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Statement of Mr Thomas Tobin, Supt., Customs and Excise, Dublin Castle. Taken on 27th., April, 1970.

On Sunday the 22nd., March, 1970 I was phoned by the Commissioner of Customs and Excise - Mr Culligan - at my home that a container of allegedly mild steel plate, addressed to Wellux of Sutton, Co. Dublin was about to be landed off the ship - City of Antwerp on Monday the 23rd., March. It was believed to contain arms. Kelly of Military Intelligence was to be given every facility to collect this container, and the container was to be cleared without Customs documents or Customs examination. Mr Culligan gave me the name of Mr Tony Fagan of Finance. I phoned Mr Fagan on Monday the 23rd., and told him the Customs Surveyor whom Kelly should contact was O'Riordan at Alexander Quay. I understand that Kelly did contact O'Riordan and that six bales of bullet proof clothing were landed off the City of Antwerp, and were taken possession of by Kelly. At the same time, Mr Muldoon - Assistant Collector, Customs House, Dublin informed me that there were 75 cases of ammunition - allegedly blank - held by the Dutch Customs in Antwerp or Rotterdam. When I had been speaking to Mr Fagan on 23rd., I asked him did he want the same type of operation mounted in Waterford as the boat was calling to Waterford before coming to Dublin. He said that he did not. On or about the 10th., April, 1970 Mr Fagan phoned my office and enquired about the names of the Preventive Staff at Dublin Airport, as it was expected that a chartered plane carrying arms would arrive at Dublin Airport. I gave him the names of the Preventive Officers who would be on duty and told him to mention my name. Subsequently I told Fagan's Secretary that if Kelly mentioned my name to the Preventive Staff at the Airport he would be given every facility. I informed the Preventive Staff at the Airport that Kelly was from Finance. At this stage in view of the instructions given me by the Commissioner - Mr Culligan, and Fagan being a Principal Officer in Dept. of Finance I naturally assumed that the consignment was being taken in by the Army on behalf of the Government. Some time during the week commencing 13th., April, I ascertained from Mr Connellan, Assistant Collector at Customs House, that Kelly had introduced himself to Mr Desmond - Surveyor, Dublin Airport as "An Assistant to an Assistant of the Minister for Finance".

City of Dublin 25/3

*are they still there?
How did Muldoon
come to know?*

*X
?
Still in contact*

*Why did Tobin
diverge the
requirements of the
Finance Act?*

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On 18th., April, Mr Sean Carpendale informed me of the approach made by Chief Supt. Fleming to him. Mr Carpendale gave me a telephone number at which Chief Supt. Fleming could be contacted. I phoned Mr Pagan at his home address before 3p.m. on the 18th., and told him to phone Chief Supt. Fleming before 4p.m., as the Gardai were going to seize any arms that were landed at Dublin, Cork or Shannon Airports.

I heard no more about the matter until I was approached by Chief Supt. Fleming on this date.

This statement has been read over to me and it is correct.

Signed : T. Tobin.

Witness : John P. Fleming. CH/Supt.

Dated : This 27th., day of April, 1970.