

George Gavan Duffy Papers

P152



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CONTENT

Introduction	vii
Chronology	xii

Summary Contents and Structure

A: LEGAL CAREER	iv
B: POLITICAL CAREER	iii
C: PERSONAL CORRESPONDENCE	iv
D: PRINTED MATERIAL AND TRANSCRIPTS	iv
E: PHOTOGRAPHS, DRAWINGS AND REPRODUCTIONS	iv

A: LEGAL CAREER

I	The Roger Casement Trial (1916: 1957-1959)	1
II	Publications (1918: 1924)	6
III	Concerning the Gaeltacht (1932-1933: 1937)	7
IV	The Land Annuities Controversy (1932)	9
V	Law Reform (1932: 1935: 1945-1946)	9
VI	Drafting the 1937 Constitution (1935-1937: 1946)	11
VII	Administration of the High Court (1937-1949)	13
VIII	Judgements and Legal Cases (1937-1949)	16
IX	Concerning Local Government (1939-1940: 1946)	18
X	Council of State (1946-1948)	19
XI	Other Correspondence	
	(i) Department of External Affairs (1936: 1944)	20
	(ii) Seán T. Ó Ceallaigh (1936: 1938)	20
	(iii) Garda Commissioner [1937]	21
	(iv) Department of Taoiseach (1938-1939: 1946)	21
	(v) Department of Justice (1938: 1945)	22
	(vi) Douglas Hyde (1944)	23
	(vii) Department of Finance (1944-1946)	23
	(viii) Revenue Commissioners (1945-1947)	24
	(ix) Office of Attorney-General (1945-1947)	25
XII	Notes on Legal Principles	25

B: POLITICAL CAREER

I	As Sinn Féin Candidate in General Election (1918)	26
II	As Envoy of the Provisional Government of Ireland at the Paris Peace Conference	
	(i) Propaganda (1919-1920)	27
	(ii) Establishing a consular office in Paris (1920)	30
	(iii) Encouraging trade between France and Ireland (1920)	34
	(iv) Correspondence	
	a. Michael Collins (1920)	35
	b. Cathal Brugha (1920)	38
	c. Éamon de Valera (1920)	39
	d. Diarmuid Ó hÉigearthaigh (1920)	40
	e. Arthur Griffith (1920)	40
III	As Envoy of the Provisional Government of Ireland in Rome (1920-1921)	41
IV	Anglo Irish Treaty	
	(i) Negotiations (1921-1922)	43
	(ii) Concerning publications about the Treaty (1925: 1934-1936)	45
V	Drafting the Constitution of Saorstát Éireann (1922)	47
VI	Concerning Robert Erskine Childers	
	(i) Letters	
	a. via Childers to imprisoned Robert Barton from others (1920)	54
	b. to Childers from others (1921)	54
	(ii) His execution by the Free State (1922)	56
VII	As Minister for Foreign Affairs	
	(i) Correspondence with the Irish Delegation in France (1922)	58
	(ii) Memoranda and reports (1922)	63
	(iii) Concerning treatment of Civil War prisoners (1922)	64
	(iv) Other letters (1922)	65

VIII	Resignation from Dáil Éireann	66
IX	As Independent Candidate in General Election (1923)	71
C:	PERSONAL CORRESPONDENCE (1922: 1924: 1929: 1939)	75
D:	PRINTED MATERIAL AND TRANSCRIPTS	
I	Contemporary propaganda and ephemera (1916: 1920-1922)	78
II	Newspaper cuttings (1924: 1938)	80
III	Transcripts of speeches and voice recordings (1945: 1951)	80
IV	Articles (1949: 1951: 1956: 1960: 1983: 1988)	81
E:	PHOTOGRAPHS, DRAWINGS AND REPRODUCTIONS (1896: 1920-1922: 1937-1938: 1947)	83

Introduction

Provenance

The George Gavan Duffy Papers were acquired by UCD in July 1997 through its acquisition of Non-Franciscan Private Paper Collections previously held in Franciscan Library Killiney

Background

George Gavan Duffy was born in Cheshire, England in 1882 to Sir Charles Gavan Duffy and his third wife, Louise (née Hall). He had three younger siblings, Louise who founded Scoil Bhríde at 70 Stephen's Green, Dublin; Bryan who became a priest and Inspector of Religious Instruction in Cape Town, South Africa; and Tom who also entered the priesthood and, as a member of the Paris missionary Society, was sent to India to found a training college. He also had thirteen half brothers and sisters from Sir Charles previous marriages.

Sir Charles is famous in his own right as a co-founder with Thomas Davis and John Dillon of *The Nation*, a journal whose motto was 'to create and foster public opinion in Ireland and make it racy of the soil'. Between 1842 and 1855 he became an important figure in Irish politics. He was instrumental in two unsuccessful agitations: the movement for repeal of the union with Britain, and the Tenant League.¹ In 1848 he was arrested for publishing articles of a treasonable nature and imprisoned. Isaac Butt defended him and he was acquitted and returned as an Irish Liberal to Westminster in 1852. In 1855 he sailed for Australia and entered public life there also. One of his dreams was to subdivide squatter's sheep farms to provide farms for fellow Irish exiles but this was met with fierce resistance. In 1878 he moved to Nice on the French Riviera where he wrote the story of Young Ireland and also founded the Irish Literary Society and edited the New Irish Library. He died in 1903 at Nice. (See P152/325, P152/328)

George Gavan Duffy was brought up with his brothers and sister in Nice and consequently spoke French and Italian fluently, a linguistic ability which was very much to his advantage when he later became an envoy of the Irish Republic in Paris and Rome.² Although schooled on the continent he returned to England in his teens to study at Stonyhurst. He excelled in all subjects and also completed a three year post-school course in Philosophy in which he also excelled. He then entered the legal profession and practised as a solicitor in London.

Gavan Duffy did not become a public figure until he personally defended several of the insurgents of the 1916 Rising, the most famous being Sir Roger Casement. Although the case was unsuccessful and Casement duly executed, the trial had an enormous effect on Gavan Duffy and after a short spell he moved to Ireland permanently and became immersed in Irish political life. As Golding notes 'his spirited defence of Casement, the fact that it had caused him to lose his livelihood in London and that he had come to Ireland to make a new career at the Bar, must have commended him to the Republicans'.³

¹ Golding, G.M., *George Gavan Duffy 1882-1951: a legal biography*, Irish Academic Press, 1982, p2

² *ibid*, p9

³ *ibid*, p17

During the 1918 election, Gavan Duffy was nominated as Sinn Féin candidate for South County Dublin and was immediately sent to Paris to join Seán T. Ó Ceallaigh as an envoy of the Irish Republic. Their aim was to secure a hearing at the Paris Peace Conference of Ireland's case for independence and recognition of the Republic. The conference was held after World War I to discuss the post-war world. Opened on 12th January 1919, meetings were held at various locations in and around Paris until 20th January, 1920. Leaders of 32 states representing about 75% of the world's population, attended. However, negotiations were dominated by the five major powers responsible for defeating the Central Powers: the United States, Britain, France, Italy and Japan. Important figures in these negotiations included Georges Clemenceau (France) David Lloyd George (Britain), Vittorio Orlando (Italy), and Woodrow Wilson (United States). Eventually five treaties emerged from the Conference that dealt with the defeated powers. The five treaties were named after the Paris suburbs of Versailles (Germany), St Germain (Austria), Trianon (Hungary), Neuilly (Bulgaria) and Sèvres (Turkey). These treaties imposed territorial losses, financial liabilities and military restrictions on all members of the Central Powers.

While in Paris, Gavan Duffy published many articles, propaganda pamphlets urging recognition of Ireland as a sovereign nation. As a result of this he became an increasing embarrassment to France as her relationship with Britain was being threatened by the anti-British propaganda he was promulgating in the Press. Finally, after publishing a letter he had sent to Clemenceau in protest against the maltreatment of Terence McSwiney in prison, he was officially banished from Paris. After his banishment he was sent to Rome and from there became a 'roving delegate' travelling through Europe on behalf of the Provisional Government.

On 7 October 1921, de Valera chose his plenipotentiaries to negotiate the Treaty between Ireland and Britain. Along with Michael Collins, Arthur Griffith, Robert Barton, and Eamonn Duggan, Gavan Duffy was chosen due mainly to his legal expertise. Gavan Duffy and Barton, his cousin, protested against signing the Treaty and the former always felt that Lloyd George's threat to return to immediate and terrible war, a threat which convinced Collins and Griffith to sign, was complete bluff. Reluctantly, Gavan Duffy became the last plenipotentiary to sign the Treaty.

During the Treaty debates which followed, Gavan Duffy stated that he would recommend the Treaty reluctantly but sincerely as he saw no alternative. He also placed the onus on the people who were responsible for drafting the Constitution to frame it in accordance with the terms of the Treaty. Unfortunately he did not agree with Griffith's decision to show the draft constitution to Lloyd George who immediately ordered that references to the King had to be inserted as well as an Oath of Allegiance. This prompted Gavan Duffy to resign but was compelled to remain in office due to the outbreak of Civil War.

Meanwhile Gavan Duffy was serving as Minister for Foreign Affairs and although he had little opportunity to make much of his short time in office (January 1922-July 1922), he did influence foreign policy for future years⁴ and his principal aim was to have Ireland become a member of the League of Nations. His tenure in office was cut

⁴ Golding, p27

short by his decision to resign when the Government abolished the Republican Courts and by their execution without trial of his good friend Robert Erskine Childers. Due to his profound respect for the legal principle of *habeas corpus* which enshrines the right of a prisoner to a fair hearing before a judge, Gavan Duffy felt compelled to resign at this juncture.

Now at odds with the Government in power, Gavan Duffy effectively became a member of the opposition. He was subjected to clandestine raids on his house and the theft of his private papers which he attributed to the Free State Army although this was always officially denied. Having dallied with the idea of forming a National Reconstruction Alliance with Col. Maurice Moore and others, he stood in the 1923 election as an Independent candidate. The constituents in South County Dublin, however, failed to re-elect him and he lost his seat.

His political career now at an end, Gavan Duffy re-immersed himself in the law and became a well-known and highly respected legal personality. He returned to the Irish Bar and built up a large practice and was engaged in some notable constitutional cases such as the Land Annuities controversy in which he claimed that the Free State could not be bound either in honour or in law to hand over annuities to Britain. He was also involved in many *habeas corpus* cases such as *R. (O'Sullivan) v. Military Governor* and *R. (O'Connell) v. Military Governor, Hare Park Camp*, both of which involved the false imprisonment of people under emergency legislation.

Gavan Duffy was appointed Senior Counsel in 1930 and Judge of the High Court in 1936. He acted as an unofficial legal advisor to de Valera during the drafting of the 1937 constitution and was consulted on many resultant issues. He was also a member of the commission to set up the second house of the Oireachtas in 1937. At the height of his legal career he was appointed President of the High Court (1946).

Gavan Duffy married Margaret Sullivan in 1907 and had a son and a daughter. He died at his home in Bushy Park Road, Terenure 10 June 1951 from lung cancer.

Arrangement

As Gavan Duffy was first and foremost a legal professional and secondly a politician, I have chosen to arrange the collections accordingly. Section A contains papers concerned with his legal career, and Section B deals with his political career. These are the main subdivisions of the collection. Section C is a consolidated section entitled Personal Correspondence, which consist of semi-official and personal letters and which do not correspond to the previous subdivisions. Sections D and E are comprised of secondary material such as articles, newspaper cuttings, transcripts of voice recordings (D) and photographs, reproductions and drawings (E).

Section A, dealing with his legal career, begins firstly with his papers concerning the Roger Casement trial (P152/1-21) and contains many original letters from the imprisoned Casement. Other papers in this section concern his involvement in controversial cases such as the issue of Land Annuities (P1/30-31) and judgements such as that in the case of *Foyle & Bann Fisheries Ltd. & others v. Attorney-General*

& others, where Gavan Duffy controversially ruled that there can be no private fishing entitlements in a tidal river. Involved heavily with law reform during his career, the collection is also home to many documents dealing with the establishment of the Law Reform Committee and associated issues (P152/32-38). Other important papers are contained within the subsection dealing with the drafting of the 1937 Constitution (P152/39-43). There is also correspondence with many government departments such as the Department of External Affairs (P152/73-74), the Department of Taoiseach (P152/78) and the Department of Justice (P152/82-85)

Section B is contains very interesting papers from the period Gavan Duffy spent in Paris as envoy of the Provisional Government. These papers comprise of propaganda written by Gavan Duffy in French and English (P152/101-113) as well as much correspondence between his office in Paris and the government in Dublin (esp. Michael Collins). The correspondence ranges from the question of establishing a consular office in Dublin (P152/114-132), encouraging trade between France and Ireland (P152/133-136) to more general government correspondence between Gavan Duffy and various Irish Government officials (P152/ 137-63). His time as an envoy in Rome is also represented by correspondence and propaganda but not to the same extent (P152/164-176).

Also in Section B are papers concerned with the Treaty negotiations and the ensuing debates (P152/177-185) as well as correspondence and memoranda concerned with the drafting of the 1922 constitution (P152/195-220). A large amount of material belonging to Robert Erskine Childers is in the collection, but there is no indication as to how Gavan Duffy came to have it in his possession. This includes letters written to Robert Barton who was imprisoned and given to Childers to pass on to him (P152/221). There are also original letters to Childers from various sources (P152/222-229). Included in this section also is correspondence between Gavan Duffy and others concerning Childers' execution by the Free State in 1922 (P152/ 230-239).

As Minister for Foreign Affairs, his papers are concerned mainly with staffing issues in the Paris delegation and contain much correspondence with Michael MacWhite and Joseph Walsh who were working there (P152/240-250). He also deals with the treatment of Civil war prisoners in this capacity (P152/259-261) His resignation from the Dáil is illustrated by copies of his resignation letter (P152/266) and many letters from colleagues responding to the news (P152/268-278). The resultant raids on his house on several occasions are described in letters from his sister Louise (P152/279-281).

There are also papers concerned with his stance as an Independent candidate in the 1923 elections and include many letters of commiseration on his failure to get re-elected (P152/282-295).

Section C contains fragmented personal correspondence, the most interesting of which is from Y.M.Goblet, a French intellectual with a passion for Ireland and who corresponded with Gavan Duffy for many years after his banishment from Paris (P152/299, P152/304). Other very interesting letters appear from Maurice Moore, son of Col. Maurice Moore, a founding member of Fianna Fáil (P152/308).

Section D contains *inter alia* contemporary printed propaganda and ephemera (P152/311-316), newspaper cuttings (P152/317-318), a transcript of a recording made by Gavan Duffy by the Bureau of Military History shortly before his death in 1951 (P152/320). Other items in this section include articles by Louise Gavan Duffy, his sister (P152/324) and Colum Gavan Duffy, his son (P152/326).

Section E contains mostly photocopied newspaper photographs, although there are also original photographs of Seán T. Ó Ceallaigh (P152/336) and of a large group outside the Irish College in Rome on the occasion of the Beatification of Blessed Oliver Plunkett (P152/329).

Other sources

The National Library of Ireland also holds Gavan Duffy Papers.

Lisa T. Collins
May 2002

Chronology

1882	Born in Cheshire, England.
1906	Enrolled as solicitor in London.
1908	Married Margaret Sullivan.
1916	Defended Roger Casement.
1917	Called to the Irish Bar.
1918	Elected as Sinn Féin candidate for South County Dublin.
1919-1920	Attended the Peace Conference in Paris as an envoy of the Republic with Seán T. O’Ceallaigh.
1920	Expelled from Paris for circulating anti-British propaganda.
1920-1921	Based in Rome as envoy, while also travelling to Belgium, Germany and other European countries on diplomatic business.
1921	Chosen by de Valera as one of the plenipotentiaries to negotiate the Treaty and was the last signatory to the document.
1922	Helped to draft the Constitution of Saorstát Éireann.
1922	Re-elected as Independent Deputy in South County Dublin.
1922	Minister for Foreign Affairs from January 1922-July 1922. Resigned due to his disagreement with the Government on many subjects, but most especially their decision to suspend Habeas Corpus hearings in Courts.
1923	Failed to get re-elected.
1923	Returned to the Irish Bar and built up a large practice.
1930	Appointed Senior Counsel.
1936	Appointed Judge of the High Court.
1937	Helped to draft the new Constitution of Éire.
1946	Appointed President of the High Court.
1951	Died from lung cancer.

GEORGE GAVAN DUFFY PAPERS

A: LEGAL CAREER

I The Roger Casement Trial (1916: 1957-1959)

- 1 9 February 1916 Photocopy of template of a letter sent by Messieurs Munton, Morris and Company (solicitors) to clients informing them that Gavan Duffy had terminated his partnership with the firm and has now joined the company of Messieurs Ellis, Leathley and Willes. 1p
- 2 26 June 1916 Letter from Father Edward F. Murnane, the Presbytery, Dockhead, Bermondsey to Margaret Gavan Duffy, in which he states that he does not wish to trouble Gavan Duffy with any fresh anxiety but wonders whether she or Gavan Duffy could suggest to Casement to have himself entered as a Catholic on the Creed Register and also to ask that he, Murnane, might be allowed to see him alone on purely spiritual matters. Also states that he is sure that 'nothing can help him (Casement) bear the shame of this terrible time except the grace of peace that will come from being reconciled to the Church'. 2pp
- 3 30 June 1916 Letter from Casement, Pentonville Prison, to Gavan Duffy, in which he urges Gavan Duffy to recover from the High Court of Justice or the Home Office, documents and papers contained in a canvas portfolio which he had brought in from Brixton Prison to give to him (Gavan Duffy). States that they are documents dealing with the trial and that 'it is very important that they fall into no hands but yours'. Also states that he has 'been wrongfully and most untruthfully assailed in the course of proceedings by the crown witness'. Notes that Gavan Duffy is acquainted with the facts and leaves 'the vindication of my personal honour thus aspersed and falsely charged in your hands'. Also claims that the testimony of the other soldier witnesses was capable of being completely upset had he chosen to defend himself. Thanks Gavan Duffy and his wife, Margaret, and others who supported him, 'so faithfully, so bravely and so loyally'. Requests that his last and most recent statements are carefully preserved and copies given to his many friends in Ireland. Notes that the noblest, bravest and most chivalrous friends he has found in the last days have been women. Warns that he shall not be able to write often and that when Gavan Duffy comes again to see him it can be only about his legal affairs. Reminds Gavan Duffy that he has left it to him and other friends to protect his name and further states 'you know why I kept silent and why I did not refute many things as I might have

done'. Finally notes that he is happy with his fate and is 'reconciled with all men and things'.

4pp

- 4 4 July 1916 Letter from Father E.F. Murnane, The Presbytery, Dockhead, Bermondsey, to Margaret Gavan Duffy, in which he says that God will bless her for all the work she is doing for Casement ('the dear soul'). States that he has been given permission by the Cardinal to deal with Casement and has requested to visit him daily on spiritual matters.

2pp

- 5 4 July 1916 Copy of letter from F. O'Donnell, 38 Tregunther Road, The Boltons, London, to Gavan Duffy, in which he states that the 'secret papers' in question (The Black Diaries) are said to have been shown by the Home Office to the Jury. This is a statement of men of high authority who are in a position to know'. Lists the people who claim to have seen the 'incriminating matter', including the Mr. Clement Shorter, 'who appears to be convinced of the guilt altho' married to a patriotic Irishwoman.'

1p

- 6 6 July 1916 Copy of a reply letter from Gavan Duffy to Mrs. Dryhurst, 11 Devonshire Hill, Hampstead, and a further copy of an enclosure that Dryhurst had originally sent him, of a letter from Mary Boyle O'Reilly, journalist, to Mrs. Dryhurst, in which O'Reilly states that an American journalist who was told of the existence of Casement's diaries was not actually shown them. Gavan Duffy's response to Dryhurst is that she should 'not pay the smallest attention to this kind of rubbish' and wonders 'why on earth anyone should try to see the alleged document...as the publishers are already discredited, and it has nothing to do with the matter in question.'

1p

- 7 14 July 1916 Letter from Casement, Pentonville Prison to Margaret Gavan Duffy, in which he thanks her for the books which she had sent him and requests that she send copies of Easter Week verses to his godsons. Notes that his mind is 'far away, down by O'Sullivan Beare's land-and over there; where I shall never be again, not even in dreams-by Clare and Aran and Garumna. I wonder how it will all be a hundred years hence and whether any of the old speech, and thoughts that sprang from it, and prayers that grew from it will still survive.'

2pp

- 8 16 July 1916 Letter from Casement, Pentonville Prison, to Father Edward Murnane, in relation to Casement's conversion to Catholicism. States that he is still perplexed and has doubts about the situation- 'There are times when I feel my doubts are settled and then they revive, and I cannot say what motive actuates me-it is very hard to be sure of one's convictions-to be certain always, one is convinced- I thought I was and today and yesterday I am not sure-and questions come to me from myself that I find no answer to -the trouble is -am I convinced? Or do I only think I am? Am I moved by love-or fear? I can only accept in my soul, from love-never from fear. The more I read the more confused I get -and it is not reading I want but companionship. I am sure you understand. And then I don't want to jump-or rush-or do anything hastily-just because time is short. It must be a deliberate act-unwavering and confirmed by all my intelligence. And alas! To try it is not so. It is still, I find, only my heart that prompts from love, from affection for others, from association of ideas and ideals, and not yet any full intellect. For if it were this the doubts would not beat me so vigorously as they do. I am not on a rock but on a bed of thorns.' Also mentions his happiness in hearing news of Franciscan missionaries in Putmayo- 'The Franciscans were loved in Peru from of old, and it is a good thing to think of them there now in that dreary region.' Ends his letter by saying that he will go to the appeal court the following day but is quite certain that he will return to Pentonville.
- 4pp
- 9 24 July 1916 Letter from Fr. Edward Murnane, The Presbytery, Dockhead, Bermondsey, to Gavan Duffy in which he notes that the appeal of Casement's case to the House of Lords had been refused, and how prayers on his (Casement's) behalf will have to be redoubled.
- 1p
- 10 31 July 1916 Letter from Fr. Edward Murnane, The Presbytery, Dockhead, Bermondsey, to Margaret Gavan Duffy, in relation to appeals for Casement's release, and thanks her and her husband for introducing Casement to him as their friendship is a 'hallowed one'.
- 2pp
- 11 2 August 1916 Note on verso of a prayer *Fac me cruce inebriari* from Casement on the eve of his execution to Margaret Gavan Duffy, in which he states: 'tomorrow ...I die the death I sought and may god forgive the mistakes and receive the intent-Ireland's freedom. Signed as 'Ruairí'.
- 2 items

- 12 4 August 1916 Copy of a letter from Serjeant Alex Sullivan, Rosscarbery, Co. Cork to Gavan Duffy, in which he conveys his condolences on the execution of Casement. States that 'these asses (the English) can learn nothing. They have made a martyr most stupidly, while abstaining from their hysterical performance would have been a good move for their own ends.'
- 1p
- 13 7 August 1916 Copy of a letter from Gavan Duffy to Michael F. Doyle in which he states that Casement went to his death 'fearlessly and proudly' and that it seems 'hardly conceivable that the immense efforts made by his friends here and elsewhere are in vain'. Thanks Doyle for his 'splendid efforts'. Underneath, a copy of a letter from Gavan Duffy to Colonel Moore (27 July 1916), in which he states that in Ireland the slanders (about the diaries) are being treated with contempt. Also states that it would not be possible to take any step that would not involve a disagreeable newspaper controversy and would probably do more harm than good.
- 1p
- 14 9 September 1916 Copy of unsigned letter from [an American journalist] to Gavan Duffy, in which he informs Duffy that he dictated notes about Casement which were published by the *New York Times* a few weeks previously. States that he spoke frankly but would like Gavan Duffy to confirm his statement about Germany. Notes that 'the English have been circulating reports on Casement's degeneracy. Admits that he was shown what 'purported to be photographic copies of his diary and the handwriting looked like his. Declares that 'it was a dirty piece of business to circulate such reports, that even if the statements were true his private life had nothing to do with his public acts'.
- 2pp
- 15 10 May 1957 Newspaper cutting from *The Catholic Herald* under the heading "Those Casement diaries again", in which Professor Denis Gwynn reviews a book by Alfred Noyes entitled *The Accusing Ghost or Justice for Casement*. Describes the book as a candid and public confession of having maligned Casement unjustly.
- 1 item
- 16 [1957] Copy and draft of letter from Colum Gavan Duffy, Gavan Duffy's son, 6 Rathdown Park, Dublin, to The Editor, *The Sunday Press* in response to recent letters published in the paper regarding the remains of Casement. Colum defends his father's decision not to have taken legal action in

England to recover the remains, as he was convinced that ‘legally there is no property in a corpse, the executors could not claim it, and that the English courts would in any event have rejected the application on the ground that “delays defeat equities”’.

2pp

- 17 9 May 1957 Draft of letter from Colum Gavan Duffy, Fortfield Park, Terenure, Co. Dublin to The Editor, *The Sunday Times*, Kemsley house, London, in response to ‘Mr. McDermot’s unwarranted assertion’ that his father, Gavan Duffy, believed in Casement’s alleged immoral character. States that, on the contrary, Gavan Duffy had ‘an enduring affection and admiration for Casement’s noble character’. Also emphasises that Gavan Duffy had ‘never seen the alleged diary, nor any extract from it, nor even a copy’, contrary to what was reported by McDermot.

1p

- 18 13 May 1957 Copy of letter from Colum Gavan Duffy, Fortfield Park, Terenure, Dublin, to The Editor, *The Sunday Times*, Kemsley House, London, in which he responds to a statement by Serjeant Sullivan. Sullivan had described a letter written by Gavan Duffy to Dr. Maloney in 1933 about the Casement diaries as ‘scathing’. Colum defends his father by quoting an extract from said letter which demonstrates that Gavan Duffy was looking forward to the publication of Maloney’s book. Also states that he is convinced that Lord Birkenhead’s ‘calculated action’ in showing the diaries to Michael Collins and Éamonn Duggan in 1921...was a sinister attempt to deter future leaders from honouring Casement’s nobility as man and patriot.’

1p

- 19 16 May 1957 Letter from The Editor, *The Sunday Times*, to Colum Gavan Duffy, thanking him for his letter regarding Roger Casement and stating that they hope to tie up this strand of correspondence with letters from Alfred Noyes and Mr. MacDermot.

1p

- 20 [1959] Fragment of letter from F. W. Doheny to Colum Gavan Duffy in relation to Roger Casement and the repatriation of his remains. States that ‘it is within the duty of anyone specially proximate ... to do anything reasonably possible to minimise further scandal from him’ Discusses Dr. Mackey’s opinions of the diaries which are based on the assumption that ‘the obscene passages were inserted even if the rest of the diary is genuine’. Describes Casement’s activities in 1915-1916 period as ‘very

far from commanding the general approval either of the Nationalist Catholic general body of the Irish people living then or of a new generation since', but notes that his 'humanitarian work in the Congo and in Peru however calls for general and objective, well founded high regard.' *First two pages (1 sheet) missing*

6pp

- 21 29 October 1959 Letter from Brian Mac Giolla Phádraig, 6 Rathdown Park, Terenure, Dublin, father-in-law of Colum Gavan Duffy, to Grand Knight[?], in connection with a recent lecture given by Dr. Herbert Mackey at the October meeting C. K. 16. Provides a list of points which he would have liked to add to Mackey's notes, including the history of Casement's defence by George Gavan Duffy and his brother-in-law Serjeant Sullivan. Notes that Sullivan had no sympathy with Casement. States that his own belief 'after long consideration is that the diaries are Casement's diaries re-written by a forger and doctored.'

2pp

II Publications (1918: 1924)

- 22 1918 Booklet prepared by George Gavan Duffy entitled *The Groundwork of Conscription-an epitome of the military service code in Great Britain, with the disciplinary measures, civil & military, for its enforcement*, The Talbot Press Ltd., Dublin and T. Fisher Unwin Ltd, London. Prefaces the booklet by saying that it was written 'at the request of a few friends who were impressed by the extent and prevalence of the current misapprehensions concerning Military Service Acts.'

31pp

- 23 4 July 1924 Letter from [Sir James O'Connor], at the British Empire Hotel, Kensington, to Gavan Duffy in relation to the forthcoming publication of a book by Gavan Duffy-*Irish Justices of the Peace Vol II- a digest of criminal and quasi-criminal law from the year 1914*. which he states that the supplement (Vol II) that Gavan Duffy had written was done in a plan that he approved of, and would probably sell as many copies as the original work (Vol I). Advises him that printing in Edinburgh is cheaper and better than printing in Ireland. Criticises the Irish for having 'no moral sense whatever', and remembers as a student that one of the priests who taught him, told him how to cheat in exams, and another 'distinguished ecclesiastic' in later years, 'tried to warp my judgement on a pending case.' Also criticises the large turnout at Michael Collins funeral in 1922, as he claims that some of those people at the time, condemned his methods and said 'as I say and I think, he was an arch assassin'. States

that the entire Civil War has caused him much bitterness and anguish and is disappointed that his hopes that 'we had the makings of a good people' were unfounded.

8pp

24

21 October 1924

Copy letter from Gavan Duffy to Frank Egan, explaining the delay in replying to a letter written him in June. States that he had been busy writing a

see also

P152/266-281

law book and as such had to leave aside correspondence until now. States that he is presently 'quite out of politics' and is back working at the Bar. Notes that there are plenty of people 'eager for political work' but that he does not care 'for either the persons or policies of the elect of the people.' Criticises the Dáil, who he claims, is composed of 'automata, who come into the Chamber to vote as directed when they hear the division bell ring.' Believes that the present phase is merely transitional, but notes that, the Irish and her representatives 'are uneducated and ill-matched against others'. In relation to the civil war, believes that 'when the truth comes to be written, I think it will be recognised that personal hatreds played a great part, combined with inexperience, want of knowledge, and lack of moral courage, to bring about the Civil War. Comments on the 'tattered remnant' of the Treaty caused by 'grovelling to England and bullying Republicans'. Also comments on Richard Mulcahy, who he thinks is 'a great loss to the Government, for he has never lost the national outlook, though he seems to have lost his head for a time as a militarist'.

2pp

25

5 January 1935

Photocopy from *The Irish Law Times and Solicitors' Journal* containing a commentary on current work on statute law revision in the Irish

free state. Author notes that many of the standard legal works in Ireland are now out of date, including Gavan Duffy's Supplement to O'Connor's *Justice of the Peace*, which 'brings the law down to 1925 only; since when there have been several decisions of importance and statutory changes.'

2pp

III Concerning the Gaeltacht (1932-1933: 1937)

26

19 December 1932

Letter from Pól Ó Muircheartaigh, Private Secretary to the President of the Executive Council of Saorstát Éireann, Éamon de Valera., on

the subject of a memorandum relative to the Gaeltacht, which Gavan Duffy had submitted. States that the representations contained in the memorandum are being examined.

1p

- 27 5 November 1932 Copy memorandum submitted by Gavan Duffy to the Office of the President of the Executive Council of Saorstát Éireann. Memorandum is structured under the headings : 1) The recommendations of Coimisiún na Gaeltachta, 2) Control of the Gaeltacht, 3) The annual flight to Scotland, 4) Dog Licenses, 5) Petrol Tax, and 6) The islands off the Irish Coast. In relation to the recommendations, he states that the economic plans drawn up by Coimisiún na Gaeltachta (14 July 1926) are vital to the saving of the Gaeltacht. Submits that nothing less than a Ministry of the Gaeltacht be set up to carry out the recommendations and to develop the industrial life of the region. Comments that the 'annual exodus' to Scotland by people from the West and North is 'nothing less than a disgrace to the Nation'. Also states that the deplorable living conditions for emigrants in Scotland are the strongest argument to stop the emigration for once and for all. Recommends that another means of earning be provided in these areas such as the homespun industry. Also suggests the reduction or abolishment of the fees for dog licenses for Gaeltacht people, as well as the exemption of motor boats from the petrol tax. In relation to the islands, he notes that as the people living on them are generally not represented by a county councillor, their needs are not known. Submits that it would be useful and practical to compare a return of rates from the islanders with what they have received directly in return, thus to see what sum is due the islanders to adjust the balance.
- 4pp
- 28 6 March 1933 Letter from M. Ó Catháin, *per pro* the Private Secretary to the President of Saorstát Éireann, to Gavan Duffy in which he informs him that his memorandum concerning the Gaeltacht had been forwarded to the Minister for Land and Fisheries (J. Connolly), the Minister for Local Government and Public Health (Seán T. Ó Ceallaigh), and the Minister for Finance (Seán McEntee) for examination. Attributes the delay in considering the proposals to the recent General Election and subsequent Ministerial change in the Department of Lands and Fisheries.
- 1p
- 29 21 August 1937- Copy letter from Gavan Duffy to P.J. Ruttledge, Minister for Justice and original reply. Gavan Duffy requests that Ruttledge look over a memorandum concerning legal reform that he has prepared. Also notes that the existing Circuit and District Court Rules contain no provision requiring legal documents to be served in Irish in the Gaeltacht, and that such an omission is inexcusable. Ruttledge responds by stating that he will take the suggestions for legal reform to the Attorney-General and, with regard to the Gaeltacht, he will take this matter up with respective rule-making committees of the Circuit and District Courts.
- See also*
P152/32-38
- 2pp

IV The Land Annuities Controversy (1932)

- 30 [1932] Statement settled by Michael Comyn, K.C. for Gavan Duffy, on the subject of Irish Land Annuities. Summarises his opinion by stating that the validity of the contention that the Irish Free State is not entitled to retain the proceeds of the Land Purchase Annuities cannot be justified on any principle of international law or common equity. 13pp
- 31 December 1932 Copy memorandum by Gavan Duffy for Conor A. Maguire, the Attorney-General, on the subject of *Smullen and Others .v. Attorney-General*, a case concerning land annuities. States that the plaintiffs may not sue the Attorney-General as a substitute for the Minister for Finance, Minister for Fisheries and Minister for External Affairs. Also states that the action is a 'political stunt, organised by other persons than the plaintiffs for political party purposes'. 4pp

V Law Reform (1932: 1935: 1945-1949)

- 32 22 November 1932 Copy extract from a report from the Department of president concerning notices, regulations, and decrees emanating from the Department in 1922 (known then as the Secretariat of the Provisional Government). Author states that they were not issued pursuant to any statute would appear doubtful to be entitled to inclusion in the series "Statutory Rules and Orders". Segregates the decrees into four broad categories: A) Provisional Government Decrees; B) Proclamations; C) Provisional Government Orders; and D) Miscellaneous Notices. Appends a full list of the decrees with dates and titles. 8pp
- 33 31 August 1935 Letter from Éamon de Valera, President of Saorstát Éireann, to Gavan Duffy thanking him for the copy of the *Irish Jurist* with Gavan Duffy's article on the reform of administrative law therein. 1p
- 34 10 May 1945 Letter from Kevin Dixon, Attorney-General, to Gavan Duffy, in relation to points raised by the latter concerning Lord Kingsdown's Act. Agrees that a difficulty has been created by the use of the term 'British subject' which appears not to have been adapted under the Adaptation of Enactments Act, 1922. States that it would be necessary for Section 1 of

Kingsdown's Act to apply to a will made out of Ireland by a citizen of Ireland. Suggests that the most satisfactory method of dealing with it would be if the government were to enact a short measure of their own and states that he will recommend this course of action to An Taoiseach, Éamon de Valera (10 May 1945).

1p

- 35 13 March 1945- The Law Reform Committee
 4 April 1949 Correspondence and memoranda concerning the establishment of this committee, which was founded to change and modify the law and to provide new substantive law to deal with areas not adequately covered by current law. Includes copy letter by Kevin Dixon, Attorney-General (October 1942-30 April 1946) to Timothy Sullivan, Chief Justice, confirming his approval of the establishment of the Committee (24 October 1945). Also includes a draft letter from Connor Maguire, Chief Justice to Dixon, relaying the agreement of the Judges of the Supreme and High Courts that the Law Reform Committee should be set up and that members of the judiciary should be among the members (January 1946). Also includes a series of correspondence between Gavan Duffy and Cearbhall Ó Dálaigh, Attorney-General (April 1946-February 1948) on the subject of *inter alia* the financing of the establishment of the Committee, and the hiring of a legal secretary to work full-time for the duration of the committee's existence (4 July 1947-9 October 1947). Also includes memorandum from Gavan-Duffy for the Attorney-General (Ó Dálaigh) which outlines the outstanding matters for examination with regard to the Committee such as statute law revision; consolidation and codification in areas such as bankruptcy, fisheries, intoxicating liquors, lunacy, land law, income tax, customs duties, death duties and licensing; examining the reports of the English Law Revision Committee, specific reforms in areas such as primogeniture, descent and distribution, devolution, emigrants, trusts/conveyancing, compulsory registration of title, ecclesiastical law, charity, valuation of property, commercial law, criminal law, and legal aid for the poor (March 1947).

35pp

- 36 11 June 1946 Copy letter from S.A.Roche, secretary to G. Boland, Minister for Justice, to Kevin Dixon, Attorney-General, in relation to the adoption of children. States that the Department of Justice had approached Dr. John Charles McQuaid, Archbishop of Dublin, to ask whether he had any objection to an Adoption Bill containing a provision prohibiting the Court from making an Adoption order in any case where it is not proved that the religion of the adopter and the religion of the child are the same. States that McQuaid did not consider that such a provision would provide adequate safe-guards and also notes that he felt the Archbishop was not in favour of any legislation on the subject. States that the Minister has therefore decided to drop the proposals for the Adoption

Bill but also notes that that the Department of Local Government and Public Health has suggested that the problem of birth certificates for adopted children might be solved by the introduction of a Bill to authorise persons who have adopted children to apply to the District Court to have the children registered in a special register.

1p

- 37 2 July 1946 Letter from P.P. O'Donoghue, Secretary, the Attorney-General's Office, to Gavan Duffy in relation to the Adoption Bill. States that he has always been aware that there would be ecclesiastical objection to any enactment similar to the British Statute of 1926. States that the Law Reform Committee should be able to formulate safe-guarding provisions which would meet reasonable objections. States that the position of orphan children would be comparatively simple, but notes that an irrevocable extinction of parents' rights might be repugnant to the 42nd article of the Constitution.

1p

- 38 19 September 1946- Reform of Litigation Costs
6 November 1946 Correspondence and memoranda concerning the cost of litigation in Ireland, especially the payment of costs by the losing party in an action. Gavan Duffy describes in several memoranda the extravagance of Irish litigants, who employ two senior counsel and a junior counsel to argue a case that a junior counsel could do perfectly well by himself. States in the memorandum *The incubus of law costs-a proposal for reform* that if the employment of three counsel is viewed as 'an over-cautious method of re-insurance, there is nothing to be said against it provided that the heavy additional expense involved be borne by the person who has permitted themselves the luxury; but the infliction of the needless expense upon an adverse losing party is a manifest injustice' (October 1946).

28pp

VI Drafting the 1937 Constitution (1935-1937: 1946)

- 39 7 April 1935- Copy letter from Gavan Duffy to Éamon de
15 April 1935 Valera, President of Saorstát Éireann, and original
See also reply, in relation to the Portuguese Constitution of
P152/29 1934 which he claims is 'highly original and most interesting in many respects'. Comments on the 'Second Chamber' enshrined in this constitution which he describes as a 'Corporative chamber, consisting of representatives of local authorities and representatives of social interests of an administrative, cultural and economic character'. Also comments on the undertaking of this constitution to protect the family as the basic unit of the State. Offers to lend De Valera his copy of the Constitution lest he may not have seen it previously. The personal secretary to the

President replies requesting the copy of the Constitution and a note to say that he (De Valera) was once considering the possibility of a Vocational Council but found that there are very few vocational organisations in Ireland.

2pp

- 40** 9 October 1936 Letter from Éamon de Valera, president of Saorstát Éireann to Gavan Duffy thanking him for his contribution to the Second House of the Oireachtas Commission and the earnestness with which he devoted himself to a 'very difficult task'.

1p

- 41** 2 April 1937 Notes by Gavan Duffy on the subject of the draft of the 1937 Constitution. Suggests a method of dealing with certain directive provisions, namely, 'Guiding Principles and Social Policy' and 'Legal Rights'. Also suggests inserting articles that will protect the state from 'vexatious litigation' and to exclude international treaties bound on Saorstát Éireann from the jurisdiction of the courts.

2pp

- 42** 8 May 1937 Letter from Gavan Duffy to Éamon de Valera, President of Saorstát Éireann suggesting amendments to the draft Constitution, such as mentioning extradition powers, treason by a citizen abroad, and giving the Courts like jurisdiction as under the 1922 Constitution.

1p

- 43** 12 May 1937 Letter from Éamon de Valera, president of Saorstát Éireann to Gavan Duffy thanking him for his recommendations regarding the draft Constitution and states that he will consider them carefully. *In Irish.*

1p

- 44** 12 June 1937 Letter from Mícheál Ó Muineacháin (Micheal Moynihan), civil servant, Department of the President to Gavan Duffy informing him that the president of Saorstát Éireann (Éamon de Valera) would be most grateful if Gavan Duffy would look through the corrected version of the draft Constitution, especially the Irish version. *In Irish.*

1p

- 45 9 April 1946 Letter from Séamas [Mac?], private secretary to An Taoiseach, Éamon de Valera, thanking him for sending the copy of part 1 of the new draft constitution of France. *In Irish*.
1p

VII Administration of the High Court (1937-1949)

- 46 26 February 1937- Four Courts Furniture
23 March 1937 Draft letters from Gavan Duffy to the Office of Public Works and original replies concerning the placement by Gavan Duffy of his own personal furniture in his Chambers and his request that an electric clock be obtained for his Chambers also.
4pp
- 47 4 April 1937 Letter from E.C. Powell, Department of Justice, Dublin to Gavan Duffy informing him that he will be available for consultation in relation to the appointment of an Irish speaking usher.
1p
- 48 3 November 1937 Letter from J. O'Connor, secretary to the Minister for Justice, P. Rutledge, in which he assures Gavan Duffy that his letter to the Minister will be dealt with as soon as his return to the office. Also adds that the number of probation officers is being increased to two with immediate effect.
1p
- 49 12 April 1943 Letter from the Circuit Court Office, Dundalk, county Louth to Angelo Murphy, Assistant Registrar, High Court of Justice, in relation to the hire of a car by Gavan Duffy from Fegan Brothers, Dundalk. Includes receipts for same.
3pp
- 50 9 July 1943- Letters from secretaries in the Department of
14 July 1943 Justice to Gavan Duffy in relation to his request that the allowance for taxi fares be increased (9 July 1943). Also informs him that the Department of Finance has sanctioned the payment of expenses not exceeding £1 a day for travelling expenses incurred by him in attending at the Central Criminal Court (14 July 1943).
2pp

- 51 15 January 1944- Appointment of Examiners to the High Court
 26 April 1944 Letters between Gavan Duffy, now President of
 the High Court and S.A. Roche, civil servant,
 Department of Justice, on the subject of the appointment of a Mr.
 Murtagh and a Mr. Scanlon to the position of Examiner of the Courts of
 Equity and Probate. Gavan Duffy questions why Murtagh was chosen
 over Scanlon, as Scanlon had more qualifications and experience (25
 April 1944). Roche replies by explaining the rules governing civil
 service promotions and also explains that although Scanlon had more
 overall experience, Murtagh entered the Court as a Junior Clerk before
 Scanlon and also had more experience in the Examiner's Office. Also
 states that Murtagh was the older man and had received a higher grade in
 the General Service examination than Scanlon. (26 April 1944).
8pp
- 52 12 August 1945- Petrol Allowances
 5 July 1946 Correspondence concerning the fact that petrol
 allowance had not been given to the Judges of the
 Supreme and High Courts. Gavan Duffy, in a letter to Sean Lemass,
 Minister for Supplies, states that 'it is a bad thing for the dignity of the
 Judges and the administration of justice that the public should see them
 waiting in bus queues and strap-hanging.' Also claims it affects him
 badly, as he had acquired 'an expensive Daimler' and though paying for
 six months tax and insurance from July to December, he could only use
 his car for three and a half of those months (12 August 1945). Lemass
 replies that under existing circumstances the petrol allowance could not
 be sanctioned (17 August 1945). Includes letters from the Chief Justice,
 Conor Maguire to Gavan Duffy , endorsing the latter's appeal for the
 allowance (17 May 1946). Also includes copy reply from Seán Lemass,
 Minister for Industry and Commerce, to Maguire, informing him that a
 bulk of petrol coupons will be issued to the Department of Justice for
 disbursement among Judges and travelling officials (5 July 1946).
5pp
- 53 4 June 1945- Promotion of Assistant Probate Officer
 16 October 1946 Copy correspondence concerning the request by
 Michael Maguire, Assistant Probate Officer that
 his salary be reviewed and increased. Includes representations by Joseph
 A. Hand, Probate Office, and Conor Maguire, Chief Justice to Stephen
 Roche, secretary to the Minister for Justice (G.Boland). Maguire claims
 that the scale of salary originally attached to the post 'must have been the
 result of a misconception' and proceeds to outline his 'onerous duties' to
 justify his claim (4 June 1945). Roche, in a letter to C. Curran, Registrar
 of the Central Office, Courts of Justice, states that the Minister for
 Finance had vetoed salary increases of civil servants during the
 Emergency (2 July 1946). Also includes a request by Maguire to submit
 an application for a new post within the civil service that is at a higher
 scale of salary but with less responsibility (16 October 1946).

Consequently, P. J. MacDonagh, Establishment Officer, High-Court of Justice, replies to inform Maguire, that the Minister for Justice has sanctioned a higher salary to be attached to Maguire's original post as Assistant Probate Officer (16 October 1946).

15pp

- 54** 19 December 1946 Letter from P. P. O'Donohue to Mr. Justice Kevin Dixon in relation to raising Judge's salaries. Provides information from his research into legislation enacted in the Canadian House of Parliament which showed the increases in salary were at a flat rate of 33 1/3 %.

1p

- 55** 15 September 1948 Letter from P. McGilligan, Minister for Finance, to Gavan Duffy in relation to the arrears of indexing work in the General Register Office. Explains that the difficulties with the office began in 1942 when printers refused to take on any further indexes, but notes that the Department of Finance has provided the means for additional staff to be recruited on more than one occasion.

1p

- 56** 1 June 1948-
15 June 1948 Copy letter from Gavan Duffy to P. McGilligan, Minister for Finance, to Gavan Duffy, an original reply, concerning the salary scale of E.B. Sandes, the keeper of probate records in the Four Courts. States that Sandes is an efficient officer 'but appears to be graded as if he were some kind of messenger' (1 June 1948). McGilligan replies promising to have the matter examined (15 June 1948).

2pp

- 57** 31 March 1949 Letter from P. McGilligan, Minister for Finance, to Gavan Duffy in relation to Civil Service Arbitration. Informs him that a system to deal with disputes regarding incremental progression of scales, marriage differentiation, and grading of work, has been set up, but that its essential feature is a Board consisting of two official and two staff representatives. Requests that Mr. Justice Davitt, a Judge of the High Court, be released from his duties at the High Court for one day a week on hearing applications, declining thereafter to two days a month or less.

1p

VIII Judgements and Legal Cases (1937-1949)

- 58** 13 November 1937- Attorney-General .v. Rosanna Mahon
 1 March 1938 Memoranda and letters between Gavan Duffy and P.J.Ruttledge, Minister for Defence, concerning the above-named case, in which Rosanna Mahon had been charged with infanticide with respect to her newly-born grand-daughter. Gavan Duffy brings to the attention of Ruttledge, that the accused had spent 2 months in prison waiting for the case to be heard, and that he had handed down the minimal penal servitude sentence which was three years. Requests that due to her 'advanced age' (67) that she serve only 2 ½ years as her sentence as six months has already been served by her in custody (13 November 1937). Ruttledge agrees to this request (15 November 1937). Includes notice of a petition for Rosanna Mahon (28 February 1938) and comments by Gavan Duffy in a letter to the secretary of the Department of Justice (1 March 1938) explaining the facts of the case again but hopes that this will not dissuade the Minister from exercising clemency as 'it is true that the disgrace has been a terrible punishment' for Mrs. Mahon who is 'an aged woman, with a good record hitherto and a large family'.
 5pp
- 59** 25 November 1937- Attorney-General .v. Thomas Kelly
 18 December 1937 Memoranda and letters between Gavan Duffy and the Department of Justice in relation to the above-named case in which Thomas Kelly was found guilty in the Central Criminal Court of the murder of Patrick Henry. Gavan Duffy, in a memorandum to P.J. Ruttledge, Minister for Justice, states that in accordance with the capital crime of murder, he had sentenced Kelly to death, but the jury had asked for mercy. Also states that there was strong circumstantial evidence against Kelly but that other evidence given raised a slight doubt as to his guilt. (25 November 1937). Includes letter from S.A. Roche, Under secretary to the Minister for Justice, who informs Gavan Duffy that Kelly's appeal to the Court of Criminal Appeal was dismissed (10 December 1937).
 5pp
- 60** 7 October 1943 Letter from J. O'Connor, Executive Officer in the Department of Justice, in relation to the petition in the case of James Reilly convicted at the Central Criminal Court on 18 March 1942. Informs Gavan Duffy that after a full consideration of the circumstances by the Minister for Justice, it was decided that no mitigation could be granted of the sentence imposed and that the law would have to take its course.
 1p

- 61 13 October 1943 Letter from J. O'Connor, Executive Officer in the Department of Justice, in relation to the petition in the case of John F. Cummins convicted at Dublin Central Criminal Court on 7 July 1943. Informs Gavan Duffy that the Minister had decided to remit the balance of the sentence imposed by the courts and the prisoner will be released on 7 December 1943.
1p
- 62 21 June 1945 Copy of a judgement by Gavan Duffy, High Court of Justice, in the case of *Piper .v. Piper* which concerned a family dispute about the residuary estate of the late Mrs. Piper who had died in 1939.
1p
- 63 16 February 1946 Copy letter from Gavan Duffy to G. Boland, Minister for Justice, concerning the case *The People (Attorney-General) .v. McAdam*. States that the jury was correct in both proclaiming her guilty of the offence [murder] and to recommend mercy. Recommends that the Minister consider that the woman is in her early fifties and has been greatly affected by the sentence. Also states that she is 'peculiar' though not mentally deficient and suggests that 'she may be going through the difficult period in a woman's life'.
1p
- 64 27 January 1947 Cover letter from Joseph O'Byrne, Registrar of The Land Registry, to The Hon. Mr. Justice Overend, High Court, enclosing a memorandum which he had prepared with reference to the omission of the covenant from Folio 29840. The omission had led to the dispute in the case *Naughton and Keane .v. MacDonogh and Mannion* which is pending before the Judge.
7pp
- 65 1949 Foyle & Bann Fisheries Ltd. & others .v. Attorney-General & others
Legal notes concerning the above-named case which abrogates the private ownership of fisheries in a tidal river, and became the longest case at hearing in the history of modern Irish law. Contains research into the fisheries law as it had developed throughout the centuries commencing with the Brehon laws. Concludes that there could be no private fishery rights in an estuary. Also includes a letter from T.W. Moody, professor of Modern Irish History, Trinity College Dublin on the subject of the *Calendar of the Carew MSS 1603-24* (2 April 1928) which Gavan Duffy had asked him about.
c.200pp

IX Concerning Local Government (1939-1940: 1946)

- 66** 10 November 1939- 29 February 1940 Letters from P.J. Ruttledge, Minister for Local Government and Public Health to Gavan Duffy, with regard to the report Gavan Duffy submitted at the conclusion of the Local Government (Dublin) Tribunal. States in his first letter that the recommendations of the tribunal cannot be considered by the Government because the extension of the managerial system, by way of the County Management Bill, throughout the country would be necessary before local elections are held the following year (10 November 1939). Subsequently changes opinion and concludes that the bill presents an opportunity to bring about a certain measure of unification in the administration of City and County which would be desirable at the present time. Proposes to amend the Bill to provide that the Dublin City Manager be the manager of Dublin County, that the manager of Dún Laoghaire Borough shall cease to be Manager and become Assistant City Manager, and that the Secretary of Dublin County Council also be given preference for the position of Assistant City Manager (29 February 1940).
2pp
- 67** 16 April 1940 Letter from J. [Miley], 49 Ailesbury Road, Dublin to Gavan Duffy, suggesting that a book about local government in Ireland should be written and published to coincide with the commencement of the County Management Bill and the new Local Government Bill. Claims, however, that the production of such a book would not be practicable without financial assistance from the Government and fears that there may be difficulties with this 'judging from the reaction of our purse-holders to previous proposals.'
3pp
- 68** 25 April 1940 Letter from P. J. Ruttledge, Minister for Local Government and Public Health, in which he thanks Gavan Duffy for his suggestion to finance a new book on local government, but notes that the department is legislating so quickly that such a book would date very quickly.
1p
- 69** 24 June 1946 Copy letter from Gavan Duffy to Seán MacEntee, Minister for Local Government and Public Health, in which he informs him that the new book about Local Government 'looks like being still-born' due to a dispute between the authors, Mr. Street and Mr. Miley. States that the work would be a contribution of permanent value to the law and notes that it is the result of two years' preliminary labour at King's Inn and up to three years' elaboration in the Customs house. Claims that there is no greater lawyer

in the country than Street, 'whose accuracy, thoroughness and judgement are outstanding'.

1p

X Council of State (1946-1948)

- 70** 22 August 1946 Notice from McDempsey, Secretary to the President of Ireland, Seán T. Ó Ceallaigh, nominating Joseph Blowick TD, Senator Róibeárd Ó Farannáin, Senator Tomás Ó Fuaráin, Lord Granard, Senator Seán Ó Catháin, General Richard Mulcahy, TD and Liam Norton, TD as members of the Council of State.

1p

- 71** 8 August 1947 Notice from the Office of the President of Ireland, calling for the convening of a meeting of the Council of State to decide whether Article 26 of the Health Bill is repugnant to the Constitution.

2pp

- 72** 1 November 1948 Notice from the President of Ireland, Seán T. Ó Ceallaigh nominating Seán Lemass, TD, and Seán MacEntee TD as members of the Council of State. Provides a list of the existing members of state as being An Taoiseach, An Tánaiste (deputy prime minister), the Chief Justice, President of the High Court, Chairperson of the Dáil, Chairperson of the Seanad, the Attorney-General. Also lists honorary members such as Dr. Douglas Hyde, Ex-President of Ireland, The Hon. Timothy Sullivan, Ex-Chief Justice, William T. Cosgrave, Ex-President of the Executive Council of the Irish Free State and Éamon de Valera, Ex-President of the Executive Council of the Irish Free State. Also lists other people that O'Kelly has nominated under Article 31 Par.3 of the constitution such as General Richard Mulcahy, Minister for Education, Joseph Blowick, Minister for lands, Roibeárd Ó Farannáin, Tomás Ó Fuaráin and Seán Ó Catháin.

1p

XI Other Correspondence

(i) Department of External Affairs (1936: 1944)

- 73 1 July 1936 Letter from Joseph P. Walsh, Secretary of the Department of External Affairs, in relation to the issuing of diplomatic visas. Notes that due to new regulations passed in respect of the diplomatic visas, the practice has been curtailed to the exclusive issuing of the visas to persons travelling abroad on diplomatic missions. Apologises for being unable to make an exception in Gavan Duffy's case, who had supplied his passport to the Department so that a diplomatic visa could be issued on it.

1p

- 74 9 March 1944-
18 March 1944 Passports
Copy letters and original replies between Gavan Duffy and the Department of External Affairs, in relation to the re-issuing of his passport. Initially Gavan Duffy requests that his passport be renewed but that alterations to include his title of Judge be included. Also enquires as to why he was not allowed to retain his diplomatic visa for life, as he and Seán T. O'Ceallaigh had been the first accredited envoys of the Republic abroad in 1919 (9 March 1944). The Department replies by suggesting that he apply for a completely new passport rather than a renewal as there had been a new issue of passports since the passing of the Constitution in 1937 and these now replace the Free State issue which he presently has. With reference to the diplomatic visas, the Department representative explains that regulations have been tightened since 1936 and presently a complete diplomatic passport rather than visa is issued, but only to members of the diplomatic service and to persons travelling on official missions (18 March 1944).

7pp

(ii) Seán T. Ó Ceallaigh (1936: 1938)

- 75 24 July 1936 Letter from [Seán T. Ó Ceallaigh], Department of Local Government and Public Health, to Gavan Duffy stating that he is leaving for Lourdes and will speak to Gavan Duffy on his return in the following week.

1p

- 76 5 January 1938 Letter from Seán T. Ó Ceallaigh, Casa del Sole, Via Aurelia Antica 16, [Italy], to Gavan Duffy, in relation to the premises of the new legation in Italy. States that he will hand Gavan Duffy's letter to Joseph Walsh, Secretary to the Department of External Affairs and will tell him to hand it to the new Minister for External Affairs when he takes up duty.

2pp

(iii) Garda Commissioner [1937]

- 286** 2 [December 1937] Letter from [Gregory Ó Riain], Garda Commissioner, An Garda Síochána, to Gavan Duffy thanking him for the tribute of 'zeal and efficiency' paid to Superintendent O'Sullivan and Sergeant Kelly for their work on the case *Attorney-General .v. John Hogan*.
1p

(iii) Department of Taoiseach (1938-1939: 1946)

- 78** 6 May 1938 Letter from Mícheál Ó Muineacháin, Secretary to An Taoiseach (Éamon de Valera) relaying a message from de Valera thanking Gavan Duffy for a note regarding recent cases on the principle that no Government can impose financial liability without express parliamentary assent.
1p

- 79** 5 September 1939- *Iris Oifigiúil* and Emergency Orders
15 September 1939 Copy letters and original replies between Gavan Duffy and the Department of Taoiseach respectively. Gavan Duffy informs Éamon de Valera, Taoiseach, that in this stressful time (outbreak of World War II), the publication *Iris Oifigiúil* (the official gazette of the government) would not fulfil its proper function, 'unless stringent instructions are issued for the publication in it of all Emergency Orders'. Suggests that the full text of all orders are reproduced 'both for immediate purposes and for future record'. Criticises the casual publication of the orders by different Departments of State and claims that this leads to confusion (5 September 1939). Mícheál Ó Muineacháin, secretary to the Taoiseach replies on behalf of de Valera and states that it would be 'unprecedented and virtually impracticable' to insert the orders in full in *Iris Oifigiúil*. Claims that the public 'do not consult *Iris* any more frequently than they do the list of official publications and the class of persons who would consult the *Iris* would also be likely to have access to official publications.' States that steps are being taken to ensure that as soon as an Emergency order affecting the public has been made, the press will be notified through the Government Information Bureau (15 September 1939).
4pp

- 80** 4 June 1946- Copy letter and original reply between Gavan
6 June 1946 Duffy and Mícheál Ó Muineacháin, secretary to Éamon de Valera, An Taoiseach, concerning the amalgamation of the two branches of the legal profession.
2pp

- 81** 27 April 1946 Letter from P. Chinnéide, Department of Taoiseach informing Gavan Duffy that he had been appointed President of the High Court as of the 16 April 1946. Requests that he meet with the Chief Justice so that he may sign an oath as directed by Article 34.5.1 of the Constitution.

1p

(iv) Department of Justice (1938: 1945)

- 82** 22 November 1938 Letter, marked as 'not sent', from Gavan Duffy to P. J. Rutledge, Minister for Justice on the subject of mortgage litigation. States there is a tendency for mortgagees and other litigants to sue in the High Court when the Circuit Court has jurisdiction, and recommends that the Courts may find means to deal with the practice of making an order for sale where the order is unnecessary. Notes, however, that the matter of enabling the Court to transfer a case to a lower court would need legislation by statute or rule.

2pp

- 83** 1 March 1945 Letter from S. A. Roche, secretary, Department of Justice to Gavan Duffy, informing him that he hopes the County Officers Bill, dealing with the Examiners Office will become law before the Easter holidays. Notes that the delay in the bill was the result of it running into 'several snags'.

2pp

- 84** 5 May 1945 Copy cover letter from S.A.Roche, secretary of the Department of Justice, to James O'Brien, K.C., Secretary of the Superior Courts Rules Committee, Four Courts, on the subject of free legal aid, and enclosing a copy of the English 'Act to make better provision for the defence of poor persons in criminal cases (1930)'. Roche relays the opinion of the Minister for Justice (G. Boland), namely that he does not see the express need to change the law to provide for the circumstance if a prosecution ends in a dismissal in the District Court or a verdict of 'not guilty' in a higher court, that the persons prosecuted should be compensated by the State for the expense, anxiety and publicity to which they have been subjected. States that there already exist means on a limited scale through certain societies and the offices of certain lawyers who are prepared to assist poor persons. Also states that on occasion, the verdict of 'not guilty' is not tantamount to a finding that an accused person is completely innocent. Notes the heavy burden on the exchequer that such a change in the law would cause and states that the Minister would like to ascertain

the opinions of the Courts Rules Committee to assist him in further consideration of this matter.

8pp

(v) Douglas Hyde (1944)

- 85 13 March 1944 Letter from the secretary of the President of Ireland, Dubhghlas de hÍde (Douglas Hyde) in which he extends Hyde's gratitude for the bust of Charles Gavan Duffy and the picture of Thomas Davis that Gavan Duffy had donated to Aras an Uachtaráin. As a sign of his gratitude, Hyde sends Gavan Duffy a book containing his collections of folktales and poetry. *In Irish*.

1p

(vi) Department of Finance (1944-1946)

- 86 7 June 1946- Correspondence between J.J. McElligott, secretary to the Minister for Finance and Gavan Duffy regarding the investment of Chancery Funds in the stocks of the National Loans. McElligott states that the level of interest rates on all classes of stocks has fallen substantially and in the case of the 3 ½ % Fourth National Loan returns a yield of only £1.6.1 per cent. Claims that this is unreasonably low and requests Gavan Duffy's opinion on whether it would be advisable that moneys in Court will not be invested in this particular stock until the market of the stock shows a yield in line with that obtainable from other Irish Government Stocks (7 June 1946). Gavan Duffy agrees with the suggestion and promises to inform the other Judges of the High Court and the Accountant so that effect may be given to the decision without delay (11 June 1946). Includes copy correspondence between McElligott and Gavan Duffy's predecessor, Conor Maguire about the subject.

8pp

- 87 10 July 1946 Copy letter plus draft of same from Gavan Duffy to J. J. McElligott, Secretary, Department of Finance, on the subject of relations between the Department and the Four Courts. Notes that both departments have little contact with each other except for matter of routine, and the civil servants involved have little personal acquaintance, which leads to a 'jealous insistence on each side for the claim of their authority'. Cites the

tradition of aversion to lawyers by Nationalists as the reason for this but states that since the national government is now secure, efforts should be made 'to have the fact recognised on both sides that our common object is the public good'. Suggests the promotion of a mutual confidence between the Heads of Finance and the High Court and hopes that this would percolate down to the civil servants and thus ensuring 'the smooth working of the machine.'

6pp

- 88 24 June 1946- Ex parte Murray
 16 July 1946 Correspondence between Gavan Duffy and the Departments of Justice and Finance concerning a claim by a shorthand writer that he is owed £11.30.0 for reporting evidence and supplying three copies of a transcript for the use of the Court. Gavan Duffy, through the Registrar of the High Court, makes it clear E. C. Powell in the Department of Justice that if he or any other Judge of the High Court requires a stenographer or shorthand writer and the transcript being necessary for the Court, and considers the cost ought not to be imposed on the party, (because they are poor, or because they have not asked for one), that 'this requisition by the Court cannot with propriety be questioned outside Court and the expense must be paid by the State as a matter of course (26 June 1946). Also includes copy letter (and draft of same) from Gavan Duffy to J. J. McElligott, secretary, Department of Justice, outlining the sequence of events and explaining the need for the State to pay the stenographer at once, as he is 'a press man' and claims it would be 'exceedingly bad for the administration of justice and the dignity of the Courts' if there should be any doubt by the stenographers as to a direction from the Bench being honoured by the Department of Justice (10 July 1946).

13pp

(vii) Revenue Commissioners (1945-1947)

- 89 24 January 1945:- The use of 'Éire' or 'Ireland' in official documents
 27 September 1946- Containing correspondence mainly between
 28 February 1947 Gavan Duffy and the Chairman of the Revenue Commissioners (T. Cleary), with regard to the official title of the jurisdiction of the courts (i.e. the 26 counties). Outlines the confusion that arises when the Revenue creates forms such as the fiscal certificate for grants of probate using the phrase 'in Éire', as according to the Constitution the English translation, 'Ireland', is the name of the State (all 32 counties, 6 being 'occupied'). Suggests that the phrase 'within the jurisdiction of this Court' be substituted wherever 'in Éire' is used (28 October 1946). Also contains newspaper clippings quoting a statement from Gavan Duffy who pronounced that the notion that Éire stood for the 26 counties was a 'vulgar and too prevalent illusion' (*The Irish Times*, 24 January 1945).

8pp

(viii) Office of Attorney-General (1945-1947)

- 90 14 May 1945 Letter from Kevin Dixon, Attorney-General, to Gavan Duffy informing him that he would bear in mind points raised on the issue of a draft bill which they had been discussing. Also mentions the position of Examiner which he notes is being dealt with by a Court Officers Bill and currently in the process of 'white-printing'.

1p

- 91 16 May 1946- The Stationary Office
9 May 1947 Correspondence between P.P. O'Donoghue, secretary, Attorney-General's Office and Gavan Duffy on the issue of publishing in *Iris Oifigiúil*, a list or index of the Statutory Rules and Orders made in the preceding quarter. Discuss the problem of printing and binding which will hold up production (25 July 1946). O'Donoghue states that 'there is a battle royal going on for priorities in printing' (25 April 1947). Includes copy circular from S. C. Ó Faoilleacháin (Controller of the Stationary office) concerning the position in the printing trades ('one large Dublin contractor is short of 20 compositors, or typesetters') and outlining a corrective measure, namely that the Departments of State should exercise the utmost care when forwarding material to be printed so that only matter that needs to be printed and is in its final corrected form should be forwarded to them (5 May 1947).

8pp

Notes on Legal Principles

- 92 [undated] Legal notes by Gavan Duffy on the legal principles of *certiorari* and *habeas corpus*.
- 93 [undated] Legal notes by Gavan Duffy entitled 'Criminal Law-remedy for conviction or charge comprising one or more offence'. Includes a list of legal cases of ambiguity and the principles on which relief may be given such as on writ of error, on appeal to the Court of Criminal Appeal or on *habeas corpus* after summary conviction.

11pp

9pp

- 94 [undated] Legal notes entitled 'Summary of what is legal culture' belonging to [Colum Gavan Duffy]. Page 1 only. Describes the legal meaning of the term 'legal culture' as 'what does or does not fall within the law's interpretative domain' and 'the diversity of constituent objects, events and persons of legal culture'

1p

B: POLITICAL CAREER**I As Sinn Féin Teachta Dála (1918-1919)**

- 95** 12 January 1918 Copy of a letter from Edward E. Lysaght, Irish Convention, Dublin to [David Lloyd George], Prime Minister of Great Britain, in which he states that although he has sat on the convention for six months, he has found no basis for agreement with the Unionist representatives in North East Ulster. Presses the need for Irish autonomy and expresses his concern that Ireland's case 'may be grossly misrepresented in the eyes of the world, who may be led to believe that the existence of an unrepresentative Convention of Irishmen ...is a fair and proper application of the principle of self-determination to Ireland'. Warns that he may be forced to resign unless he gets an assurance that the convention will be able to formulate proposals which will be acceptable by the Irish People.
- 2pp
- 96** 6 December 1918 Copy of an open letter from George Gavan Duffy, 39 Mespil Road, Dublin, to the electors of South County Dublin, in which he declares his election manifesto based on the right to self-determination and his desire that Ireland assert her national will at the up-coming Peace Conference in Paris.
- 1p
- 97** December 1918 Two copies of a campaign poster for Gavan Duffy in the General Election 1918. Aimed at 'naval and military voters' the poster reproduces a letter from Colonel Maurice Moore, Late Commanding 1st The Connaught Rangers, to Gavan Duffy, outlining his views as to why he will vote for him in the forthcoming election.
- 2pp
- 98** 4 January 1919 Edition of *Nationality*, a Sinn Féin newspaper in which the results of the previous months' general election are published showing a landslide victory for Sinn Féin.
- 4pp
- 99** 1 August 1919 Cover letter from Michael Collins, Minister for Finance, Dáil Éireann to Gavan Duffy enclosing a circular letter to each Teachta Dála about the issue of a loan. Contains instructions as to how to go about raising the loan funds within constituencies.
- 3pp

- 100** September 1919 Appeal by Gavan Duffy to his constituents in South Dublin to give generously to the Irish issue of the war loan. Written in Paris, Gavan Duffy declares that he has no doubt that South Dublin, 'who nine months ago were timidly groping their way or who were holding back, dazzled and perplexed, because they dared not believe that prospects so fair could materialise in their day or their children's day, will be found now amongst the staunchest and most loyal citizens.'
- 1p

**(II) As Envoy of the Provisional Government of Ireland
at the Paris Peace Conference**

(i) Propaganda (1919-1920)

- 101** [1919] Propaganda sheet circulated in France entitled *Appel aux Nations du parlement de le Republique Irlandaise réuni a Dublin le 21 Janvier 1919*. Requests that Ireland be recognised as a nation and therefore take her place at the forthcoming Peace Conference
- 1p
- 102** 1919 Propaganda sheet circulated in France entitled *L'Irlande a t-elle besoin de l'Angleterre?* Compares Ireland to other small European countries in terms of square mileage, population, and annual taxes, and reaches the conclusion that Ireland is big enough, populated enough and rich enough to be independent of Britain.
- 2pp
- 103** 14 June 1919 Newspaper cutting from *The Irish Press*, Philadelphia, USA, in which is published an account of a debate which raged between Gavan Duffy and a Mr. Neville Lytton, the latter of whom wrote in a negative fashion about Ireland in a prominent French daily. Gavan Duffy replied defending Ireland and the movement to become an independent state. The paper reprints Lytton and Gavan Duffy's letters in full 'for the better understanding of the correspondence and of the methods adopted by British agents to poison the French people against the Irish Republic.'
- 1 item

- 104** November 1919 Photocopy of a booklet prepared by Gavan Duffy, representing the Government of Ireland, entitled *La République d'Irlande et la presse Française* (The Irish Republic and the French Press). Reprints many letters to French newspaper editors about Ireland with an introduction (in French) by Gavan Duffy. 44pp
- 105** 16 January 1920 Declaration (in French) by Gavan Duffy and Seán T. O'Ceallaigh, envoys to Paris of the Provisional Government of the Irish Republic, in which they protest that the Société des Nations (League of Nations) is an Imperial instrument designed to perpetuate English hegemony in both hemispheres; that it is partial and that its constitution is based on English prejudices against enemies and victims of England. *Also copy of same.* 6pp
- 106** 11 May 1920 Copy of press release in which Gavan Duffy denies having made any appeal to the Peace Conference or League of Nations, as reported in the American Press, on behalf of Irish prisoners. States that Ireland successfully used the 'lever of [the] Peace Conference' the previous year to raise Ireland's case before the world. Also states that Ireland no longer needs the Peace Conference or League of Nations as long as 'both remain palpable frauds inspired from Downing Street' and further declares that Ireland 'would as soon think of appealing to court-martial of English officers in Dublin'. 1p
- 107** 16 July 1920 Declaration (in French) by the Delegation of the Irish Republic in Paris on the subject of 'La Terreur en Irlande' in which the activities of English police in Ireland is condemned. 1p
- 108** 11 September 1920 Photocopy from French newspaper in which H. Adolphe Lara discusses the French government's decision to invite Gavan Duffy to leave French territory because of his exposure of the conditions of Irish prisoners and his alleged anti-British propaganda. 1 item

- 109** 8 March 1920 Fragment of a letter from [?] to Gavan Duffy, in which the writer asks Gavan Duffy whether he was pleased with the results of getting in touch with London correspondents of continental papers. Requests Gavan Duffy to issue from Paris a daily or weekly bulletin, culling from their daily bulletin, the items he thinks most likely to get publicity in France. States that he is on very friendly personal terms with most of the foreign press representatives in London. 1p
- 110** 8 March 1920 Copy despatch from Gavan Duffy to Dáil Éireann on the subject of French propaganda. Discusses the proposal of M. Muret, who 'is 29, has a good presence...and the message he suggests would result in profoundly influencing French opinion in our favour'. The 'Mael Scheme' proposes the immediate establishment of a propaganda centre in a small private house, which would be both residence and embassy, and would include the necessary accommodation for office work as well as reception rooms for the visits of important Parisians. States that 'A Frenchman is very liable to be convinced after a good luncheon, while smoking a good cigar, a method not to be disdained in diplomacy.' Also proposes an agreement with a telegraph agency for messages to be included in the bunch of wires sent out to the press. Another proposal relates to the creation of systematic relations between the Irish Office (in Paris), and the reviews and newspapers 'which count as organs of French opinion'. Also proposes to create an understanding with the influential Provincial newspaper union in Paris for proper dissemination throughout the country of news and articles. Further proposes to contract novelists of note and popular authors to write novels about Ireland, 'in which the Irish cause would be pleaded discretely' Also proposes that lectures about Ireland be organised throughout France. *Pages missing*. 3pp
- See also
P152/145*
- 111** 25 March 1920 Letter from General Secretariat, Dáil Éireann to Gavan Duffy in which he outlines decisions reached by the cabinet in relation to Gavan Duffy's recent despatch (8 March 1920) about the proposal for French Propaganda. States that there are elements of the programme that would be useful but that the Ministry (for Finance) 'are handicapped in dealing with the proposal as they find it impossible to visualise what results might be obtained from the expenditure of any given sum'. Notes also that the suggestion that a special correspondent of *Le Temps* should visit Ireland at the expense of the Government has been approved and may be proceeded with. Other items summarised under the headings Sinn Féin, Municipal Resolution for Brussels, Gaffney, Seán T (O'Ceallaigh), Dutch Colonies-Algiers-Count O'Kelly, Photographs, Urban Councils and Dáil Éireann, and General. Includes copy of first page of despatch. 4pp

- 112** 15 April 1920 Despatch from the Diarmuid Ó hÉigearthaigh, General Secretariat, to Gavan Duffy, in which he discusses the 'Mael' scheme of propaganda; the permanence of the delegation in Paris; the indecision regarding Seán T. O Ceallaigh's return to Ireland; the translation of a memorandum forwarded by European Representatives of Turks in Asia Minor; an agreement that Alice Stopford Green should visit Paris courtesy of the Government; the ban on Sinn Féin setting up a branch in Brittany; the English Press trying to create an impression that Tomas MacCurtain was murdered by Sinn Féin; and the release of hunger-strikers from Mountjoy prison.
- 4pp
- 113** 27 April 1920 Copy of a letter from Gavan Duffy to Desmond FitzGerald, in relation to M. Aujar, a French journalist keen to travel to Ireland as a freelance journalist corresponding for several French papers independently. Gives an account of each of the papers in which Aujar writes, noting that the *Éclair* is 'very anti-English'. Also notes that *Le Temps* may send a correspondent to Ireland soon, but negotiations are still ongoing.
- 2pp
- (ii) Establishing a consular office in Paris (1920)
- 114** 22 March 1920 Letter from Ernest Blythe, Minister for Trade and Commerce, Dáil Éireann to Gavan Duffy in relation to the appointment of Mr. Kerney as a full-time Consul and requests his detailed opinion as to the provision the Government would have to make for a Paris Consulate.
- 2pp
- 115** 13 April 1920 Copy of a letter from Gavan Duffy to Blythe, Minister for Trade and Commerce, in which he outlines the probable cost of establishing a Consulate in Paris. Comments that the salary would need to be high to attract 'a good man' to the post.
- 1p
- 116** 27 April 1920 Letter from Blythe, Minister for Trade and Commerce, to Gavan Duffy regarding the subject of appointing Mr. Kerney as a fulltime Consul based in Paris.
- 1p

- 117** 4 May 1920 Letter from Diarmuid Ó hÉigeartaigh, General Secretariat, to Gavan Duffy in which he discusses recent propaganda such as the Mountjoy hunger strike. Also notes the agreement of the Ministry to appoint a whole time Consul and the establishment of a Consulate in Paris on the basis of an annual cost of 60,000 francs.
- 1p
- 118** 18 May 1920 Letter from Blythe, Minister for Trade and Commerce, to Gavan Duffy, informing him that he has sent Mr. Kerney, Paris Consul a letter instructing him that at the end of each quarter to forward a full account of the expenditure in connection with the consulate. States that the Ministry is of the opinion that the lease of the consular office should be in the name of a friendly French subject, due to the possibility that the French authorities would object to Kerney's acting as Consul. Also notes that if a friendly French subject cannot be found, that the lease is to be put in Gavan Duffy's name, but not that of the Consul.
- 1p
- 119** 27 May 1920 Letter from Michael Collins, Chairman and Minister for Finance, to Gavan Duffy in relation to money for the establishment of the consular office in Paris, more specifically to obtain premises to be leased in the name of a French citizen.
- 1p
- 120** 2 June 1920 Letter from Éamon De Valera in New York, to Gavan Duffy, in which he discusses the issue of the French Consul. Notes that France would have to do something officially for Ireland which would bring expressions of gratitude from the people in America. Suggests using the French press to further the cause.
- 2pp
- 121** 9 June 1920 Copy of letter from Margaret Gavan Duffy to Ernest Blythe, stating that her husband is not allowed to write (due to illness). On behalf of Gavan Duffy she informs Blythe that the new consul, Kerney is 'much aggrieved' over arrangements to secure a lease on premises for the consular offices, as he feels that he is mistrusted by the Ministry.
- 1p
- 122** 18 June 1920 Letter from Blythe to Gavan Duffy, in which he assures him that there was no intention to cause Kerney to feel mistrusted and that it is entirely natural that Gavan Duffy, as a member of the Dáil and plenipotentiary

envoy, would be consulted about the selection of consular office. States that it is not desirable that members of the public should have unexpended balances on hand, and that he simply does not understand Kerney's complaint.

2pp

- 123** 30 June 1920 Copy of letter from Gavan Duffy to Blythe, in which he discusses the predicament surrounding the Consul, Kerney and his refusal to find premises until the consul money has been transferred to him. Gavan Duffy states, in essence, that he supports Kerney's view because the sum involved is small and secondly, that there would only be nominal supervision by Gavan Duffy of the Consul due to his workload. States 'that this place is generally regarded by visitors from home a place of idle entertainment' and that they fail to realise how much work is involved. Adds a private note about his sister Louise and her purchase of Scoil Bhríde, an Irish-language school for girls.

1p

- 124** 1 July 1920 Letter from Blythe to Gavan Duffy, in which he discusses the recent 'high hysterics' of Kerney and how if he (Kerney) had acted with common sense, the decision about the office would have been made already. Warns that if Kerney is going to sulk, he may be inclined to wash his hands of him.

2pp

- 125** 3 July 1920 Note from Ernest Blythe to Gavan Duffy, in relation to the Kerney affair, and in which he declares that he never cared a great deal which way things were done, but that he was 'much irritated by the fuss he (Kerney) made over nothing'.

1p

- 126** 3 July 1920 Copy of letter from Gavan Duffy to Michael Collins, in which he discusses the recent row involving Kerney. States that the restrictions placed on Kerney's authority after his appointment looked like suspicion of him, and further notes that if the Government is making an important appointment like Kerney's in Paris, it should trust him with wide powers. Also discusses the possible renewal by the Executive of the previous year's 'so-called "co-operation"' between Gavan Duffy and Seán T. Ó Ceallaigh, to which he cannot agree, and warns that the delegation could become a farce and a source of mischief.

1p

- 127** 7 July 1920 Copy of letter from Gavan Duffy to Blythe, in which he notes that he has sent Kerney a cheque for the French equivalent of £700 and trusts the matter of the Consul will go ahead smoothly now.
1p
- 128** 13 July 1920 Letter from Michael Collins to Gavan Duffy in which he states that it was unfortunate that any unpleasantness had arisen in relation to Kerney and the establishment of the Consul. Also agrees that it would be better if Seán T. Ó Ceallaigh stayed on in Rome, at least until his health is restored. Further notes that 'things are doing eminently satisfactorily'; that propaganda can never be stronger than actions at home in Ireland 'and the Irish race abroad and friends of Ireland abroad can only take their stand, strong or weak on the position at home'.
2pp
- 129** 16 July 1920 Copy of letter from Gavan Duffy to Blythe, in which he states that there would be more to be gained than lost by having the lease of the consular offices in Kerney's name rather than that of an unknown French person as then the (Irish) government would be dealing with its own men only. Also states that it would be unwise for Kerney to use his full official title of Consul of the Republic of Ireland just yet.
1p
- 130** 27 July 1920 Letter from Blythe to Gavan Duffy in which he agrees that Kerney should not use the title of Irish Republican Consul and further expresses his doubts about the use of the term 'consul' altogether, stating that trade representatives abroad would be better described as 'Trade Commissioners' since they have not the semi-diplomatic status or duties of Consul at all. In a private note, he discusses Gavan Duffy's sister, Louise, and her plans to buy Scoil Bhríde, an Irish language school for girls. *Page missing*.
1p
- 131** 31 July 1920 Letter from Blythe to Gavan Duffy in which he relays the decision that the lease of the consular office is to be put in Kerney's name.
1p
- 132** 7 August 1920 Copy of letter from Gavan Duffy to Blythe in which he informs Blythe that Kerney has taken a furnished flat for a year to be used as a consular office.
1p

(iii) Encouraging trade between France and Ireland (1920)

- 133** [ca. 11 March 1920] Copies of letters from Gifford, [the Irish representative to Germany], in Berlin and Steglitz, to [Gaffney] on the issue of trading plans with Holland and Germany. Mentions Horst and Zorn-German businessmen whom Gifford distrusts. States that he will 'stop the monkey business' as he has had reports that Irish visitors to the Leipzig fair in Berlin were kept away from an influential German woman named Frau Grabisch, by the 'swine called Zorn' who has squeezed several thousand marks out of the Deutsche-Irische Gesellschaft. Also complains about the way 'Irish matters appear to be in the hands of fools'. States that the interest in Ireland is 'in a muddle and the Germans are too damned selfish to think of any other interest than their own'.
1p
- 134** 26 March 1920 Letter from Ernest Blythe, Minister for Trade and Commerce to Gavan Duffy, in which he quotes from Gavan Duffy's letter to Arthur Griffith of 11 March 1920, in which he had stated that all the Algerian papers had had notices from the local equivalent to a chamber of commerce inviting people interested in the possibilities of trade with Ireland to take up the matter with the chamber. Requests that Gavan Duffy sends a copy of the notice or at least the name and address of the chamber of commerce.
1p
- 135** 12 April 1920 Letter from Jerry [?], Dublin to Gavan Duffy in which he discusses the possibility of entering into the 'produce business' and the attendant risks of doing so 'with money at its present price'.
2pp
- 136** 15 April 1920 Letter from Ernest Blythe, Minister for Trade and Commerce to Gavan Duffy, in which he responds to the series of extracts from Gifford, Gaffney and Frau Grabisch that were sent to him by Gavan Duffy (P1/133). States that he should inform Gifford that the Department of Trade and Commerce desires trade between Ireland and Germany to be encouraged irrespective of the political views of the Firms engaged (i.e. the businessmen, Baron Horst and Zorn).
1p

(iv) Correspondence

a. Michael Collins

- 137** 10 February 1920 Letter from Collins, Chairman and Minister for Finance, to Gavan Duffy, in which he informs Gavan Duffy that the members of the Ministry were very interested in his lengthy report on the conditions of affairs in France, particularly as to the position of Ireland. Also provides brief summaries on decisions made in relation to consular work and Gavan Duffy travelling to Germany. Also mentions despatches he had sent to Paris to which he had neither received an acknowledgement nor a reply.
2pp
- 138** 10 February 1920 Letter from Collins to Gavan Duffy, requesting that Gavan Duffy give Tomas an introduction to friends 'in Grace or the Traveller etc', and also 'to discuss various members of the family with him, and put him right as to the position, outlook, and all that'. [Possibly coded message?]
1p
- 139** 15 February 1920 Draft of a letter from Gavan Duffy to Collins, in which he states that he knew nothing of the missives referred to in the last paragraphs of Collins' previous letter. States that Seán [T. O'Ceallaigh] thought they were personal letters.
1p
- 140** 24 February 1920 Letter from Collins to Gavan Duffy in which he replies to Gavan Duffy's note about the despatches. States that he regarded it as private and hope that Gavan Duffy will treat this particular letter as private also. Claims that throughout the entire Paris visit, 'there was a great deal too much of the family circle in the direction and consideration of the effort' and that this is evidenced by the fact that O'Ceallaigh regarded certain things as being private, as did Collins in Dublin. States that there is not much to report from Ireland 'beyond what appears in the usual garbled manner in the papers'. Also provides a summary on the latest developments with the Loan, giving the best result to West Limerick from whom they have received £12,500.
2pp

*See also
P152/144*

- 141** 27 February 1920 Draft letter from Gavan Duffy to Collins, in which he mentions a letter received by him from the Republic of Alsace-Lorraine, which he fears is not genuine, never having heard of such a republic. Also mentions that he has employed Micheál Mac Fhaoite (Michael MacWhite) to help with secretarial work as he (Gavan-Duffy) finds it difficult to cope with all the work 'now that France has wakened up'. States that Mac Fhaoite has the Croix de Guerre and Médaille Militaire, and claims that 'these would undoubtedly be a great passport with French people'.
See also
P152/240-250
- 1p
- 142** February 1920 Fragment of a copy letter from Gavan Duffy to [Collins], in which he quotes from letters received by him from Dr. Chatterton Hill based in Germany on the subject of an allowance payable to Chatterton Hill as his situation is untenable. Gavan Duffy endorses the request on the basis that he did very good propaganda work during the war.
- 1p
- 143** 1 March 1920 Letter from Collins to Gavan Duffy in which he authorises the payment of £100 to 'our friend C.H.' [Chatterton-Hill]
- 1p
- 144** 8 March 1920 Copy letter from Gavan Duffy to Collins, in which he agrees with Collins' view as to the 'family' in his letter of 24 February 1920. States that he and his wife are anxious for news about Robert Barton, Minister for Agriculture. Also mentions how the campaign in Paris 'is beginning to turn in a quiet way' but wishes that Collins could get a consul appointed.
See also
P152/140
- 1p
- 145** 11 March 1920 Letter from Collins to Duffy, acknowledging receipt of despatch (8 March 1920). Also discusses monies that have been received in Paris from America which are charged as part of the general amount allotted to Ireland out of the 'Victory Friends of Irish Freedom Drive' in the USA. Requests an estimate of the amount it would ordinarily require to finance the government's establishment in Paris. Comments on general state of affairs in Ireland and note that 'repression and hinderance (*sic*) are very more live things' than they were when Gavan Duffy departed 'yet activity and hostility have kept pace with them very well-have in fact retained the initiative.'
See also
P152/110
- 2pp

- 146** 17 March 1920 Letter from Collins to Gavan Duffy in which he accedes to a previous request by Gavan Duffy to have a cheque drawn on a London bank sent to Paris each month. Also refers to a forthcoming bank inquiry and assures him that he need not be perturbed in any way. 1p
- 147** 26 March 1920 Cover letter from Gavan Duffy to Collins enclosing a detailed estimate of expenditure in Paris. Expresses his surprise in letter at the discovery that the Government is paying for the expense of Butler, an American correspondent in Paris rather than from American funds as previously thought. States that 'for what Yankee correspondents are worth we can get the most useful of them to take our stuff without his (Butler's) intervention'. 3pp
- 148** 2 April 1920 Copy of letter from Gavan Duffy to Collins, in which he states that sterling payments to Dr. Joseph J. Hall can only be made in instalments. 1p
- 149** 12 April 1920 Letter from Collins to Gavan Duffy, in which he suggests that it would be better to continue acknowledging the receipt of the monthly draft sent to Paris. 1p
- 150** 12 April 1920 Letter from Collins to Gavan Duffy in which he agrees that the Paris office should terminate the employment of Butler, an American journalist. Also states that Harry Boland informed him (Collins) that America had sent \$10,000 directly to Paris. Also replies to a memo sent on 2nd April in relation to Dr. Joseph J.Hall's payments in sterling. 1p
- 151** 18 May 1920 Letter from Collins to Gavan Duffy in which he states: "Things here are very thrilling. I think we are on the eve of momentous happenings. I think, in my own opinion, Ireland is in for the greatest crucifixion she has ever yet been subjected to'. 1p

- 152** 31 May 1920 Letter from Collins to Gavan Duffy, in which he states that ‘the storm has not broken’ back in Ireland. Notes that the English policy has not been revealed but he feels that they ‘are getting far less confident, and on the other hand, everyone on our side is getting more confident, which is a great sign in war.’
1p
- 153** 19 July 1920 Copy of letter from Gavan Duffy to Collins, requesting an increase in the monthly allowance from Dublin due to the increased work load and consequent increased expenditure. Notes exceptional expenses for May and June due to many visitors to and from Rome.
1p
- b. Cathal Brugha (1920)
- 154** 14 February 1920 Letter from [Cathal Brugha], Dublin, to Gavan Duffy in which he states that it might be better for Gavan Duffy’s general health if he stays in Paris, and also reminds him that the future League of Nations will be sitting in Paris and that there will plenty of work to do.
1p
- 155** 20 March 1920 Letter from Gavan Duffy to [Cathal Brugha] in reply to his of the 14 February. Explains that he had only received the letter the previous morning due to the Irish spelling of his name on the envelope. Thanks him for his concern over the state of affairs in Paris and reassures him that he will make a great effort to prevent any resignation from the Board, and hopes that the Board which will meet in May will understand the need for departmentalisation, ‘business now being much bigger than ever before’.
1p
- 156** 23 March 1920 Letter from [Cathal Brugha]to Gavan Duffy in which he sincerely hopes that things will ‘work smoothly’ in the future. Also states that he is uncertain as to Gavan Duffy’s mention of a conference in May but supposes that its meaning will be revealed in further official correspondence.
1p

c. Éamon de Valera (1920)

- 157** 28 February 1920 Draft letter from Gavan Duffy to Éamonn de Valera, President of Dáil Éireann while in the US in which he states that has heard authoritatively that Dr. Curry of Boston, who was a 'true friend' of Roger Casement, had recently collected letters and other material in the haunts where they had met in 1915 and 1916. States that 'nothing could do more to give Rory the place he should occupy than the publication of a batch of his letters; he was literally the perfect letter writer, and I know nothing more moving in literature than some of the letters I have seen, which reveal the beautiful soul of the man.' Also asks him to consider the idea of offering to welcome the headquarters of the League of Nations being in Ireland, 'once it is properly reformed to our satisfaction'. Claims that there would be no better guarantee against English aggression upon the Irish Republic 'than the establishment somewhere on our soil of the reformed League; the permanent neutrality of Switzerland is internationally guaranteed; so would ours be; our international status at the opening of our career of independence will be greatly improved; our geographical position between East and West, linking the two continents, happens to make Ireland the pre-eminently right and fitting locus for the League's headquarters.'
- 2pp
- 158** 5 July 1920 Copy of letter from Gavan Duffy, Paris to Éamon de Valera, President of the Republic of Ireland, USA in which he provides him with an update of the situation in Europe, namely that there is no prospect of anything official being done on Ireland's behalf by France unless England through a diplomatic blunder turns the French against her. States that Germany cannot yet be befriended due to popular feeling after World War I. Also mentions the friction between himself and Seán T. Ó Ceallaigh and writes that 'any attempt to renew a very unfortunate experience will have anything but good results'.
- 2pp
- 159** December [1920] Christmas card from Eamon de Valera, in New Willard, Washington D.C., to Gavan Duffy.
- 1 item

d. Diarmuid Ó hÉigearthaigh (1920)

- 160** 1 March 1920 Letter from Ó hÉigeratiagh, General Secretariat of Dáil Éireann to Gavan Duffy in which he summarises news under the following headings, Propaganda, Chatterton Hill, and Correspondence.
1p
- 161** 8 March 1920 Letter from Ó hÉigearthaigh, General Secretariat, Dáil Éireann, in which he summarises news under the following headings, Alsace Lorraine, Mac White (Mac Fhaoite), Gerald Byrne, and M. Muret.
1p
- 162** 19 April 1920 Letter from Ó hÉigearthaigh, General Secretariat, to Gavan Duffy, in which he informs Gavan Duffy of a letter received by the Secretariat from Éamon de Valera, President of 1st Dáil Éireann. Notes that de Valera is of the opinion that a move should be made to raise the question of the recognition of the Irish Republic in the French Chamber of Deputies. In a personal note, Ó hÉigearthaigh expresses his desire to visit Paris and hopes that Gavan Duffy will not have forgotten his English by the time he arrives.
3pp

e. Arthur Griffith (1920)

- 163** 31 March 1920 Copy letter from Gavan Duffy to Griffith in which he states that he has written to America to point out that the constant attacks on the French in America are harmful, especially in French Catholic quarters, and that 'the time is opportune for a rapprochement between France and the States' as both America and France share a common dislike of England. 'This is a golden moment, as it seems to me, to get England left out in the cold...'
1p

**III As Envoy of the Provisional Government of Ireland
in Rome (1920-1921)**

- 164** [October] 1920 Pamphlets in Italian and Spanish concerning a meeting of the Bishops of Ireland at the seminary in Maynooth, Co. Kildare, in which the proposed partition of Ireland is criticised.
8pp
- 165** 2 March 1921 Newspaper cutting from Spanish newspaper *El Debate* of an article entitled “El Problema de Irlanda”.
1 item
- 166** 6 April 1921 Photocopy of an article from an Italian newspaper in which Gavan Duffy was interviewed about Ireland’s quest for freedom and in which he highlights historical links between Italy and Ireland such as the foundation of monasteries and places of learning in Italy by Irish missionaries.
2pp
- 167** 18 April 1921 Cover letter from R.C. Barton, Minister for Agriculture enclosing a transcript of an interview which the President, Eamon de Valera gave to press representatives on his return to Ireland. Interviewer describes de Valera as looking extremely fit and conveying the impression of being free from any sense of personal danger even though a fugitive, debonair, and alive with energy. Describes the unorthodox manner by which he, the interviewer, was brought to de Valera, namely that he was blindfolded and driven to a secret location in Dublin. In interview, de Valera discusses the view Americans have of Ireland and admits disappointment that they view the conflict as a ‘religious wrangle’. Also discusses the efforts for the previous four or five years to ‘mobilise the moral forces of the world’ to recognise the injustices of England
11pp
- 168** 3 May 1920 Copy of letter from Gavan Duffy to [?] in which he summarises developments in Rome, namely the cost of printing the Italian Bulletin, and the difficulty in finding a competent translator ‘who is not entangled with the enemy’; the delay of an official address to the Italian parliament due to forthcoming elections; and the issue of locating suitable delegation premises.
1p

- 169** 23 May 1921 Photocopy of a circular letter from L.H.Kerney, Commercial Representative of the Republic of Ireland to trade organisations in France, informing them that Dáil Éireann has sanctioned a complete ban on the importation of goods from England, and therefore requests that any French trade which previously passed through England en route to Ireland, would be sent directly to Ireland. *In French*.
1p
- 170** 24 June 1921 Memorandum from [Desmond Fitzgerald] to Gavan Duffy with instructions as to how to address correspondence to himself or to Michael Collins as the bearers of the letters addressed with initials M.O.C or [D.F] 'would have a hot time of it' if discovered.
1p
- 171** 14 September 1921 Letter from Gavan Duffy to Éamon de Valera, in which he claims that Bob Brennan writes confidential reports from the [F. O.] to Father Curran in Rome, but that these reports are not shown to Reverend J. Hagan who is 'getting very sore about it'. States that he only saw 'the dreadful proposals' of the sub-committee after they had been despatched to him (de Valera), but that afterwards, having discussed the matter, they agreed upon an vague and much more satisfactory formula. Also states that the delegation is doing well despite 'the false smiling at the Saxon'.
2pp
- 172** 9 September 1921 Letter from Reverend J. Hagan, Rome to Gavan Duffy, in which he informs him that he shall consider the advisability of having his (Gavan Duffy's) observations issued in the form of a "Bolletino". States that he has gleaned through unofficial sources that negotiations with England will not lead to a republic or any type of real separation, and that the next best thing would be to secure a dual monarchy. Also reflects on the rumour that Gavan Duffy may be leaving Rome and that another will take his place, by saying 'it is not a good thing to change horses while crossing the river'.
2pp
- 173** 30 September 1921 Telegram from Gavan Duffy in Rome to Colum [Gavan Duffy] at 70 Stephen's Green, Dublin in relation to an article published by *Messaggero* in which Gasparri attacks England's Palestinian policy.
2pp

- 174** 1 December 1921 Copy letter from Gavan Duffy, Dublin or London to Rev. J. Hagan, Collegio Irlandese, via Mazzarino, Rome, in which he states that he will probably be unable to return to Rome but if he were to live abroad, he would be very happy in Rome, as he has enjoyed his stay there far more than his stay anywhere else on the Continent. Notes that he cannot say much about the Conference (between Britain and Ireland) but adds that it has been a very exacting ordeal and one which is now at a 'most crucial stage'. Further remarks that 'the country is hardening admirably'.
1p
- 175** December 1921 Photocopy of a letter from [Gavan Duffy] to Art O'Brien, President of the Irish Self-Determination League, Great Britain, in relation to the organisation of a world conference in Paris for the representatives of the Irish Race throughout the world. Outlines steps to be taken as to the announcing of the conference to the Press. *Page 5 and 6 of letter only.*
2pp
- 176** 1919-1921 Photocopies of Gavan Duffy's passport shown visa stamps from various European countries he had visited such as France, Italy, Germany, and Denmark.
2pp

IV Anglo-Irish Treaty

(i) Negotiations (1921-1922)

- 177** 1921 Notes prepared by [Alfred O'Rahilly] for the plenipotentiaries attending the peace conference in London, on the subject of allegiance. Discusses the history and background to the notion of allegiance and traces its development and transformation in legal and constitutional terms.
6pp
- 178** [undated] Notes made by James Carthy of Robert Barton's own notes made during two sub-committees at Downing Street on 5 and 6 December 1921. Contains quotes from Lloyd George, Arthur Griffith, Michael Collins and Robert Barton, in relation to the partition of Ireland and the swearing of the oath of allegiance. Also mentions the threat of war from Lloyd George. Notes Gavan Duffy's view that the treaty should be rejected by the Dáil and sent back to London amended.
5pp

- 179** 19 October 1921 Memorandum of proceedings of the Committee of Financial Relations during the Peace Conference in London. Irish plenipotentiaries attending on the Irish side named as Michael Collins, Erskine Childers, J.J.Murphy, L.Smith Gordon, T.Smiddy, and H.Mangan. English representatives named as Sir I. Worthington Evans, Sir Robert Horne, Sir Warren fisher, Sir B. Blackitt, Mr. Hawtrey, Sir J. Anderson and A.V.Cope. Transcript reflects the sometimes heated discussions, led primarily by Collins, Childers and Smith-Gordon, in relation to the relative taxable capacities of Great Britain and Ireland, the fair proportion of each which should be paid towards debt and pensions, and the financial claims of Ireland against Britain. Agreement to exchange memoranda about same on 22 October 1921.
10pp
- 180** 10 November 1921 Letter from Dr. Joseph J. Hall, Buenos Aires, Argentina, in which he thanks Gavan Duffy for his cheque of £55. States that he hopes that Gavan Duffy succeeds with the Irish question, but at the same time does not wish to see Ireland as a republic as this 'would ruin both Ireland and the British Empire'. Further states that he always thought 'that this question of the Irish republic was only a bluff to get the most you could out of the English Government.'
2pp
- 181** 8 December 1921 Letter from [Browne], Dublin to Gavan Duffy in which he discusses the recent payment of £55 to Dr. Joseph Hall in Buenos Aires. States that Hall has instructed him to give £10 to Gavan Duffy and to bring the balance back to him in Buenos Aires. Also congratulates him on the success of the Conference between Britain and Ireland.
2pp
- 182** 11 December 1921 Letter from Phil, 11 Heybsbury Road, [West Africa], in which he expresses delight at the 'glorious news that Ireland has at last come on for her own'. States he despaired of ever living to see the day when Ireland would be allowed to manage her own affairs, and feels confident that England will have no better friend or neighbour than Ireland.
1p
- 183** 23 December 1921 Letter from M. Goblet, 178 Rue de Pompe, Paris, in which he discusses the recent treaty negotiations at the conference between Britain and Ireland. *In French*.
2pp

- 184** 13 January 1922 Letter from Gavan Duffy, 51 Pembroke Road to M. Goblet, Paris, in which he states that he is unable, due to time constraints, to send him any thorough form of statement regarding the Treaty. Thanks him most sincerely for his valuable work in France for Ireland and states that it is precious to the Irish government. 1p
- 185** 1921 Contents list of a file of letters from Gavan Duffy to Michael Collins on various subjects such as the Constitution, the termination of Art O'Brien's tenure of office, and the admission of aliens to Ireland with particular reference to German citizens. *Actual file not included.* 1p
- (ii) Concerning publications about the Treaty (1925: 1934-1936)
- 186** October 1925 Copy letter from Gavan Duffy to Stephen [Gugum], author, and original reply. Gavan Duffy points out inaccuracies in [Gugum's] book in relation to Gavan Duffy's attitude to the treaty. The book represents G>D as advising the Dáil to vote against the Treaty, whereas he insists that he advocated the acceptance of the treaty under protest because of the threat of war. Requests that if there is another edition of the book, that the error be corrected. The author replies offering his apologies. 2pp
- 187** 25 July 1934 Letter from Frank Pakenham, Stairways, Stone, Aylesbury, to Gavan Duffy, in which he asks whether Gavan Duffy would read through the proofs of his book, *The Irish Treaty* and make comments on pertinent points before the book is published. 2pp
- 188** 12 September 1934 Letter from Frank Pakenham, Rosehill, Oxford, to Gavan Duffy in relation to the book and notes that many objections have been raised by 'certain members' of the pro-Treaty party (Cumann na nGaedhal) on the grounds that the confidential documents that were the basis for much of the book, should never have been shown to Pakenham. Also apologises to him as had heard from Robert Barton that Gavan Duffy had found personal comments in the book both 'distasteful and unjustified' and assures him that this was not the intention. 3pp

- 189** 17 June 1935 Cover letter from P.J.Connolly, editor of *Studies* requesting Gavan Duffy as a 'living Signatory' to write a review of Frank Pakenham's recently published *Peace by Ordeal* and comment on how it stands up as 'a historical record of a most important event in our history'. Encloses reviews written by Desmond FitzGerald (Cumann na nGaedhal) of the same book in the *Observer* and *Spectator*.
3pp
- 190** 11 February 1936 Letter from Robert Barton, cousin of Gavan Duffy in which he informs him that his accountant, Mr. Lalor, from an old Nationalist family, would like to have Gavan Duffy's signature on his copy of Frank Pakenham's *Peace by Ordeal*. Barton enquires as to whether Gavan Duffy would agree although noting that he never thought the book did him any justice.
2pp
- 191** 8 April 1936 Letter from Robert Barton, Anamoe, thanking Gavan Duffy for signing Lalor's book and informing him that Frank Pakenham had stayed the weekend on Anamoe and had said that he was pleased to receive Gavan Duffy's letter.
2pp
- 192** 16 July 1935 Letter from Mary Alden Childers, widow of Robert Erskine Childers (died 1922), Glendalough House, Anamoe, county Wicklow, on the subject of the proofs of Pakenham's books and references which Gavan Duffy had requested she look at. States that from reading what Pakenham reported, it seemed that Gavan Duffy's words during the Treaty negotiations 'were like a ray of light piercing a kind of miasma of mental twistings' and also states that her late husband, Erskine had described this as the role Gavan Duffy played. Apologises that Childer's papers are inaccessible and notes that she will have them remain in safe-keeping until she commences writing a book about the period. Directs him to Robert Barton who also has papers and advises that these would be useful in his research. Draft reply from Gavan Duffy on verso of last page, in which he outlines his objections to Pakenham's book, namely that it is the 'colouring rather than the narrative' that he objects to.
5pp
- 193** 2 August 1936 Letter from Robert Barton, Anamoe, county Wicklow, on the subject of Frank Pakenham's book, *Peace by Ordeal*. states that 'it is to be regretted that Pakenham did not see more of you when writing the book' as he had, to Barton's 'revulsion' been bracketed with Éamonn Duggan

in the book. Also agrees with Gavan Duffy that Desmond FitzGerald was the source of Pakenham's information on Gavan Duffy and states that if Pakenham is relying on any thing FitzGerald told him, 'he will live to learn that it is a dangerous source from which to draw'. Also notes that Pakenham is 'a transparently honest and generous fellow' and will be greatly disturbed at this revelation. *Page(s) missing.*

2pp

- 194** 12 August 1936 Letter from Frank Pakenham, Shelbourne Hotel, Dublin, to Gavan Duffy in which he requests to meet Gavan Duffy in September to discuss issues raised by references to Gavan Duffy in Pakenham's book.

2pp

V **Drafting the Constitution of Saorstát Éireann (1922)**

- 195** 28 January 1922 Cover letter from Gavan Duffy to Kevin O'Higgins, Minister for Economic Affairs, Provisional Government, City Hall, Dublin, returning an official secret document- *Heads of working arrangements for implementing the Treaty as settled between the British and Irish ministers, 2nd revision.* Gavan Duffy comments on points which struck him particularly, such as paragraphs, 2c, 8, 9 and 46, dealing with amnesty for offences committed from Irish political motives; rescinding the British boycott; and protection of those who sided with the crown, which he feels should be interdependent. Also points out that the inspection of public records should be left to a friendly arrangement between the governments in their mutual interest, as well as noting that in the compensation clause, it does not seem to be clearly provided that all damage to property done by the British forces should be a charge upon British funds.

11pp

- 196** 6 February 1922 Copy letter from Gavan Duffy to Michael Collins in relation to an article by Collins, to which Gavan Duffy states moved him to resign on first reading it. States that the portion dealing with the Treaty seems like an attack on both himself and Robert Barton (the last of the plenipotentiaries to sign) and wonders why Collins wants to re-open that controversy.

1p

- 197** 10 March 1922 Copy letter from Gavan Duffy to Michael Collins, Minister for Finance, in relation to the draft Constitution. Suggests that the draft should not be shown to the British, as 'if it is as good as the treaty...allows it to be, it will knock the bottom out of the opposition and...should give a priceless opportunity of uniting the country'.
1p
- 198** 15 March 1922 Copy letter from Gavan Duffy to [Father "H".] in which he refuses to comment again on the defects of the Treaty with England but chooses to 'rejoice on the National Festival that Ireland emerges at last from her dungeon into the sunlight.' Also discusses how Ireland will 'bring into a tired world a freshness of vision, coupled with a directness and tenacity of purpose, that will gradually make her an active factor in the redemption of Europe'. Mentions the long associations between Ireland and America and the necessity of keeping in touch with American opinion. Concludes by stating that Ireland will 'rapidly prove itself justly entitled to be called the First of the Small Nations'.
1p
- 199** 6 April 1922-
7 April 1922 Copy letter from Gavan Duffy to Michael Collins and original reply, in relation to the draft of the constitution which Gavan Duffy feels is quite long and needs cutting down. Collins agrees and requests Gavan Duffy to recommend sections to cut.
2pp
- 200** 25 April 1922 Letter from Mary MacSwiney (sister of Terence MacSwiney) to Gavan Duffy with regard to the Treaty which she views as causing misery and unhappiness to all. Reminds him that he said he only signed the document because of the fear of immediate war, and asks whether the present fear of a civil war is not a more terrible prospect. States that to republicans, surrender is contained within the Treaty and that it is 'a thing dishonourable in itself, and as dishonest on the part of the enemy as any other agreement ever made.' Asks whether it would be more statesmanlike to say to the English that Ireland cannot accept the Treaty due to the threat of civil war. Concludes by warning that if blood is shed, 'then every drop of it will rest on the heads of those who by signing and supporting it have brought this strife about.'
3pp

- 201** 1 May 1922 Copy letter from Gavan Duffy to Michael Collins, in relation to the admission of German citizens to Ireland and more specifically the relieving of the Department of Home Affairs of the responsibility for admission of these citizens. States that the Department of Home Affairs 'is a model of gross incompetence' and does not liaise properly with his own Department of Foreign Affairs. Cites an example of Home Affairs granting a visa to an American passport holder when it had no authority to do so as this is under the remit of the Foreign Affairs. Also notes that Home Affairs are directing applicants for immigration to British Consuls and that this action is most damaging to the Irish government.
- 2pp
- 202** 26 May 1922 Copy letter from Gavan Duffy to Michael Collins in relation to his fear that Britain will find the Constitution as it stands difficult to accept and may make 'desperate efforts' to get the Oath of Allegiance inserted into it. Hopes that Collins will be adamant in his refusal to entertain such a suggestion as it will make the Treaty much more acceptable to its detractors. Concludes by apologising for troubling Collins with the matter but states that he was very anxious to draw his attention to 'the idiotic British sentiment.'
- 2pp
- 203** Copy of P1/202
- 204** 2 June 1922 Minutes of a Cabinet meeting held upon the return of Michael Collins from London. Collins reports that the British government had definitely rejected the draft constitution on the point about 'law', but believes that they might agree to have objectionable parts of the Treaty unwritten and the Treaty itself then attached to an amended Constitution. Suggests publishing a skeleton Constitution and leaving to the Treaty the points upon which it can speak for itself.
- 2pp
- 205** 3 June 1922 Minutes of a Cabinet meeting held upon the return of Arthur Griffith from London. Griffith reports that the position is very serious and summarises a memorandum that the British government sent to him, in which they demand that the Constitution must accord with the Treaty, and that the Constitution as it stands appears to be a direct negation of the Treaty and a refusal to accept Dominion status. Outlines other objections which the British made such as constitutional practice, foreign affairs, and restrictions and obligations such as naval defence, military establishments and the provision of religious equality.
- 3pp

- 206** 5 June 1922 Minutes of a cabinet meeting, in which it was decided that Arthur Griffith and Hugh Kennedy should travel to London to discuss the suggested changes to the Constitution with the British government. Michael Collins suggested that the immediate difficulty could be overcome by way of a skeleton Constitution with the Treaty attached, but Kennedy advised that this would be very difficult to achieve.
- 1p
- 207** 3 June 1922 Copy letter from Gavan Duffy to Michael Collins, suggesting that Collins' idea about publishing a skeleton Constitution with Treaty attached could be improved if the full Constitution was published at the same time, and to declare that in view of English objections, certain portions will be omitted until a later date. Further suggests that the Constitutional Conference which has been postponed since 1917 should be convened immediately and the disputed points can be dealt with at that, and therefore the support of the other Dominion States like Canada, Australia and South Africa, who are also calling for the Conference, would be assured. States that it would secure a much better constitution than one that England alone would fix.
- 1p
- 208** 7 June 1922 Copy cover letter from Gavan Duffy to Michael Collins concerning the Constitution, and enclosing a note which he feels should be attached to the publication. Suggests that a skeleton Constitution be published which would completely omit Articles 73 (External Relations), 74 (implementing the Treaty) and 75 (British Commissioner) and then to attach the note enclosed explaining that there are certain differences of opinion between the British and Irish signatories and that the Provisional Government is making every effort to arrive at 'a fair and harmonious solution.'
- 2pp
- 209** 14 June 1922 Copy of letter from Gavan Duffy to Michael Collins concerning proposed amendments to the draft Constitution. Suggests that wherever the phrase 'representative of the King' is mentioned, the phrase 'The British Agent' or 'The British Commissioner' should be placed in its stead. Also expresses his abhorrence at the preamble to the Treaty which he states makes the Treaty part of the Constitution and makes the Constitution derive its force from the Treaty. States that the preamble is 'thoroughly rotten' and hopes that Collins will not in any way agree to it.
- 1p

- 210** 19 June 1922 Draft letter from Gavan Duffy to Arthur Griffith, president of Dáil Éireann, in which he places on record his withdrawal of support for the draft Constitution as it now stands and unreservedly resigns his position as Minister for Foreign Affairs. States that parts of the Constitution ‘concede more than we are compelled to concede by our obligations under the Treaty’.
- 1p
- 211** 19 June 1922-20 June 1922 Letters between Gavan Duffy and Arthur Griffith, President of the Provisional Government on the subject of Gavan Duffy’s threatened resignation as Minister for Foreign Affairs due to his non-acceptance of the draft Constitution as it now stands. States that parts of the Constitution ‘concede more than we are compelled to concede by our obligations under the Treaty’ (19 June 1922). Griffith responds by suggesting that he need not resign for a fortnight as the draft constitution will not come up for discussion until the meeting of the new Dáil (20 June 1922). Gavan Duffy replies by stating that he does not want to be disloyal to the Dáil cabinet by publishing criticism of the draft constitution before the new Dáil meets (20 June 1922). Griffith responds by ordering that no member of the Cabinet may be allowed to discuss the draft constitution in public before it is firstly discussed by the Dáil (20 June 1922).
- 4pp
- 212** 20 June 1922 Copy letter from Gavan Duffy to Michael Collins informing him of the letter of resignation he sent to Arthur Griffith. States that he wants to be free to publish some comments on the draft Constitution ‘from the standpoint of reasonable criticism as distinct from the criticism which we are promised in the papers from the anti-treaty party.’
- 1p
- 213** [July] 1922 Memorandum by Gavan Duffy entitled ‘Does the draft Constitution surrender more than the Treaty?’, in which he examines the draft Constitution from a technical standpoint to ascertain whether it concedes to England more than Ireland is bound under the Treaty to concede. Expresses particular reservations on the articles of the draft Constitution concerning The Incorporation of the Treaty in the Constitution, The Oath and The British Crown. States, in relation to the first concern, that there is nothing in the Treaty that insists that the Treaty be annexed to the Constitution, nor is there anything in the Treaty that would require the Irish Constitution to declare that any law repugnant to the Treaty shall be void. Describes the oath as the ‘outstanding defect’ in the draft Constitution and points out that the Treaty merely provided a form of oath whereas the British want the Constitution to specify the exact form

and provision of the oath. Lastly discusses The British Crown and debates the difference between 'law', 'constitutional usage' and 'practice'. Describes the form of words which Britain insists Ireland use in law as being 'offensive shibboleths, which practice and constitutional usage have rendered meaningless'. Concludes by stating that the draft Constitution can be materially changed on these points, while strictly complying with obligations under the Treaty, but declining to go beyond them.

11p

- 214** 25 September 1922 Newspaper cutting containing letter to the Editor of *The Irish Independent* by Gavan Duffy. Contains same text as in p152/213.

2 items

- 215** [July] 1922 Modern photocopy of [Hugh Kennedy's] notes and amendments to the draft Constitution after talks with Lord Hewert of Britain. Displays the insertions, erasures and amendments made to various sections of the document.

7pp

- 216** 14 July 1922 Letter from J.C. Walsh, accountant, Canadian Pacific building, New York, to Gavan Duffy on the subject of the constitution and states that 'while the preamble rather galls', it was inevitable that it had to be inserted, and is confident that the status of the country will be improved with time, through the insistence of the Irish people. Declares that the qualification for senator (Article 29) looks to be 'an absurd provision for a constitution'. Also notes that there is an implication in Article 77 that the treaty does not apply to all Ireland. Also disputes Article 50 which contains the phrase 'vested in the King' in this regard, he understands its usage in Canada but fears that in Ireland, 'there are plenty of good fellows who will construe it literally' and is thankful that he does not have 'the job to explain just how a King reigns but does not govern'.

4pp

- 217** [September 1922] Note by [Gavan Duffy] in relation to the draft constitution and the negotiations that occurred in London entitled '[Eóin's attitude]'. States that he is shocked by the recent mission to England. Also states that some day there must be a treating of wounds but that by pouring poison in the form of a bad constitution, the situation may be rendered incurable.

1p

- 218** 18 September 1922 Memorandum from [Harry Harrison] to Gavan Duffy on the subject of the draft Constitution of the Irish Free State and amendments that he deems necessary. For instance, suggests that a clause be inserted which would ensure that the people of the Irish Free State be bound only by laws passed by the Irish Free State Oireachtas. Also wants Ireland's Dominion Status to be more clearly defined within the Constitution by inserting a clause to say that any action by the British Crown may only be undertaken upon the initiative, advice and responsibility of the Irish Free State Government. Lastly, wishes to see a clause inserted which would grant extra-territorial effect to legislation of the Oireachtas, in the same manner as in other Dominions. Reproduces a letter from Professor Berrierdale Keith, The University, Edinburgh, Scotland, to the Editor of *The Times* (16 June 1922).
6pp
- 219** October 1922 Newspaper cutting from *The Irish Independent* containing letters regarding the drafting of the new Irish Constitution. Includes a letter from Gavan Duffy to the editor of the paper in which he clarifies his position regarding his call in the Dáil the previous day to postpone certain issues arising upon the draft constitution pending declarations of constitutional right to be made at 'Special conference for readjusting constitutional arrangements of the component parts of the Empire'. Defends his position by stating that the British Dominions are 'vastly better judges than we can pretend to be as newcomers', and that they with their greater knowledge are claiming a great deal more for their Dominion Status than the Irish in the draft constitution as it stands.
1item
- 220** 1922 Pamphlet by Alfred O'Rahilly, Professor in the National University of Ireland entitled "The case for the treaty" and in which he outlines the advantages that Ireland has gained by accepting the Treaty and how it is merely a stepping stone to full internal powers. Also discusses the question of allegiance to the Crown which he sees as a technical phrase for expressing allegiance to the State and the constitution. Also notes that the use of force in the struggle for freedom has its limitations and advocates a peaceful evolution and a gradual development to complete liberty.
24pp

VI Concerning Robert Erskine Childers

(i) Letters

a. via Childers to imprisoned Robert Barton from others
(1920)

- 221** November 1920 Letters and notes to Robert Barton (via Childers) from family, friends and well-wishers, while imprisoned. Includes letters from Alice Stopford Green (historian and Senator), Mary and Desmond Spring Rice, and Erskine Hamilton Childers (son of Robert Erskine Childers, and future President of Ireland, 1973-1975).
c. 20pp
- b. to Childers from others (1921)
- 222** 21 September 1921 Letter from [Mulligan], 27 Sauer's buildings, Johannesburg, South Africa, to Childers, in which he provides a new address for editions of *The Irish Bulletin* to be sent. States that he is anxious of the possible resumption of hostilities and the probability of the Dublin police or military authorities having his name and office address. Thanks Childers for a parcel recently received containing pamphlets and offers to send remittance for same.
2pp
- 223** 5 October 1921 Letter from H. N. Braidsford, 67 St Georges Square, Westminster, to Erskine Childers in which he discusses the Englishman's view that Ireland Independent in the Naval sense would be a danger to great Britain. Questions the ability in the current climate to defend Ireland's neutrality and also criticises the independence of small independent states. Claims that 'they preserve themselves either by complete inaction, which is a sort of death in life, or else by clinging onto the skirts of some stronger power'.
3pp
- 224** 24 October 1921 Letter from [Henry Lawson], Grove House, Lymington, Hants, to Erskine Childers in which he requests Erskine Childers to have tickets for [?] posted to him at the United [Tennis] Club.
2pp

- 225** 25 October 1921 Letter from [J S?], a journalist from Norway, to Mary Alden Childers in which she states that he has sent her the document regarding the union between Norway and Sweden in 1814. Also complains angrily about the British government's delay in allowing him entry to the country and warns that the government of Norway may get involved if he is not allowed entry.
- 2pp
- 226** 27 October 1921- Major Alec Murray McKee
11 November 1921 Letters between Childers, Michael Collins, and Art O'Brien concerning McKee, a former member of the British Army serving in Nigeria, Sudan, France and Palestine, but who now wishes to place his services at the disposal of the Irish government for military work. McKee had named Lord MacDonnell as an old family friend and one who could vouch for him, but MacDonnell said that he could not recommend him for any job as he had no knowledge of his ability, honesty or integrity. Consequently Collins recommends that they should write to him saying that they have no use for him.
- 4pp
- 227** 2 November 1921 Letter from Francis Wellsley, Westfield Common, Woking to Erskine Childers, in which he states that Childers had misread his previous letter concerning Rome. Claims that 'the never-ending intrigues and hostility to Ireland do not originate there (Rome) but in London'. Also claims that the greatest threat to Catholic Ireland is an eminent English ecclesiastic who is 'a more than willing instrument in the hand of the English government.' Requests Childers to accept his personal assurances that the Pope is 'very friendly' to Ireland.
- 2pp
- 228** 3 November 1921 Letter from Liam Mac Giolla Íosa (William Gillies) to Childers on the subject of Ulster. Provides a list of relevant books and articles such as *The Scotch Irish* by Charles A Hanna (1902), *The Ulster Scot* by J.B. Woodburn (1914) and various books by F.J.Bigger. Also refers Childers to archive sources such as the Calendars of State Papers and the The Carew Papers.
- 2pp

- 229** 3 November 1921 Letter from Harry (née Angelina) to Erskine Childers in which she discusses preparation of articles for the press such as 'The terror in Galway' and *The Sufferings of Irish Women*. Notes that she is kept very busy but that she is enjoying the work. Also expresses her concern for Childers's wellbeing. 1p
- (ii) His execution by the Free State (1922)
- 230** 28 November 1922 Letter from Paul [Hanely], 41 Boulevard Alexander Martin, Orléans, France to Gavan Duffy, expressing his dismay at recent occurrences in Ireland such as the execution of Erskine Childers and the assassination of Michael Collins. *In French*. 4pp
- 231** 2 December 1922 Copy letter from Gavan Duffy to Mícheál Ó hAodha (Michael Hughes), Ceann Comhairle of the Dáil in relation to Gavan Duffy's controversial stance against the Government on the issue of Erskine Childers's execution. Cites Ó hAodha's impartiality as speaker of the house as the reason he is writing to him. Claims that he is alone in the Dáil and has no-one to hear his point of view. *In French*. 2pp
- 232** 7 December 1922 Letter from [Mary Alden Childers], 51 Pembroke Road, Dublin, to Gavan Duffy, stating that his speech about her husband, Erskine Childers was 'perfectly splendid' and that William Cosgrave's 'futile remarks' emphasised the truth of what Gavan Duffy had said. 1p
- 233** 9 December 1922 Letter from Una Parry, Rockport, Cushendun, Co. Antrim, to Gavan Duffy in relation to the execution of Erskine Childers which she describes as 'the latest atrocity of this most degraded government'. States that such people as William Cosgrave, Kevin O'Higgins and Richard Mulcahy must not be re-elected or ever to hold power again. Notes that the likes of Edward Lysaght, Col. Maurice Moore, Sir Horace Plunkett or Lord Dunraven would not sit tamely under this. Concludes by telling Gavan Duffy to keep his courage up and reassures him that his friends are praying for him and holding him in their respect. 2pp

- 234** December 1922 Letter from Una Parry, Rockport, Cushendun, Co. Antrim, to Gavan Duffy, concerning the state of the government. Asks whether there is anything they could do to 'turn out this set of weak-kneed cowards' and whether there are any high-minded earnest men whom they could collect to make a government. States that Gavan Duffy is like 'the voice of one crying in the wilderness' and pleads with him to 'continue the fight'. *Page(s) missing.* 2pp
- 235** 9 December 1922 Letter from Sidney Parry, Rockport, Cushenden, Co. Antrim, to Gavan Duffy, in which he reassures him that throughout history, 'frightfulness is always its own undoing' and that it will prove so in the aftermath of the state execution of Erskine Childers. 1p
- 236** 11 December 1922 Record of a motion taken at a meeting of [Dublin County Council] in which Councillor Bowen, seconded by Councillor Mrs McCall, proposed that an official record be made of their abhorrence of reprisals by the Free State Government, and/or reprisals in general because it will have the effect of embittering the state, further the present bitterness unfortunately existing in the country, and will give rise to a vicious circle which will reduce the country to a state of anarchy. 1p
- 237** 22 December 1922 Letter from Mary Alden Childers to Margaret Gavan Duffy, in which she thanks the Gavan Duffys for their thoughts and sympathies and also conveys to them both, a farewell message from her late husband, Erskine. 2pp
- 238** 22 December 1922 Letter from Mary Alden Childers to Gavan Duffy, conveying a farewell message from Erskine Childers as well as reassuring him that 'the bonds that united Gavan Duffy with him remain unbroken in the hour of his death. 1p
- 239** 12 January 1922-
16 January 1922 Copy letter from Gavan Duffy to P.J. Hooper, [editor] of *The Freeman's Journal*, and reply from Hooper on the subject of 'the venomous attacks on Erskine Childers' which Gavan Duffy thinks are quite unworthy of the

cause that the *Freeman* is advocating and more likely to damage the papers in the end. Hooper responds by saying that they regard Childers as 'the most dangerous enemy on the popular side to the cause of peace in Ireland...because of his extremism...and his great influence with Mr. de Valera.'

2pp

VII As Minister for Foreign Affairs

(i) Correspondence with the Irish Delegation in France (1922)

240 January 1922 Letter from Michael MacWhite, Hotel Westminster, Rue de la Paix, Paris, to Gavan Duffy, in relation to a meeting he had with the French representative of the League of Nations which he states was 'of an extremely satisfactory nature'. Also notes, however, that he was not satisfied with the recent World Conference in Geneva, but admits that it could easily have been worse. Also notes that although it was very generous for Gavan Duffy to nominate De Valera at the Conference, the nominee was not happy by the conditions laid down.

See also
P152/141

2pp

241 January 1922 Letter from Michael MacWhite, Grand Hotel, Paris, to Gavan Duffy, in relation to a certain person named only as 'W' (Joseph P. Walsh). States that in his opinion he is a 'flunkey' and 'is playing the double'. Notes that Walsh 'knows when his bread is buttered but if your position is endangered, you cannot rely on him'.

1p

242 13 January 1922 Letter from Joseph P. Walsh, [civil servant] based at the Delegation in Paris, Hotel Forget, Rue de Tourman, Paris, to Gavan Duffy, suggesting that Gavan Duffy come to Paris in his official capacity as Minister for Foreign Affairs to follow the Irish Race Conference proceedings. States the reasons for this as being, firstly, to give the Congress the official sanction of the Irish Government; secondly to give the French Government an opportunity of apologising for the insult offered to Ireland by the expulsion of Gavan Duffy in 1919; and thirdly to convince the French government that the independence of the Irish Free State is genuine. Notes that in official circles in Paris, it is fully believed that Ireland is still ruled by England despite the signing of the Treaty, and states that this impression is 'very detrimental to our prestige.' Also claims that the Congress and the Exhibition will be of 'incalculable' value with regard to propaganda.

2pp

- 243** 17 January 1922 Letter from Joseph P. Walsh (Seosamh Breathnach), [civil servant] based at the Delegation in Paris, Hotel Fogot, Rue de Tournan, Paris, to Gavan Duffy in which he provides an account of his time at the Delegation since completing a course at the University of the Sorbonne, to rising to general secretary with MacWhite's departure for Switzerland. States that his position is that 'of a servant of The Irish Government' and records his desire to remain in that service unless conditions are so unreasonable that it would be better for him to serve his country as a provincial solicitor. Also states that he could work well in any post resembling the present post he has in Paris and requests Gavan Duffy to consider him 'a free instrument'.
- 3pp
- 244** 27 January 1922 Letter from Gavan Duffy to MacWhite, Paris requesting MacWhite's views of the Irish Race Convention. Notes that during this transition period between the signing of the Treaty and the acceptance of it by the Irish people, it should be borne in mind that the Government that eventually functions in Ireland should make the greatest effort to develop relations with the League of Nations in Geneva, Switzerland. Also admits that Irish representatives in Paris, Rome and Berlin will have diminished responsibilities due to more important work being carried out in Geneva, and that to this end, he foresees possible changes in the continental establishments of the Irish Government.
- 2pp
- 245** 3 February 1922 Letter from MacWhite, Geneva, Switzerland to Gavan Duffy, in relation to the rearrangement of the work of the Ministry for Foreign Affairs abroad. Suggests that the post of a permanent Under Secretary be established in Dublin, and that the man most suitable for the job 'should enjoy the confidence and respect...of the foreign representatives, and be of undoubted reliability...because of the critical period ahead'. Also discusses Joseph Walsh, who he criticises for being fickle in his loyalties and describes instances when he made 'about turns' while working in the delegation in Paris. Comments on his own present job in Geneva and how he has been in touch with the principal officials of the League of Nations and the Bureau International de Travail, and notes that he will have to start repaying the courtesies he receives by being entertained by these people.
- 2pp
- 246** 30 January 1922 Letter from Joseph P. Walsh, Hotel Fogot, Rue de Tournan, Paris, to Gavan Duffy, in which he suggests a possible successor for Seán T. Ó Ceallaigh who is returning to Ireland. Discusses the merits of Thomas

Hughes Kelly, who he claims 'has been deeply chagrined by the foolish partisanship introduced in the Congress' and always puts Ireland before the Republic. Also claims that Hughes Kelly has 'extraordinary social connections' and 'practically unlimited wealth'. States that he is convinced that if Kelly was put in charge at the Delegation in Paris, Ireland's whole position in France could be turned about in less than a year.

3pp

- 247** 31 January 1922 Letter from MacWhite, Geneva to Gavan Duffy, in relation to the activities of the Republicans at a meeting of the delegates at the Irish Race Convention. Describes how Seán T. Ó Ceallaigh nominated Art O'Brien who took the chair without being seconded, just as Dr. Eoin MacNeill was considering his nomination. Also describes how the control of the Congress was secured to DeValera's friends from the beginning, and how DeValera occupied the finest suite of rooms in the Grand Hotel. States that he had had 'the most profound respect' for De Valera but has now discovered that 'he is nothing more than a politician and not a very brilliant one at that' and also that 'he played the part of the moderate man so well that only a few of those who were not in the know saw anything else but what appeared on the surface.' Comments that he is convinced that in a few days, DeValera will be on his way to the States 'where he will use his newly acquired position to launch a campaign for funds which under some disguise or other will be used to finance his party to fight the forthcoming elections'.

2pp

- 248** 9 February 1922 Copy letter from Gavan Duffy to MacWhite in which he replies to MacWhite's observations on Joseph P. Walsh but notes that they came too late but is satisfied that he would probably not have acted upon such information in view of their 'exigencies'. Also comments on transforming the Department of Foreign Affairs into a proper office but admits it can only be developed by degrees.

2pp

- 249** 7 February 1922 Letter from Y.M.Goblet, French author, 178 Rue de la Pompe, Paris, to Gavan Duffy in which he recalls the Irish Race Convention in Paris and says that on the whole, it was a success. Notes that De Valera succeeded in fixing people's attention to the plight of Irish people. States that one was expecting to see a bearded Cú Chulainn figure, but one was very surprised to see a quiet, polite man. Also notes that the public sessions were excellent from an intellectual point of view, and that the Free State is now officially established. *In French.*

4pp

- 250** 14 June 1922 Cover letter from MacWhite to Gavan Duffy enclosing a copy of a letter from Hugh Kennedy, Law Officer of the Provisional Government to Michael Collins, Chairman of Provisional Government and Minister for Finance in relation to amendments of the draft Constitution as agreed between Kennedy and Lord Hewert, the latter representing British interests. The main amendments relate mainly to the insertion of the oath of allegiance by the British and the insertion of clauses by the Irish to align the constitution with those of other Dominion countries. Kennedy notes that further improvement to the Constitution from an Irish perspective may be achieved at the expected Constitution Conference, which had been promised by the British to the Dominions of the British commonwealth.
- 5pp
- 251** June 1922 Confidential memorandum by Gavan Duffy, outgoing Minister of Foreign Affairs on the position of Ireland's 'Foreign Affairs' at the date of the General Election, 1922. Provides details about the position of the department since January 1922, whereby there has been an anomalous situation due to the dual existence of the Dáil and the provisional Government, and thus, any extension of activities abroad was hampered, 'save in the direction of establishing useful relations in quarters which were formerly reluctant to be connected'. Discusses Ireland's debut in the international field and points out that the conference in Geneva was not an appropriate time for Ireland make such a debut and that it should wait until the new Irish Government is formed. Claims that Ireland had lost prestige abroad as a result of the 'violence and excesses of recent months', and discusses generally the development of Irish influence abroad. Suggests that the first step the new Government should take is to send formal notification to all foreign powers of Ireland's emergence as a nation. Particularly notes the importance of Ireland joining the League of Nations. Also ranks the importance of Foreign Affairs offices abroad, citing the offices in Washington, Berlin and Geneva as of utmost importance, and those in Paris, Rome and Ottawa as being next in importance. Suggests that active propaganda and publicity be undertaken as well as a special delegation to be sent to Canada and South Africa. Outlines his ideas for Foreign Office management and suggests a restructuring of personnel at home and abroad. Also discusses other matters which will arise once the new government is elected such as the issuing of Irish passports; the issuing of new credentials to Irish envoys abroad; and the publication of a 'Book of Ireland' for the 'encouragement of foreign enquirers'.
- 22pp

- 252** 20 July 1922 Copy of a letter from Gavan Duffy to William T. Cosgrave, Minister for Local Government, in which he reproduces an extract from a letter sent him by Col. Maurice Moore, the representative in Paris. Moore is disgusted with recent editions of *Free State* and *Irish News* and states that that sort of propaganda can do nothing but harm to Ireland. Also states that he does not want foreign people to think that burglars and robbers inhabit Ireland.
- 1p
- 253** 22 July 1922 Memorandum concerning propaganda in which a transcript of a letter from Muiris Ó Mórdha (Col. Maurice Moore), Envoy in Paris to the Minister for Foreign Affairs (Gavan Duffy) is reproduced. Ó Mórdha criticises recent propaganda published in *Free Press* and *War News* as being a disgrace to the Free State party and very damaging, as he believes people will become disgusted with the present rulers and a new party will arise. Also condemns ‘big proclamations by Generals Major and Minor, who seem to rise from the ranks in a night, (and) appear in a ridiculous light to the outside world.’ Memorandum states that the Minister for Foreign Affairs, i.e. Gavan Duffy, entirely agrees with Ó Mórdha’s stance on propaganda.
- 2pp
- 254** 24 July 1922 Letter from Col. Maurice Moore to Gavan Duffy in which he is critical of the views held by the government of the day when he compares them to the views held at the rising of the Irish volunteers in 1913-1914 and also at the rebellion of 1916. States that he also sees a ‘great declension in opinion’ since the elections of 1918 when most of the present rulers were in prison. Notes that he had breakfast with Y. M. Goblet (French author and hibernophile) and reminds Gavan Duffy what ‘an ardent friend he is of Ireland. States that Goblet criticised, however, the ‘exalted military titles assumed and placarded in Ireland’ and claimed they caused ridicule among Frenchmen who had served in the Great War. Notes that Goblet is completing an important work from the Petty Survey of Ireland and then will publish a history of the Ulster boundary.
- 2pp
- 255** 18 October 1922 Photocopy of a letter from Muiris Ó Mórdha (Col. Maurice Moore), 5 Seaview Terrace, Donnybrook to all Ministers about the treatment of political prisoners and calls for their immediate release. States that their detention is a breach of the spirit of the treaty and also states that it is ‘a disgrace to the name of Ireland and a scandal... (that) the people of Ireland will wipe out’. Notes his particular interest in the matter due to the great majority of prisoners belonging to his Regiment, the Connaught Rangers, who

during a parade in India, laid down arms in protest and refused to serve on account of the treatment meted out to Ireland from England. Adds that 'the courage which enabled men in a foreign land, without encouragement or sympathy, and surrounded by English and native troops with Artillery ready to shoot them down, has certainly not been exceeded by any one in our Irish War.' Concludes by warning that 'the people are beginning to move and the matter cannot be permitted to rest any longer'. Includes list of Irish prisoners in English jails.

4pp

(ii) Memoranda and reports (1922)

- 256** 11 July 1922 Memorandum by James G. Douglas (on behalf of The Minister for Foreign Affairs, Gavan Duffy) of a conversation with Monsieur Henri Bourassa of Canada with a view to effecting contact and laying the foundation for further co-operation. Report outlines Bourassa's general observations on Irish affairs before turning more specifically to the subjects of the Irish Constitution; Irishmen in Canada; relations with Canada and other parts of the Empire; and the format of legal documents and forms in Canada. Bourassa approved of the constitution apart from the preliminary section which asserted a different principle than that which other dominion states had, namely that the Irish constitution was dependent on the Treaty whereas other dominions' constitutions were interpreted with general constitutional development of the British Commonwealth. Douglas states Bourassa objected to this in 'exceedingly strong terms' and was of the view that Ireland would find herself excluded from new developments because of this different principle. Bourassa also gave his opinion on Irishmen in Canada as being 'very timid' and did not think that they were very dependable. Douglas also reports that Bourassa was strongly in favour of close communication between leading Canadians and Irishmen and suggested informal conferences. Bourassa also states that the King's name was used in all formalities in Canada and did not cause a problem.

6pp

- 257** April 1922 Photocopy of a Report on Foreign Affairs, by Gavan Duffy, Minister for Foreign Affairs, for Dáil Éireann, in which he outlines recent changes in the diplomatic staff such as the appointment of Michael MacWhite to the new Irish Bureau in Geneva, Switzerland and secondment of Joseph Walsh to Under-Secretary of the Department of Foreign Affairs in Ireland. Also gives details of extraordinary missions such as that carried out by O.Grattan Osmonde to Australia and New Zealand. Comments briefly, also, on matters of publicity, foreign office, co-ordination of work abroad and training of candidates.

1p

- 258** June 1922 Estimate produced by the Department for Foreign Affairs for six months ending 31 December 1922. Includes figures for stationary/printing, light/heat/cleaning; newspapers/pamphlets/postage/telegraphs; newspapers for foreign representatives; translations/special work; furniture and fittings; library; rent; and special journeys abroad. Also provides figures for each of the establishments in foreign countries in cities such as London, Paris, Berlin, Vatican, Washington, Madrid, Geneva, Quirinal, Vienna, Brussels, Amsterdam, Ottawa and Buenos Aires.

2pp

(iii) Concerning the treatment of Civil War prisoners (1922)

- 259** 14 July 1922 Notes containing proposed wording of a statement by the Government concerning the treatment of prisoners captured during the Civil War States that the Government has determined, as far as circumstances shall permit, to accord to the irregulars captured, the treatment described for Prisoners of War under the Hague Convention of 1907.

See also
P152/255

1p

- 260** 14 July 1922 Memorandum briefly summarising the principles agreed to at The Tenth International Red Cross Conference (*aka* The Geneva Convention), namely that political prisoners in time civil ought to be considered and treated as prisoners of war, as defined by the Hague Convention of 1907.

1p

- 261** 16 July 1922 Copy letter from Gavan Duffy to Liam Mac Cosgair (William T. Cosgrave, Chairman of Joint Cabinet Meetings, and Minister for Local Government). Complains about a government proclamation which appeared in the morning paper with all Ministers names appended. Notes that there is a difference between a document signed by the president with the general approval of the Ministry, and a document which has been signed by each and every one of the Ministers. States that he only remained in government last June 'out of natural loyalty at a moment of grave crisis' although disapproving of the concessions to England in the draft Constitution. Claims that he finds that he is yet again at variance with the Ministry on many issues such as censorship, methods of propaganda, and the treatment of prisoners, and warns that if he is committed to something by the morning papers again he shall be compelled to resign.

2pp

(iv) Other letters (1922)

- 262** 14 January 1922 Letter from [P.J. Brosnan] to Gavan Duffy, congratulating him on being named Minister for Foreign Affairs in the new Cabinet. Hopes that things will settle down but fears that Éamon de Valera 'intends making trouble'.
1p
- 263** 19 January 1922 Copy letter from Gavan Duffy, Dublin, to Reverend M.J.Curran, Vice-Rector, Irish College, Rome, in which he states that he is aware that 'certain ill-conditioned people should take a malicious pleasure in the fact that the Minister for Foreign Affairs (himself) is the person the Vatican treated with such well-merited contumely!' Also discusses the Treaty and agrees that it was a good thing that the Treaty was not ratified by a very large majority as some protest was essential. States his belief that within five years, 'after certain conferences with the Dominions in London and with other powers in Geneva, I see England begging us to clear out of the Empire and allow it a little peace. Also notes that De Valera could not have done otherwise but vote against the Treaty and believes that he is the greatest personality that Ireland has in public life and that he will not be allowed to retire.
1p
- 264** 1 July 1922 Letter from [J.B] to Gavan Duffy informing him of his deep distress at the current state of affairs in Ireland. Discusses the recent elections and his own 'humiliating' defeat in the bye-election in Tipperary North Riding. Also expresses his disappointment about the Constitution and states that the 'King permeates it all' and that Ireland has no absolute freedom of action under it. Discusses his how the stress of recent times has made him susceptible to 'maladies' immediate travel plans and also discusses immediate travel plans.
4pp
- 265** 10 July 1922 Letter from James E. Murray, Director for Montana of The American Association for the Recognition of the Irish Republic to Francis J. Horgan, 40 Court Street, Boston, Massachusetts. Murray is critical of the Civil War in Ireland, and does not want America to get involved. States it 'would be unwise to present to the American people the spectacle of Irishmen throwing mud at each other'. Places himself firmly on the side of De Valera and the Republicans but admits that if America supported them 'in the fullest measure', all they would do is 'spread ruin and disaster throughout the island.' Proposes that America devotes its abilities to devise a constructive peace policy which might retrieve the

situation. Notes that he has travelled all over America and the American people are not behind the organisation (AARIR). Also states that he is willing to withdraw from the National Executive of the organisation if it is felt that his views are not proper.

3pp

VIII Resignation from Dáil Éireann and its consequences (1922)

- 266** 24 July 1922 Letters sent by Gavan Duffy to Michael Collins, Commander-in-Chief of the Free State Army; and Richard Mulcahy, Minister for Defence and Chief of Staff, Irish Republican Army (Óglaigh na hÉireann) in which he informs them of his resignation due to irreconcilable differences of opinion between him and the rest of the Cabinet. States that, although he is loyal to the Government in terms of the Civil War, he fears that he cannot agree with them on most other important issues. Cites that day's decision by the Government against recognising the jurisdiction of the Free State Judges to deal with *Habeas Corpus* cases. States that this action is 'absolutely indefensible' and is made worse in view of the fact that that 'the old corrupt gang of judges is still in control at the Kings' Inns so that anyone with a genuine case for Habeas Corpus will now have no court, worthy of popular confidence to go to'.
- See also*
P152/24
- 2pp
- 267** 25 July 1922 Note by [?] entitled 'Summary of [visit]' and in which is written 'M.H.H with concurrence of the Cabinet secures the rescission (as of this date) of the decree establishing Courts other than Parish & District Courts.'
- 1p
- 268** 26 July 1922-
27 July 1922 Letter from Alfred Blanche, Consul de France (French Ambassador), Consulat de France en Irlande (French Embassy in Ireland), to Gavan Duffy and copy reply. Blanche, on hearing news of Gavan Duffy's resignation, expresses his deeply held regard for him and his colleagues, and commends him on his work through difficult circumstances. Also praises Joe Walshe, Under-Secretary of the Department of Foreign Affairs and a previous member of the Delegation in Paris, whom he describes as 'particularly precious'.
- 4pp
- 269** 26 July 1922 Letter from Darghal Figes (Darrell Figgis), The Constitution Committee, Upper Merrion Street, Dublin to Gavan Duffy, informing him that there was a meeting of Independents held at the RDS, Ballsbridge, the

previous day but owing to rumours that the Dáil was to be prorogued (discontinued without being formally dissolved), they decided to adjourn the meeting until the following day and wish Gavan Duffy to attend.

1p

- 270** 26 July 1922- Letter from Col. Maurice Moore, Envoy in Paris
28 July 1922 to Gavan Duffy and copy reply. Moore expresses his disappointment at Gavan Duffy's resignation and states that he is worried that the Government of Ireland is 'falling gradually into the hands of a small clique of persons who are out to keep themselves and their followers in office.' Warns that if Gavan Duffy is succeeded 'by one of the party creatures, the foreign legations will follow the same line, and will earn the contempt and neglect of foreign nations'. Gavan Duffy replies by stating that he would not have resigned had it not been for the suppression of *Habeas Corpus* applications listed in the courts, even though he had strongly disagreed with the government on other matters such as censorship, prorogation and propaganda. Also notes that he will do no propaganda against the Government who he is loyal to with regard to the Civil War and further states that he has 'no sympathy for the other side'.

4pp

- 271** [July] 1922 Note from Alice Stopford Green, historian, in which she congratulates him of being 'out of the immediate conflict', and advises him that 'things will take their right proportions presently for everyone'.

2pp

- 272** 26 July 192- Letter from Richard Mulcahy, Minister for
28 July 1922 Defence and Chief of Staff, Óglaigh na hÉireann (Irish Republican Army) to Gavan Duffy plus copy reply and draft of same from Gavan Duffy to Mulcahy. Mulcahy expresses his disappointment at Gavan Duffy's resignation and states that, in relation to the *Habeas Corpus* question, he had received a writ from George Noble Count Plunkett but had filed it away as he has 'no sympathy' with the idea of Crowley (a Judge) being a Court or of Count Plunkett being the supplicant. Also states that his resignation will not help matters 'one bit'. In reply, Gavan Duffy outlines the reason why the principle of *Habeas Corpus* in law is so important, and reminds him that by law, a Judge can hear *Habeas Corpus* applications, whether his Court be suspended or not, and also that in the draft Constitution, *Habeas Corpus* is enshrined as a fundamental right and would take precedence even if martial law was proclaimed. With regard to Plunkett's affidavit, Gavan Duffy states that it would have been 'magnificent propaganda' and for the Government and its 'best vindication' if they had replied to it.

3pp

- 273** 15 August 1922 Letter from Desmond FitzGerald, Minister for Publicity, to Gavan Duffy in relation to Gavan Duffy's letter [of resignation] which FitzGerald states, if published, they would have to append a note with it. Note in pencil by [Gavan Duffy]: 'The afterthought!' with arrows in pencil pointing to FitzGerald's phrases: 'My dear George' and 'Best wishes'.
1p
- 274** 30 August 1922- Draft letter from Gavan Duffy to Richard
1 September 1922 Mulcahy, Minister for Defence and Chief of Staff, Óglaigh na hÉireann (Irish Republican Army) and reply on the subject of the death of Michael Collins on 22 August 1922. Gavan Duffy unreservedly offers his help to the government to help to fill 'the void left by Mick.' Suggests various courses of action such as prioritising the Treaty and the passing of the draft Constitution with few amendments. Also suggests that the government be composed of a cabinet to discuss national issues and an outer ministry composed of ministers who would look after their own particular work. States that time and patience would be saved 'by the elimination from your intimate councils of the lesser men, who have been a deadweight on recent cabinet meetings and who rarely contribute anything to counterbalance their indecision, their want of breadth, and the obstinacy that they mistake for strength.' Also suggests the setting up of commissions to investigate matters outside the run of ordinary ministerial work such as finance, the development of a national import and export market, the cost of living and unemployment figures, general transit issues and the restructuring of the judiciary system. Mulcahy replies thanking him for the letter and notes that he will bear matters in mind.
3pp
- 275** 13 September 1922 Letters to and from Gavan Duffy and W. T. Cosgrave, Chairman of the Provisional Government, and Minister for Finance, in relation to a meeting to which Gavan Duffy was not invited to attend. Cosgrave states that he understood by his resignation, that Gavan Duffy disagreed with the Government on many points including the Constitution, and that the Constitution was to be the business of the meeting. Further notes that opposition to the Constitution will resolve itself into opposition to the government and the meeting as for government supporters only.
3pp
- 276** 4 September 1922 Letter from Hannah Sheehy-Skeffington, Irish Women's Franchise League, to Gavan Duffy and copy reply. Sheehy-Skeffington, in relation to the refusal, due to republican sympathies, of a female civil servant, Mary Burke Dowling, to sign an undertaking, declaring that she has not aided or abetted in any way the forces in revolt against the Irish Government.

Provides an alternative undertaking to sign which would comprise of a declaration that as an Irish civil servant, she would be loyal to whatever government is returned to office but promises to resign if she cannot honourably continue with the undertaking. Gavan Duffy replies by stating that he can understand the Provisional Government's point of view but conceded that the wording goes too far. Suggests that private representations might have a greater effect than a public attack at the moment and would not like to see the matter become one of propaganda against the powers that be.

4pp

- 277** 10 October 1922 Letter from David Robinson, Óglaigh na hÉireann, Headquarters, 1st Southern Division, to Gavan Duffy, in which he asks to know whether or not they may still be friends, even though Robinson is fighting with the 'Irregulars' against the Free State Army in counties Cork and Kerry. Provides an account of an unsuccessful operation in Killorglin, county Kerry, where one of his men, John Galvin was captured and confessed to killing a Free State Officer called Captain Burke. Galvin was to be escorted to prison in Tralee the following day but his body was found 'with an arm broken and riddled with bullets'. Requests that Gavan Duffy ask Richard Mulcahy, Minister for Defence about this and other similar occurrences. Also notes that the Irregulars captured much ammunition of English make in Kenmare, county Kerry, and describes in detail how this type of bullet causes severe wounding, and also that they are now using this ammunition against the Free State Army. States that if an Irregular is captured and taken to prison, there should be a reasonable chance that their lives will be spared but does not trust junior officers 'who appear to be most undisciplined (and) take the law into their own hands and do you in'. Concludes by criticising the attitude of priests toward the irregulars and warns that Father Sullivan of Milltown 'is bound to get into trouble' due to his stance against Irregular activities.

4pp

- 278** 27 October 1922 Letter from Tom Gavan Duffy, Gavan Duffy's brother, Pondicherry Mission Committee of Primary Education, Diocesan Office of Schools, Tindivanam, South Arcot, India, to Gavan Duffy replying to a letter of July 25 informing him of his resignation. Advises Gavan Duffy to stick to his principles even if it is lonely, and points out that other people are quite honest when opposing what seems to be a principle he takes for granted. Also states that he was amused at Michael Healy's deportation from America and further notes that Seán O'Kelly's' doings 'are smile-full, if it were not for the pity of it all.'

2pp

- 279** 27 March 1923 Letter from Louise Gavan Duffy, Scoil Bhrighde, Pembroke Road, Dublin, to Gavan Duffy on holiday in Germany (her brother) with regard to a raid that occurred at his house in the early hours of that morning. Relays the maid's account of events, namely that approximately twenty armed men arriving in two lorries broke into and entered Gavan Duffy's house and while looking for a man whom they had reason to believe was staying there, they also searched all presses and wardrobes, and removed a bundle of papers, a wallet, and a watch.
- 2pp
- 280** 29 March 1923 Letter from Louise Gavan Duffy, Scoil Bhrighde, 55 Pembroke Road, Dublin to Gavan Duffy in which she reiterates the contents of her previous letter for fear that he may not have received it. States that Mary, the maid, is very 'alarmed and puzzled' at the incident and also suspects that neighbours, the Donovans have also been raided. Hopes that he will not have to cut short his holiday.
- 4pp
- 281** 12 April 1923 Copy memorandum from Gavan Duffy, to the Ministry of Defence and reply from General Richard Mulcahy, Commander-in Chief, Óglaigh na hÉireann (IRA). Gavan Duffy outlines his grievances concerning the raid on his house on 27 March 1923 and requests that military authorities or the military intelligence authorities to take responsibility for the raid and wishes to know what steps they propose to take in regard for the violation of his dwelling house, papers and correspondence, in regard to the restitution of his papers and chattels taken, and in regard to the threat of murder. Also requests an undertaking that there will be no recurrence of this kind of illegal action and above all desires 'a clear recognition of the essential principle that a Deputy's house and in particular his papers and correspondence in his house are and must remain inviolable.' Mulcahy denies the involvement of the military authorities or the military intelligence authorities in the raid.
- 2pp

IX As Independent Candidate in General Election (1923)

- 282** 28 November 1922 Letter from Fred J. Allen, 2 Brighton Vale, Monkstown, Co. Dublin to Gavan Duffy warning him as director of elections in South County Dublin that his constituents are worried that the views he holds are not those of the constituency he represents and 'indicate antagonism to the present administration'. Suggests that Gavan Duffy meet with a group of delegates representative of the constituency to discuss the situation. 1p
- 283** 27 April 1923- The National Party of Reconstruction
24 July 1923 Memoranda concerning this independent constitutional party who also went by the names of 'National Reconstruction Association' and 'National Reconstruction Alliance'. Contains the terms of reference for the party, namely to achieve absolute independence for Ireland; to unite the North and South of Ireland; to heal the rift between the two opponents of the Civil War; to insist upon 'clean and economical administration throughout the public service'; to deal with fiscal problems by protecting industries, distributing the burden of tax equitably, and by relieving the poor; to improve foreign relations and trade; to establish a Department of Health; to relieve Congested Districts and provide adequate housing for every citizen; and to ensure that the education and welfare of the growing generation is the first care of the State. Member of the party listed as Lord Wicklow, W.B. Yeats, T.W. Westropp, Bennett, H. Barnardo, Robert Holmes, John O'Neill, George Gavan Duffy, Denis McCulloch, W. Barrington, Col. Maurice Moore, Denis B. Pack Beresford, and C. McGloughlin. 13pp
- 284** 23 June 1923 Two copies of a letter from Gavan Duffy to Liam T. MacCosgair (William T. Cosgrave, Minister for Local Government), concerning the County Dublin election. Requesting that extra payment be made to the staff who counted votes in that constituency as they had to work for two days instead of one, due to the high number of votes cast and the fact that it was recounted nine times. 2pp
- 285** 23 July 1923- Letter from Diarmuid Lane, Ardea, Kenmare, Co. Kerry, to Gavan Duffy concerning the forthcoming election, and copy reply. Lane states that he has been asked to by some people in South Kerry to run as an independent candidate in opposition to the Government. States his objectives as the passing of the Land Bill, the bringing about of peace through negotiation with the Republican party, 'thereby emptying the

jails and camps, and reducing the army. Requests advice and information from Gavan Duffy as he knows that he is engaged in dealing with the situation along similar lines (reference to the National Reconstruction Alliance). Gavan Duffy replies and expresses satisfaction that they both share the same views. Believes that the basis for a sincere party throughout the country is a viable option, and claims that if it works, 'it will have the support of many former Unionists and businessmen, who realises that their centre of gravity has now veered from London to Dublin and are prepared for a complete reorientation in the direction of Irish Ireland.' Notes, however, that the rushing of the elections is a serious handicap and that this might hinder the founding of the party.

4pp

- 286** 26 July 1923 Cover letter from C.M. McGloughlin, 35
Pembroke Park, Dublin to Gavan Duffy, enclosing
a copy letter from McGloughlin to Col. Maurice
Moore on the subject of the Election Committee. McGloughlin states that
he cannot, after careful consideration, go forward as a candidate as he
realises he would be in 'an entirely false position and could be accused
of all sorts of manoeuvring'. States that he had thought previously that he
would have been able to form a strong united party among the business
element embracing sections that had differed in the past, 'but were all
Irishmen with honest wishes for our country's peace and prosperity.'

2pp

- 287** 26 April 1923 Letter from Donal O'Hannigan, Honorary
Treasurer of The Neutral IRA Members'
Association, in relation to a confidential document
originally enclosed. Requests him to suggest proposals and amendments
if necessary.

1p

- 288** 26 July 1923 Copy letter from Gavan Duffy to Joseph A.
McCarthy, solicitor, in which he expresses his
happiness to hear that McCarthy is standing for the
Dáil. Suggests, that if he is standing as an independent candidate, he
should consider Gavan Duffy's proposals to form a new party which he
hopes to inaugurate in Dublin the following week. Claims that it is an
attempt to bring ex-Unionists and businessmen into line with Irish-
Ireland. Also claims the way the plan has been received in these circles
has been 'a revelation', and if it were not for the rushing of elections, it
would likely 'assume very big proportions'.

1p

- 289** August 1923 Election manifesto of Gavan Duffy entitled 'Is it fair?' Subtitled 'The man who gave up his Position and Salary to protest against the Government's timidity in London and in Merrion Street is no coward.' Informs the public that contrary to what Kevin O'Higgins would have them believe, he had actually resigned before the outbreak of the Civil War due to his non-acceptance of the amendments made to the Constitution before the eve of the general election in June 1922, but 'out of deference to President Arthur Griffith, he deferred his resignation until the meeting of the new Dáil on 1 July 1922. States that the outbreak of Civil War forced him to remain in Government and work loyally with his colleagues but that when a 'a desperate act of official lawlessness' (the execution of Erskine Childers) occurred, he was compelled to resign. Also states that his attitude on the treaty was also misrepresented and reiterates his view that there was no rational alternative to the Treaty and that he signed it reluctantly. Concludes with the statement: 'Vote for the deputy who dares to do his duty.'
- 1p
- 290** 5 August 1923 Copy letters from Gavan Duffy, Senator Col. Moore, and an unnamed person to Ristéard Ó Foghludha, Thomas Ganley, Donal O'Hannigan, Frank Daly, Seán Hegarty, Liam de Róiste, Patrick Hughes, Diarmuid Lane, Stephen O'Mara, James O'Mara, P.Keogh and Ned Foley, concerning a notice which is due to be published in the press outlining the issues of Independent Candidates, namely that the new Dáil should concentrate on 'the vast and complex work of National Reconstruction' and requests interested people to communicate with the undersigned and co-operate to ensure that the Independent Candidates are returned to the Dáil, 'not as dumb obedient pieces on a predominant party chess-board, but as the insistent spokesmen of the People's Determination to secure an era of settled conditions for the steady uplifting of our country.' Includes copies of the press statement signed by Dónal O'Hannigan and Thomas Ganley
- 5pp
- 291** 13 August 1923 Letter from [Louie] Bennett, Gayfield, Killiney, in which he thanks Gavan Duffy for asking him to be a nominator for the election, but regrets that he cannot accede to this request as he has decided not to take part in the election due to his finding it impossible to support his own party, the Labour Party. Also states that he does not think that any Labour supporter could take the oath of allegiance with sincerity and does not agree to taking the oath as a formality.
- 2pp

- 292** 25 August 1923 Letter from Alice Stopford Green, historian, to Gavan Duffy on hearing that he failed to get a seat in the general election, and hopes that he feels no hostility or bitterness because of it. States that she is troubled that he remain lonely and concludes that 'it seems no use trying to be a friend of a man who is resolved to be lonely'.
2pp
- 293** 31 August 1923 Letter from Cecil Neill-Watson, 58 Harcourt Street, to Gavan Duffy, in which he expresses his disappointment at the outcome of the election but notes that it was better for Gavan Duffy to have lost than to have sided with the Government Party. States that his sympathies are generally with the Labour party but wishes that they let people 'other than employees and T.U (trade union) officials' into their Party.
2pp
- 294** 5 September 1923 Letter from Donal O'Hannigan, wholesaler, Thomas Street, Dublin, to Gavan Duffy, in which he expresses his surprise at Gavan Duffy's failure to get re-elected and also regrets that the 'slender assistance rendered' by himself and his colleagues 'failed to turn the scales in your favour'. States that Gavan Duffy will now be able to view the political arena 'as an interested spectator' and will have 'ample time to preach anew the true gospel of patriotism'. Also states that it is the task of 'the true leaders of the people... to win to their side such a representative following as will enable them to rid the country forever of British influence and British methods.'
2pp
- 295** 17 September 1923 Letter from Thomas Ganley, Beachfield, Skerries to Gavan Duffy and wonders whether he should sympathise or congratulate him on his failure to get re-elected. Surmises that if elected, Gavan Duffy would have been, as he was in the previous Dáil, alone in his views and that the Government would 'with pardonable pride, glory in the mandate given them by the Irish race, [and] disregard all laws human and divine.' Also comments on voter apathy and notes how the Irish, always anxious to obtain constitutional means of acquiring freedom, and having obtained such a means, only 58% availed of it, 'the other 42 per cent generously bestowing their rights on their disinterested fellow Citizens. Notes that when touring the polling booths of Lusk, Skerries, Ballbriggan and Rush, 'everyone I spoke to seemed to look upon the whole thing as a practical joke, and many asked me when would the real election take place.'
2pp

C: PERSONAL CORRESPONDENCE (1922: 1924: 1929: 1939)

- 296** 3 April 1922 Copy letter from Gavan Duffy to The Secretary of Saint Mary's Cemetery, Harrow road, London with reference to the late Mrs. L. Hall who is to be buried in Ireland. 1p
- 297** 9 March 1922-
19 March 1922 Copy letter from Gavan Duffy to Maurice Healy, solicitor, 49 Grand Parade, Cork, and reply from Healy to Gavan Duffy in relation to Gavan Duffy's wish to leave Joe and Kathleen[?] the benefit of the interest on £200 left by Mrs. A.M.Sullivan to Máiread (Margaret, his wife). 3pp
- 298** 26 June 1922 Letter from X.Moisant, 42 Avenue de Bretenil, Paris, to Gavan Duffy, in which he thanks him for his postcard from Italy, the very interesting book about Charles Gavan Duffy (Gavan Duffy's father) and the friendship which Gavan Duffy has always extended to him. *In French.* 2pp
- 299** 7 August 1922 Letter from M. Goblet, 178 Rue de la Pompe, Paris, to Gavan Duffy, in which he discusses *inter alia*, his work on the Down Survey and an article he submitted to the journal *Annales de Géographie* entitled 'La frontière de l'Ulster' (Ulster's boundary) and which he describes as being written from an historical, geographical and political point of view. *In French.* 4pp
- 300** 24 August 1922 Letter from J. C. Walsh, Canadian Pacific Building, Madison Avenue, New York to Gavan Duffy in relation to the dismissal of Matthew Garth Healy, a representative of the Irish Government in America, in an act that he describes as 'a piece of gross injustice to a loyal servant of the Dáil'. Outlines the background to Healy's dismissal, including the assumption by Mr. Smiddy, another Irish envoy, that Healy was 'an agent of the Irregulars' and that during court proceedings, Smiddy added that funds of the delegation were threatened by Healy's 'alliance' with Eamon de Valera and others. 3pp

- 301** 13 June 1924 Letter from Liam Tobin, 78a Summerhill, Dublin, to Gavan Duffy, thanking him for his appreciation of a pamphlet concerning the 'Army Crisis', and hopes that they will continue to deserve his goodwill.'
1p
- 302** 29 July 1924 Letter from Seán Gall, in the former Chief Secretary's Library, Dublin Castle, in which he thanks Gavan Duffy for a previous letter that he likens unto 'a warm hand-grip to a forlorn man in the dark in strange surroundings'. States that Arthur Griffith kept him in touch with values and therefore he followed Gavan Duffy's brief public career 'with sympathy and understanding'. Hopes that Gavan Duffy can fill the vacant places of Roger Casement, William Bulfin, The O'Rahilly and Arthur Griffith and claims should that happen, 'you will have had your purgatory and I my Heaven'. States that he will visit him 'provided you have no dress suits, comme-il-faut company, or any other esoteric eclectics, or swell intellectuals of any kind', as he is 'a plain humdrum man, to whom the Higher life is alien'.
2pp
- 303** 30 July 1924 Letter from Robert Barton, Glendalough House, Annamoe, Co. Wicklow to Gavan Duffy in relation to an article written by Dick Chartres on the death of Arthur Griffith on the anniversary of Griffith's death (1922) and published in *The Clonmel Nationalist* (11 August 1923). States that he does not remember some of the incidents cited by Chartres in the article such as 'the incident in which A.G left the hearthrug and menaced either you or me who drank with feline gesture'. States that if all Chartres says about 'his closeting and intimacy' with Griffith is true, 'then he played a very double game in London', referring to the Treaty negotiations. States also that he 'never felt at home with him' and has often wondered what role he really played.
2pp
- 304** 23 September 1924 Letter from Y. M. Goblet, French author, The Norland Hotel, 18 Granville Place, Portman Square, London, to Gavan Duffy on the subject of the Treaty and also of the Boundary Commission and the problem of the six counties. *In French*.
2pp

- 305** 3 November 1924 Letter from Robert Barton, Glendalough House, Annamoe, Co. Wicklow, to Gavan Duffy in which he refers to the present government (Cumann na nGaedhal) as 'Passing Show leaders'. Also notes that the arrests for a murder that occurred in Cobh, county Cork, 'are ludicrous', and notes that 'they (the Government) are...looking for victims to clear the stain from themselves.' States that it is a dangerous predicament for these men to be in, 'for those responsible will be unwilling to face the odium and scorn resulting from acquittal.'
- 2pp
- 306** 2 April 1929 Letter from Alice Stopford Green, historian and senator, 90 St. Stephen's Green Dublin, to Gavan Duffy, in which she assures him that she 'has not altered a shade' in her admiration of his courage, fidelity and capacity. States that she has been confined to her house with rheumatism for some time and that this has impaired her ability to attend meetings of the Senate.
- 2pp
- 307** January 1939 Card from Shán Ó Cuív, and family, 6 Árdán Fhearchair, Dublin, conveying their heartfelt thanks for sympathy during their recent bereavement. *In Irish*.
- 1p
- 308** 1 September 1939- Maurice Moore
6 June 1940 Letters from Maurice G. Moore, son of Col. Maurice Moore (1854-1939, soldier, instructor of the Irish Volunteers, Redmondite, founder member of Fianna Fáil in 1926), Sundance, Wyoming, United States to Gavan Duffy reminiscing on the life of his father and proposing to write his biography. Claims that his father has never received the appreciation he deserved (1 September 1939) but feels that he will not be able to write his biography without Gavan Duffy's assistance since he has no real knowledge of the sequence of events that occurred after 1916. Includes a copy reply by Gavan Duffy providing Moore with potential sources of information but regrettably declining to partake in the venture as he does not want 'to be open to the imputation of giving active political support to any side, for it is absolutely essential in this country that a Judge should be...quite free of political associations, whatever maybe his private opinions'(5 January 1940). Consequently Moore abandons his plans to write the biography, as he claims a dearth of original documents will impede him. Also states that his father had a policy to destroy most of his confidential papers and letters (12 May 1940). Comments on the outbreak of World War II and fears that Ireland will be invaded (6 June 1940).
- 24pp

- 309** December 1939 Card from 'Rory', to Gavan Duffy in which he identifies himself as being the son of Gavan Duffy's old friend. States that he proposes to write a biography of his own father from 'the Extreme Nationalist Standpoint'.
1 item
- 310** [undated] Card from the president of an organisation[?], Ráth Treagh, Dún Gar, Co. Roscommon thanking Gavan Duffy for his message of sympathy on a recent bereavement.
1 item

D: PRINTED MATERIAL AND TRANSCRIPTS

I Contemporary propaganda and ephemera (1916: 1920-1922)

- 311** 25 April 1916 Edition of *Irish War News*, Vol 1, No. 1, in which news of the Declaration of the Irish Republic is published. "The populace of Dublin are plainly with the Republic, and the officers and men are everywhere cheered as they march through the streets. The whole centre of the city is in the hands of the Republic, whose flag flies from the G.P.O." Other news reported includes general anti-British propaganda.
4pp
- 312** 1920 Publication of 'Hearings before the Committee of Foreign Affairs House of Representatives, Sixty Sixth Congress, Second Session on H.R. 3404 (To provide for the Salaries of a Minister and Consuls to the Republic of Ireland) which were held on 12-13 December 1919.
361pp
- 313** c. February 1921 Poster appeal by the Irish White Cross for funds to relieve the hardship and suffering, and the destruction of industry caused by the War of Independence (1919-1921). In December 1920 wealthy sympathizers in America, inspired by De Valera's fundraising tour of the US, formed the American Committee for Relief in Ireland (ACRI)- an ostensibly non-partisan, humanitarian agency. Its premise that damage wrought by Crown (as opposed to IRA) forces in Ireland was so extensive as to require international aid – was bitterly contested by both the British

Red Cross and the American Friends Service Committee The Irish White Cross, founded on 1 February 1922, was created to receive and disburse funds collected by the ACRI, and also encouraged fundraising in Ireland and other countries. Poster provides details that parish committees will be organised throughout Ireland, that local bodies will collect money and remit it to the Executive.

1 item

- 314** 21 July 1922 Copy of the statement (as reprinted from *The Irish Independent*) made by Reginald Dunn, an Irish man convicted of the murder of a British police officer while trying to escape arrest, to the members of the jury who sit in his trial. Requests them to remember that the Great War, in which he fought, was fought to uphold the principles of self-determination and freedom for small nations, and that he was upholding these same principles when he fired at the policeman. Informs the jury of the 'outrages' that were committed by (British) Government forces in Ireland and claims that 500 Irish people have been killed in recent months and 'not one offender brought to justice'. Also criticises Sir Henry Wilson as the man behind 'the Orange Terror' and raised and organised the Ulster Special Constables, who are 'the principal agents in his campaign of terrorism'.

1p

- 315** [undated-1922?] Photocopy of a map of Ulster produced by the Irish Dominion League (founded in 1922 by Sir Horace Curzon Plunkett, 1854-1932). Map, entitled 'Homogenous Ulster', illustrates the Ulster counties and county boroughs according to Census 1911. Includes key showing the approximate amount of Protestants in each shaded area of the map. Scale ¼ inch : 5 miles.

1p

- 316** 1922? Pamphlet and copy of same containing the constitution of the political party, Sinn Féin. In Irish with English translation. Sets out the aims and objectives of the party as securing the international recognition of Ireland as an independent Irish republic by denying the right and opposing the will of the British parliament and crown to legislate for Ireland; and by making use of any and every means available to render impotent the power of England to hold Ireland in subjection by military force or otherwise.

16pp

II Newspaper cuttings (1924: 1938)

- 317** 11 August 1924 Newspaper cutting from *The Ulster Guardian* entitled "Meaning of the Irish Boundary Clause" in which Austin Chamberlain gives his opinion on the partition of Ireland and admits that they (the British Government) did not foresee Ulster's refusal to appoint a commissioner to the Boundary Commission.
1 item
- 318** 7 December 1938- Newspaper cuttings from *The Irish Press* entitled
8 December 1938 'The Secret History of the Treaty (parts 2 and 3)' by William O'Brien (1881-1968; trade-unionist and nationalist, briefly Labour politician in 1920's). Sates in Part 2 that he had been told by Timothy Michael Healy (1855-1931; nationalist politician and author; first Governor-General of Irish Free State 1922-1928) that the pledge by the British Government regarding partition had been given at a dinner-party at which he (Healy) was present. In part 3 he discusses the crucial role played by Healy whom he claims negotiated the resumption of the peace talks. Claims that some of the plenipotentiaries (Arthur Griffith and Michael Collins) were given a secret guarantee that if they signed the Treaty, the articles surrendering the Six Counties would be nullified by the operation of a Boundary Commission.
2 items

III Transcripts of speeches (1945: 1951)

- 319** 10 September 1945 Draft speech by Gavan Duffy on the occasion of the opening of a Book Fair at Mansion House, Dublin. Discusses at length the importance for young people to read Irish books and books on Irish History. Begins by discussing Daniel O'Connell and describes him as 'a Philistine' because 'there was virtually no Irish reading for an Irish man to read one hundred years ago'. States that *The Nation* (founded by his father, Sir Charles Gavan Duffy) came at the right moment 'to nourish the newly roused, but wholly famished, mind of the Gael'. Describes the 'zest' and 'fervid spirit' that permeated the young before 1922. Claims that 1922 marked 'the beginning of a new, impulsive and significant movement of young people away from public affairs and national interests'. Criticises the influence of cinema and radio 'with their new sophistication...as it involves demoralising elements'. Warns that if young people are not 'roused from their complacency...the prospect is that their progeny in the next generation will reveal Irishmen in a new role, as a particularly flabby species of English Provincial.' Suggests a counter-remedy in the reading of Irish books and especially history and proceeds to give examples-Alice Stopford Green's works, Gilbert's *Dublin* and *The Viceroy's Postbag* by Michael MacDonagh.
6pp

- 320** [20 January 1951]- Bureau of Military History
 6 January 1955- Transcripts of a voice recording made by Gavan
 26 January 1955 Duffy for the Bureau of Military History.
 Describes the Treaty negotiations and their aftermath. States that the ‘resort of the bellicose republicans to civil war was inexcusable, but the personal acrimony that infected several of the leaders on both sides was of more lasting effect.’ Criticises the showing of the draft Constitution of 1922 to Lloyd George (British Prime Minister) and states that if Griffith had held his ground, Lloyd George would then have had to choose between accepting the Constitution as it stood or an alternative government with Éamon de Valera at its head, to which he notes ‘no British government could in the temper of those days have contemplated bringing into office an Irish Republican Government.’ Discusses the ‘amazing docility’ of the pro-Treaty party and how they were ‘utterly perplexed by the problems of statecraft’. Also criticises the abstention from the Dáil by Republican deputies during the debates on the Constitution ‘because their presence in Leinster House would have put heart into certain Deputies whose loyalty to the Government was at times strained to breaking point’. Also includes director’s report for the year 1954 of all material collected by the Bureau in that year as well as outlining work in progress. Also includes copy letters from Colum Gavan Duffy, son of Gavan Duffy, 6 Mountain View Road, Ranelagh, Dublin to Robert Barton (cousin of Gavan Duffy and Treaty signatory) and Seán T. Ó Ceallaigh (President of Ireland) respectively requesting permission to view the statements they had given to the Bureau of Military History as he needs them to write a memoir of his father.

21pp

IV Articles (1949: 1951: 1956: 1960: 1983: 1988)

- 321** 1949 Photocopy of ‘The Irish Treaty and the birth of Saorstát Éireann’ being Chapter 5 of the book *Let Candles Be Brought In* by the Rt. Hon. Sir Geoffrey Hithersay Shakespeare. Recounts his time in Lloyd George’s secretariat and of the ‘personal adventure’ that affected him while delivering messages between Éamon de Valera, Lloyd George and James Craig. Describes de Valera as ‘the stuff of which martyrs are made and notes with surprise ‘the way in which de Valera’s staff treated him as royalty and walked out backwards from his presence’.

23pp

- 322** 23 June 1951 Photocopy of pages from *The Irish Law Times and Solicitors' Journal* containing tributes to the late Gavan Duffy from the various Judges of the High Court, the Chief Justice and the Attorney-General.
2pp
- 323** 28 April 1956 Photocopy of a series of articles published by *The Irish Law Journal and Solicitors' Journal* entitled 'Constitution of Ireland'. In four parts, author unnamed. Describes the historical background to the formation of the Irish Constitution of 1922, the process of enacting the 1937 Constitution, the structure of the constitution, the function of judicial review, and the directive principles of social policy as contained within the Constitution.
11pp
- 324** ca. 1960 Photocopy of a short auto-biographical account by Louise Gavan-Duffy (sister of George Gavan Duffy), entitled 'Self-Portrait'. Discusses briefly her upbringing in France and of her intense consciousness of her Irish nationality. Describes her attempts to teach Irish to herself and her brother, George. Also describes her university years at the Dominican College in Eccles Street, Dublin. Notes the 'great inspiration' of Sinn Féin, the Irish Volunteers and Pádraig Pearse and of her attendance at Pearse's girl's school in Oakley House Road, Ranelagh (St. Ita's). Also notes her time with Cumann na mBan and describes The Easter Rising and the role she played, serving meals to the soldiers at the GPO with Desmond FitzGerald. Concludes by describing her success in establishing an all-girls' Irish speaking secondary school at 70, Stephen's Green called Scoil Bhrighde.
11pp
- 325** 18 October 1983 Photocopy of the transcript of a paper read by Eugene Doyle, M.A. at the Australia-Ireland Bicentennial conference, Kilkenny Castle, and entitled 'Sir Charles Gavan Duffy's Land Act (1862): Victoria through Irish eyes.' Contains a history of Gavan Duffy's time in Australia and his vision of subdividing squatters' sheep runs to provide farms for his fellow Irish exiles. States that Gavan Duffy underestimated the resistance his ideas would face and the difficulty of earning a living from Victorian soil.
27pp

- 326** 16 February 1983 Photocopy of a transcript of a paper read by Colum Gavan Duffy to the Old Dublin Society (published in *The Dublin Historical Record*) and entitled 'George Gavan Duffy'. Provides the history and background of his father's life beginning with his youth and education in Nice; his work as a solicitor in London; the Roger Casement trial; his work as an Envoy of the Provisional government in France and Italy; the Treaty negotiations; his resignation as Minister for Foreign Affairs due to the suppression of the legal principle of *habeas corpus*; and his political life in general. Continues by discussing various legal cases that Gavan Duffy was involved in from his time at the Bar to his Presidency of the High Court. Also describes his death by lung cancer in June 1951.
- 18pp
- 327** c. 1988 Draft of 'The Drafting of the Irish Free State Constitution: the work of the constitution committee' by Brian Farrell. Discusses the roles of Michael Collins, Darrell Figgis, Hugh Kennedy, James Douglas, James McNeill, James Murnagahn, John O'Byrne, Kevin O'Shiel and Alfred O'Rahilly during the drafting of the 1922 constitution.
- 20pp

**E: PHOTOGRAPHS, DRAWINGS AND REPRODUCTIONS
(1896: 1920-1922: 1937-1938: 1947)**

- 328** August 1896 Drawing in pen and ink of Charles Gavan Duffy, reproduced here as a page in a volume/pamphlet entitled 'Great Men in Little Worlds'. Profile with signature 'C. Gavan Duffy' superimposed. Artist unnamed.
- 24.5cm x 16.5 cm
- 329** 23 May 1920 Black and white positive of a formal group portrait taken outside the [Irish College in Rome] on the occasion of the Beatification of Blessed Oliver Plunkett (1625-1681; Irish priest and martyr). Group comprises *approx.* 180 people Twelfth from left: George Noble Count Plunkett (1851-1948; antiquarian and Sinn Féin politician; father of Joseph Mary Plunkett, poet and republican who died in 1916). Seventeenth from left: Cardinal Logue (1839-1924; Archbishop of Armagh and Primate of All-Ireland). Nineteenth from left: Dr. Michael Fogarty (1859-1955; Bishop of Killaloe). Twenty first from left: Seán T. Ó Ceallaigh (1883-1966; President of Eire 1945-1949; first President of Irish Republic 1949-1959; politician Sinn Féin and later Fianna Fáil). Photographer signed as Car. G. Felici of Rome.
- 20.5cm x 37.5cm

- 330** [23 May 1920]-
c. 1955 Photocopy in two parts of P152/329 with numbers attributed to each of the figures in the portrait. Also includes letter explaining the photograph from an unnamed person in 'The Friary in Ennis to [Colum Gavan Duffy]. States that he was in the picture and though he cannot recall it being taken, he is sure that it happened before the gathering in St. Peter's Basilica when Pope Benedict XV announced the Beatification of Oliver Plunkett.
- 5pp
- 331** ca. 1920 Photocopy of photograph showing group portrait. Right to left: Gavan Duffy (seated), Seán T. Ó Ceallaigh (standing) and two other men (standing and seated respectively), [possibly members of the Paris delegation].
- 15cm x 19.5cm
- 332** ca. 1920 Photograph reproduced in *Leabhar na mBan*-the journal of Cumann na mBan (The Women's League) of a member of the League in Paris with the delegation of the Provisional Government of the Irish Republic. Shows the League-member being helped into a waiting motor car by Seán T. Ó Ceallaigh. From left to right Gavan Duffy, Seán T. Ó Ceallaigh and the League-member.
- 10cm x 14.5cm
- 333** ca. 1920 Reproduction of a charcoal drawing of Éamon de Valera by Seán O'Sullivan, RHA. Half-portrait, signed by the artist.
- 20cm x 16cm
- 334** 9 October 1921 Photocopy from [*The Sunday Herald*] of a photograph showing the arrival of the plenipotentiaries at Euston Station, London for the Peace Conference in London. Shows Gavan Duffy, Robert Barton and Arthur Griffith in foreground.
- 1p
- 335** 10 October 1921 Photocopy from *The Daily Sketch* of a photograph showing the Sinn Féin delegates and staff at the delegates headquarters in Hans-place, London. Shows J. McGrath, M. Knightly, J. Charteris, G. Gavan Duffy, R.C. Barton, R.J. Duggan, A.Griffith, F.Lynch, and E.Children, in background. Shows Miss O'Brennan, Miss Lyons, Mrs. Duggan, Mrs. Lynch, Miss McKenna and Miss Lyons in foreground.
- 1p

- 336** *ca.* 1922 Black and white positive of Seán T. Ó Ceallaigh, envoy of the provisional Government in Paris. Half-length portrait taken indoors.
17.5cm x 13cm
- 337** [Christmas 1938] Photocopy of a *carte-de-visite* showing half-portrait of Gavan Duffy. Photograph taken by Lafayette Ltd.
24cm x 19cm
- 338** 31 December 1937 Photocopy of a photograph from *The Irish Times* showing the group of High Court Judges having been administered the Oath of the new Constitution by the Chief Justice. From left are Mr. Justice O'Byrne, Mr. Justice Meredith, Mr. Justice FitzGibbon, Chief Justice Sullivan, Mr. Justice Geoghegan and Mr. Justice Gavan Duffy. Also copy of same.
1p
- 339** 14 April 1947 Photocopy of the front page of *The Irish Times* showing an informal photograph of a group at the Stonyhurst College Union Dinner. From left to right: Judge Gavan Duffy, who presided at the dinner, J. J. O'Connor and Cecil G. Stapleton. Gavan Duffy pictured with cigarette.
9.75cm x 14cm