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Title: Copy Dublin Metropolitan District Court statement of evidence by Jack Ryan, Aer Lingus Cargo Section, in the case against Albert Luykx, John Kelly, James Kelly, Charles Haughey and Neil Blaney, accused of conspiring to illegally import arms and ammunition into Ireland.

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No. 216

AN CHUIRT DUICHE



THE DISTRICT COURT

Form 4—Rule 5

CRIMINAL PROCEDURE ACT, 1967

section 6 (1) (d)

STATEMENT OF EVIDENCE

~~District Court Area~~

DUBLIN METROPOLITAN

District No.

THE ATTORNEY GENERAL.....

Prosecutor

ALBERT A. LUYKX, JOHN KELLY, JAMES J. KELLY,

CHARLES J. HAUGHEY and NEIL T. BLANEY.....

Accused

Statement of the evidence that is to be given by ...Jack... Ryan, of 49 Carrick-
 -hill Road, Portmarnock,
 Co. Dublin.....(witness no. 17.):—

I am Superintendent in Aer Lingus Cargo Section at Dublin Airport. In the course of my duties, at about 4.p.m. on Wednesday, 15th. April, 1970, it became necessary for me to enquire regarding a proposed shipment of arms and ammunition consisting of ten (10) cases of pistols weighing 581 kilos and seventy-two (72) cases of 9.m.m. Luger bullets weighing approximately 1500 kilos from Frankfurt to Dublin Airport by Aer Lingus. The consignee was Otto Schleuter of Weluks Ltd., Capel Street, Dublin. I was aware that, because of I.A.T.A. Regulations, it would not be possible to ship ammunition by passenger plane, but there was no restrictions of the carriage of arms by passenger plane under these Regulations. It was to duty to see if the proposed shipment of ten cases of pistols was in order at Dublin Airport as far as Customs and other legal requirements were concerned. I went to the office of Mr. Desmond, the Customs Surveyor, to check as to these requirements. There was another man present in Mr. Desmon's Office when I entered and Mr. Desmond introduced this man to me as 'Mr. Kelly'. The Mr. Kelly introduced to me is the accused John Kelly. I said to Mr. Desmond in Mr. Kelly's presence that I had called to his office in connection with a proposed importation of arms.

Mr. Desmond said that Mr. Kelly and himself were talking about it. I asked Mr. Desmond if the consignment I mentioned was above board as far as Customs were concerned i.e. if a licence and Customs requirements were in order. He said he had checked it and the consignment had Government approval. We then discussed my refusal to accept carriage of the ammunition, because of the regulations I have mentioned, but I told them that I had given the O.K. for the ten cases of pistols, subject to checking with Mr. Desmond that importation was in order. This finished our discussion. Mr. Kelly was present during all of this discussion.

On Thursday morning the 16th. April, 1970, in the course of my duties, I was aware that the ten cases of firearms were expected to arrive at Dublin Airport on Flight No. 651 on Friday, 17th. April, 1970. On the morning of the 16th. April, 1970, I called to Mr. Desmond's office to inform him of the expected arrival of the firearms. Mr. Kelly was again in Mr. Desmond's office when I entered. On this occasion our conversation became intimate than on the former occasion and I was led to believe that the operation was top secret. Mr. Kelly said he was worried about how many people in Aer Lingus knew of the operation and I told him about nine or ten. Mr. Kelly then asked what could the consignment be described as on the Weigh Bill and Manifest and it was obvious to me that he didn't wish it described as firearms. The point arose as a result of me telling him that the aircraft would be flying through Manchester where a copy of the Manifest would be taken off. We also discussed splitting the shipment and bringing the ammunition through London. Mr. Kelly would not agree to this under any circumstances. I understood from the conversation that owing to the troubled state of things in Northern Ireland, Mr. Kelly did not wish it to become known to the British that this consignment was arriving in Dublin. Mr. Desmond then suggested stopping the ten cases of pistols from coming separately and leaving the entire consignment of arms and ammunition to come forward on a charter basis. Mr. Kelly said he would check this out but that he could not give the O.K. to stopping the shipping of the pistols. I told Mr. Kelly that I would be speaking to the Aer Lingus representative in Frankfurt by 'phone later that day and that I would try to do all I could to keep the matter of the importation of firearms secret.

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District No.

.....Prosecutor

.....Accused

Statement of the evidence that is to be given by

.....(witness no.):-

(Statement of Jack Ryan continued)

At this atage I was fully convinced that the proposed consignment had Government approval as stated by Mr. Desmond. My only interest in the matter was in the safety of the aircraft. I asked Mr. Kelly if I would lay on security at Dublin Airport when the ten cases of pistols would arrive and he replied that he didn't want any security. The Surveyor, Mr. Desmond, said he was satisfied from the Customs clearance point of view and would give permission to collect the consignment by lorry at the ramp at Dublin Airport. Later that evening, I spoke to Mr. Johnston, the Aer Lingus representative in Frankfurt, over the telephone. Mr. Kelly rang me on the 'phone later that evening and asked me to confirm whether the ten cases were to be shipped or not and I told him I had already stopped them in Vienna because they might attract too much attention at Frankfurt if they arrived there from Vienna as Mr. Johnston had requested security in Frankfurt for their arrival there. He accepted this. When I arrived at my office about 9.20.a.m. on Friday, 17th. April, 1970, I was given a message to ring Mr. Kelly at 903926.

I did so and spoke to Mr. Kelly on the 'phone. He informed me that a Mr. Kelly and a Mr. Albert had left Dublin for Frankfurt that morning and he requested me to ask Mr. Johnston to meet them in Frankfurt. I 'phoned Mr. Johnston. I received another 'phone call from Mr. Kelly at 5.p.m. on that evening, the 17th. April, 1970, and he enquired if I had spoken to Mr. Johnston and I told him that I had spoken to Mr. Johnston and had asked him to meet the two men, Mr. Kelly and Mr. Albert as he had requested. Mr. Kelly then asked me if I was on duty over the week-end and I told him 'No', but I gave him the 'phone number of my home to use if he wanted to contact me. I haven't heard from Mr. Kelly since.