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SECRET.

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Mr. Longhurst

C.P. 3358.

THE CABINET.

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**CONDITIONS ON WHICH TERMS OF AN AGREEMENT
FOR THE CONTINUATION OF THE TRUCE IN IRELAND
SHOULD BE BASED.**

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MEMORANDUM BY THE SECRETARY OF STATE FOR WAR.

During the last few weeks there has been an increasing disregard on the part of the Sein Feiners for the terms of the truce.

I suggest that it is necessary at the earliest possible moment after the conference with Mr. de Valera to define more clearly what is and what is not permitted. I circulate a memorandum by General Macready on the subject.

L. W.-E.

THE WAR OFFICE,
3rd October, 1921.

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Irish
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(A.)—When the agreement was made, the main points considered were that all murders and outrages were to cease, or, to put it more in detail, that the rebels should cease from killing members of the Crown forces and loyalists, and should cease from injuring or commandeering their property, and that the Crown forces would abstain from attacking and arresting the rebels and from searching for their arms and documents.

The agreement did not specify in particular how the rebels should comport themselves in relation to the law and the machinery of government established by British authority, but the terms laid down that neither side should take any action to provoke the other.

Complaints have been made by both sides that the agreement, apart from killing, has not been always complied with, and in particular we allege that the rebels have systematically and continuously disregarded the law and the orders of lawfully constituted authority, and that they have been, in this respect, most provocative in their behaviour. It is submitted that, if the cessation of activities is to continue, it is essential that the law and all lawful authority should be obeyed and acknowledged, and that the rebels should at once cease from disregarding and undermining them, and in particular that they should cease from openly trying to establish and enforce obedience to their own alleged law, and to the orders of persons purporting to act under it.

The following are the terms on which, it is considered, an agreement for a continuation of the present conditions should be based. Experience has shown that Sinn Fein deliberately tries to ignore the established law of the country and to set up its own authority in lieu. The Government should insist on the following conditions being accepted. There must be:—

- (a.) No interference with Government or with the person or property of individuals, or with the personnel of the forces of the Crown.
- (b.) No recruiting or collection of funds for organizations which have been declared illegal.
- (c.) No carrying of arms without a permit, or wearing of unauthorized uniforms.
- (d.) No importation or smuggling of arms, ammunition or explosives, or transfer of arms, ammunition or explosives within the country.
- (e.) No parades, inspections, drilling or military training.
- (f.) No usurpation of the functions of the Courts (civil or military), Government Departments or local bodies.
- (g.) No provocative action likely to cause a breach of the peace.

In case of any infringement of the above, such action as is considered necessary will be taken by the civil forces of the Crown supported, if necessary, by the military forces.

- (B.)—Except as provided for above, the Government agrees to refrain from :—
- (a.) Military and police activities directed against illegal organizations.
 - (b.) Despatch of reinforcements of troops or police to Ireland, except drafts and reliefs required for maintenance.
 - (c.) Despatch of munitions to Ireland, other than those required for maintenance and training.
 - (d.) Interference with the movements of members or with the property of organizations which have been declared illegal, except in cases where they infringe the law of the country.
 - (e.) The imposition of further restrictions under R.O.I.R.

The terms of the present agreement, as laid down in the letter to Lord Midleton, dated 8th July, and as published in the Press on 9th July, and the same terms as misinterpreted by Sinn Fein, are attached in Appendix A. As they stand, these terms are unsatisfactory and require putting on a definite basis, and one which is subject to no misconstruction.

APPENDIX A.

G.H.Q. COMMUNIQUE.

Mr. de Valera, having decided to accept the Prime Minister's invitation to confer with him in London, is issuing instructions to his supporters—

- (a.) To cease all attacks on Crown forces and civilians.
- (b.) To prohibit the use of arms.
- (c.) To cease military manœuvres of all kinds.
- (d.) To abstain from interference with public or private property.
- (e.) To discountenance and prevent any action likely to cause disturbance of the peace which might necessitate military interference.

In order to co-operate in providing an atmosphere in which peaceful discussions may be possible, the Government has directed that—

- (a.) All raids and searches by military or police shall cease.
- (b.) Military activity shall be restricted to the support of the police in their normal civil duties.
- (c.) Curfew restrictions shall be removed.
- (d.) The despatch of reinforcements from England shall be suspended.
- (e.) The police functions in Dublin shall be carried out by the Dublin Metropolitan Police.

In order to give the necessary time for these instructions to reach all concerned, the date from which they shall come into force has been fixed at 12 noon, Monday, 11th July, 1921.

THE TERMS OF THE TRUCE (AS MISINTERPRETED BY SINN FEIN).

On behalf of the British Army, it is agreed as follows :—

1. No incoming troops, R.I.C., and Auxiliary Police and munitions, and no movements for military purposes of troops and munitions, except maintenance drafts.
2. No provocative display of forces, armed or unarmed.
3. It is understood that all provisions of the truce apply to martial law area, equally with the rest of Ireland.
4. No pursuit of Irish officers or men, or war material or military stores.
5. No secret agents noting descriptions or movements, and no interference with the movements of Irish persons, military or civil, and no attempt to discover the haunts or habits of Irish officers and men. (NOTE.—This supposes the abandonment of curfew restrictions.)

6. No pursuit or observance of lines of communication or connection.
7. No pursuit of messengers. (NOTE.—There are other details connected with courts-martial, motor permits, and R.O.I.R. to be agreed to later.)

On behalf of the Irish Army, it is agreed :—

- (a.) Attacks on Crown forces and civilians to cease.
- (b.) No provocative displays of forces, armed or unarmed.
- (c.) No interference with Government or private property.
- (d.) To discountenance and prevent any action likely to cause disturbance of the peace which might necessitate military interference.

CIRCULAR MEMORANDUM.

(Not to be communicated to the Press.)

5th Division.
6th Division.
Dublin District.
15th Infantry Brigade.
All branches, General Headquarters.

In order to avoid any possible misconstruction of the terms referred to in General Headquarters' official statements and those issued as a supplement to the Irish Bulletin, it is notified for information that the wording of the General Headquarters' official statement is taken from the letter written by the General Officer Commanding-in-Chief to Lord Midleton (and agreed in principle by Mr. de Valera), and is in no sense a draft. The wording, as issued in the Irish Bulletin, is their interpretation of the same terms after discussion at General Headquarters in a form more acceptable to Mr. de Valera's adherents. The spirit of the two documents is identical.
