shall have effect as if they were included amongst the provisions subject to which the powers of the Parliament and the Government of the Irish Free State are to be exercisable in Northern Ireland under Article 14 hereof.

16. Neither the Parliament of the Irish Free State nor the Parliament of Northern Ireland shall make any law so as either directly or indirectly to endow any religion, or prohibit or restrict the free exercise thereof, or give any preference or impose any disability on account of the religious belief or religious status, or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at the school, or make any discrimination as respects State aid between schools under the management of different religious denominations, or divert from any religious denomination or any educational institution any of its property except for public utility purposes and on payment of compensation.

#### Provisional Government Forthwith.

17. By way of provisional arrangement for the administration of Southern Ireland during the interval which must elapse between the date hereof and the constitution of a Parliament and Government of the Irish Free State in accordance therewith, steps shall be taken forthwith for summoning a meeting of members of Parliament elected for constituencies in Southern Ireland since the passing of the Government of Ireland Act, 1920, and for constituting a Provisional Government; and the British Government shall take the steps necessary to transfer to such Provisional Government the powers and machinery requisite for the discharge of its duties, provided that every member of such Provisional Government shall have signified in writing his or her acceptance of this instrument. But this arrangement shall not continue in force beyond the expiration of twelve months from the date hereof.

18. This instrument shall be submitted forthwith by His Majesty's Government for the approval of Parliament, and by the Irish signatories to a meeting summoned for the purpose of the members elected to sit in the House of Commons of Southern Ireland, and, if approved, shall be ratified by the necessary legislation.

#### Signed:—

- |                                     |                                       |
|-------------------------------------|---------------------------------------|
| On behalf of the Irish Delegation:— | On behalf of the British delegation:— |
| ART O GRIOBHATHA,                   | D. LLOYD GEORGE,                      |
| MICHAEL O GOILEAIN,                 | AUSTEN CHAMBERLAIN,                   |
| RIOBARD BARTUN,                     | BIRKENHEAD,                           |
| EUDHMANN S. O DUGAIN                | WINSTON S. CHURCHILL,                 |
| SEORSA GABHAIN UI                   | L. WORTHINGTON EVANS,                 |
| DHUBHTHAIGH,                        | HAMAR GREENWOOD,                      |
|                                     | GORDON HEWART.                        |
|                                     | 6th December, 1921.                   |

#### Facilities Required.

1. The following are the specific facilities required:—  
Dockyard Port at Berehaven.—(a) Admiralty property and rights to be retained as at the date hereof. Harbour defences to remain in charge of British care and maintenance parties.  
Queenstown.—(b) Harbour defences to remain in charge of British care and maintenance parties. Certain mooring buoys to be retained for use of His Majesty's ships.  
Belfast Lough.—(c) Harbour defences to remain in charge of British care and maintenance parties.  
Lough Swilly.—(d) Harbour defences to remain in charge of British care and maintenance parties.  
Aviation.—(e) Facilities in the neighbourhood of the above ports for coastal defence by air.  
Oil Fuel Storage.—(f) Haulbowline, Rathmullen.—To be offered for sale to commercial companies under guarantee that purchasers shall maintain a certain minimum stock for Admiralty purposes.

#### Submarine Cables.

2. A convention shall be made between the British Government and the Government of the Irish Free State to give effect to the following conditions:—  
(a) That submarine cables shall not be landed or wireless stations for communication with places outside Ireland be established except by agreement with the British Government; that the existing cable landing rights and wireless concessions shall not be withdrawn except by agreement with the British Government; and that the British Government shall be entitled to land additional submarine cables, or establish additional wireless stations for communication with places outside Ireland.  
(b) That lighthouses, buoys, beacons, and any navigational marks or navigational aids shall be maintained by the Government of the Irish Free State as at the date hereof, and shall not be removed or added to except by agreement with the British Government.  
(c) That war signal stations shall be closed down and left in charge of care and maintenance parties, the Government of the Irish Free State being offered the option of taking them over and working them for commercial purposes subject to Admiralty inspection, and guaranteeing the upkeep of existing telegraphic communication therewith.  
3. A convention shall be made between the same Governments for the regulation of civil communication by air.

Regarding the question of finance, it is understood (says our Special Representative in London) that the British representatives were absolutely immovable, arguing that by the declaration and full consent of Mr. Redmond and the Irish Party Ireland must be responsible for a share of the war debt. This, however, is more than offset by the acceptance by the British representatives of the enormous amount of damages caused in Ireland by reprisals and other acts of the British forces during the past few years. The claims for the war debt and British Dominions, but there is no doubt that Ireland must stand to gain rather than to lose when the respective debts are settled.

## LONGEFFORTENDED THE SCENE AT DOWNING ST.

The Irish Conference, which is likely to prove one of the most historical ever held in Downing St., terminated shortly after 2 a.m. yesterday, after a sitting lasting 3 hours. When the Irish delegates returned to No. 10 at 11 p.m. on Monday, after the modifications of the British offer had been thrashed out with their colleagues at Chelsea, it was noticed that they looked grave and stern. They had neither word nor smile for those that crowded round their car. Although the public seemed unaware that such a momentous Conference was taking place, and only an occasional passer-by in Whitehall paused at the entrance to Downing St., more Press representatives had gathered in front of No. 10 than has been the case for many years.

**CHEERY AND SMILING.** When finally the Irish delegates emerged looking much more cheerful, it was realised that if a settlement had not been reached any possibility of future warfare was appreciably further off. Asked if they had anything to say, Mr. Collins's answer was "Not a word." He smiled and waved a cheerful farewell. Close behind the Irish delegates came Lord Birkenhead, looking happy, but fatigued after the strenuous hours he had passed. "The news is not so bad," he announced as he stepped under the shelter of the umbrella. He was followed by Mr. Churchill, likewise happy, though showing signs of strain.

## THE MEN WHO MADE THE PEACE TREATY



IRISH PLENIPOTENTIARIES. BRITISH REPRESENTATIVES.

## SIGNING THE TREATY FRIENDLY LEAVE-TAKING

At the close it was officially stated that the Conference had reached an agreement which would be recommended to the British Parliament and Dail Eireann, and that a copy had been sent to Sir J. Craig, by special messenger. A Press association representative yesterday gleaned a few more details of the momentous proceedings at Downing St., which culminated in the agreement being signed. One gratifying feature from the British point of view was that the British Cabinet were absolutely unanimous in approving the settlement. The agreement was signed first by Mr. Lloyd George. Lord Birkenhead was the second British delegate to append his signature. On the Irish side, Mr. Griffith was the first to sign, and he was followed by Mr. M. Collins. Yesterday the signatures of the other delegates were appended to the historic document. Mr. Lloyd George and the other British delegates sat at the table in the Conference room. Afterwards an animated scene occurred, the delegates, shaking hands with one another, wishing success to the agreement reached at long last. The leave-taking of the Irish delegates at No. 10 was of a particularly friendly character. Early on Monday night a special train had been chartered to convey by special messenger the terms of the settlement to Sir J. Craig. The arrangement was altered from time to time, but finally, at 3.5 a.m., the special train started for Belfast, where the cover board of the destroyer, Salmon, and proceeded to Belfast.