

FORT WORTH FIVE

Although they have not been accused, much less convicted, of any crime, five Irish-born residents of the New York area: Kenneth Tierney, Paschal Morahan, Matthias Reilly, Daniel Crawford and Thomas Laffey, have spent five of the last nine months in jail. They are presently in the Federal Correctional Institution, Seagoville, Texas, serving a sentence on a finding of civil contempt for failure to answer Grand Jury questions.

The Grand Jury subpoenaed all five to investigate alleged gun-running between Texas and Northern Ireland. Newspapers in Texas reported the investigation was prompted by the British Government and that the Justice Department selected Fort Worth, Texas, as site of the investigation because of the absence of Irish-Americans in the area and the tough reputation of the presiding Federal Judge, Leo Brewster.

Despite an offer of immunity, the five refused to testify on the grounds that no immunity offered by a U.S. court would prevent their extradition to, and persecution by, Great Britain. Two are British subjects. Sentenced to jail in June, 1972, they were admitted to bail in September by order of Supreme Court Justice, William O. Douglas. In January, 1973, the Supreme Court, Justice Douglas dissenting, refused to review their appeal from the civil contempt conviction and on January 29th. they returned to Tarrant County Jail in Texas.

Despite the setback in the courts, attorneys Paul O'Dwyer, Frank Durkan and Doris Peterson have carried the fight for justice for the five to the public via the press, radio and television. With the support and aid of Senator Ted Kennedy, Congresswoman Bella Abzug and several Congressmen, the case is also being fought in the U.S. Congress. A Congressional enquiry into the case began on March 13th. All five men have sworn that previous to the Grand Jury proceedings, they had known no one in Texas nor had they had any communication with anyone or any place in Texas. They did not even know each other.

Following a visit to his clients in Tarrant County jail in February, Mr. O'Dwyer stated that the men were being held in isolation in a "hell hole". "The air is foul," he said, "the food is often inedible and the men get no exercise. Although the prison staff are not at fault, the facilities are a disgrace to any civilized community." In a letter to U.S. Attorney General Kleindienst, Senator Kennedy said they were being held under especially harsh conditions in a local, not federal, prison and were denied contact by telephone with families or legal counsel. "Why couldn't the men have been subpoenaed to testify before a Grand Jury in New York?" Kennedy asked.

Public outrage and political pressure generated by O'Dwyer's revelations resulted in the prisoners transfer to the Federal Institution at Seagoville, where conditions are more humane. Three of the five have wives and young children who have been deprived of their breadwinners. At present they face the prospect of incarceration until the Grand Jury's term expires in November.

In the summer of 1972 the Dallas Fund Committee was organized to publicize the plight of the "Fort Worth Five", to raise funds for legal aid and to help support their families. Contributions may be sent to:

The Dallas Defense Fund Committee,	(for info. write) The Irish American Action Assoc.
326 West 48th. Street,	P.O. Box 16365,
New York, New York. 10036	San Francisco, Calif. 94116

The men themselves can receive mail only from individuals, not from organizations. Mail must also be addressed to an individual, not to the "Fort Worth Five". Write to one of them at: The Federal Correctional Institution, Seagoville, Texas. 75159

WHO WILL BE NEXT ?

The rights of U.S. citizens are non-existent in Northern Ireland. Take Gerald Brady, a Chicago resident. Mr. Brady visited Northern Ireland in 1970 where he married an Irish girl. On June 23, 1972, he was walking through a field on the way to a relative's home near Newry, when British soldiers took him into custody under the Special Power's Act. He was subsequently beaten and tortured twice, first by the R.U.C. men and later at Long Kesh. He was held for three months before being charged with a crime, charges being finally served on him on October 10, 1972. Brady was sentenced by the British court to five years imprisonment. He had no defense counsel and attempted to conduct his own defense.

The American Consul in Belfast has visited Brady several times and the U.S. State Department has asked the British Government to release him. However, Mr. Heath has refused to do so. Several Congressmen have attempted to assist Mr. Brady - to no avail. His American attorney, James C. Heaney of Buffalo, New York, made the following statement to the press.

"Mr. Heath has refused to explain or justify the beating and torturing of my client - - the authorities had no proof that my client had committed a crime or had engaged in anti-British activities - - Government officials advised the American Consul in Belfast that they had no case against Brady, but still insisted on trying him. This is a scandalous situation when we consider the fact that it involves an American citizen. We have no recourse but to apply for relief in American courts"

The suit against the British Government was filed in the U.S. Federal District Court for the District of Columbia, Washington, D.C. alleging that Brady was beaten and deprived of his

freedom since June 23rd. and in violation of his rights under the 4th, 5th, 6th. and 14th. amendments of the U.S. Constitution. The complaint asks for one million dollars in compensatory damages and three million dollars in punitive damages. A jury trial is also requested. Whatever the outcome, the litigation places before the U.S. Courts and the American public the issue of the British presence in Northern Ireland, a development British officials will hardly welcome. The operation of the Special Powers Act will also be reviewed by the Federal Court as Brady was seized under the provisions of this Law. It is expected that the Brady suit will embarrass Britian within the Common Market where she has been already severely cirticised by other members because of her position in the North of Ireland. Britian's march from Long Kesh to the Federal Courts in Washington, D.C. may prove to be a long and arduous journey.

TORTURED

In a recent press release, South Belfast's Peoples Democracy has said that if "anybody doubts that the terror being inflicted on arrested persons has ended since the advent of direct rule we should like to bring public attention to the case of Daniel Smith (23) married, with one child who was arrested last week".

Mr. Smith, who is a native of the Markets Area of Belfast, was taken to the Grant Central Hotel in Royal Avenue where he was hooded and beaten during questioning and at one stage sticks were intruded into his body under his toenails. This is a form of torture well known to have been used during Worl War 11. Later he was hung upside down and a tube forced into his mouth and throat. Water was passed through this tube and gave rise to pain and fear of drowning to Mr. Smith, when it emitted from his nose!

Mr. Smith has since been detained and told he will be charged with causing an explosion. Despite the fact that he is innocent of the charge it will be his word against an unidentified policeman giving evidence from the anominity provided by a curtain and they call it justice.

PRESENCE OF PARATROOPERS PROTESTED

A demonstration in the Ardoyne district of Belfast against the presence of the Third Parachute Regiment there drew a large attendance from local people, who have been protesting about the regiment since it took up duty there three weeks ago. The Parachute Regiment has possibly the worst reputation in Northern Ireland of all the British units serving there, with the possible exception of the Royal Hampshire Regiment at present on duty in the Newry and south Armagh areas. In Ardoyne, there are allegations from almost every family of ill-treatment at the hands of the troops, including the terrorism of children and the beating of men arrested during raids on clubs in the area.

The killing of 19 year old Patrick Mc Cabe in a shooting incident last week was the immediate cause of the demonstration, and it is claimed that Mc Cabe was unarmed and gunned down simply because he was the next person to appear in an alley after threats had been issued by a number of paratroops on duty some yards away.

BRITISH OFFICER ORDERS SOLDIER TO SHOOT CHILDREN

An ex-British Soldier, Gunner George Williams of the 3rd. Royal Horse artillery, a native of London who deserted from the British army after he was arrested for disobeying instructions to fire into a group of young people in Derry said that he had been stationed at Hawkins Street armoury, an old B-Special depot, and about two weeks before Christmas, when he was on guard duty there were young people playing about 25 yards up the street. An officer ordered him to fire on the children, but he refused. "I was then marched in the company of the sergeant and an officer to the guardroom and was charged with disobeying a direct order and insubordination". He was then taken to Belfast and on to Colchester Barracks in Essex where he was put on open arrest. In a recent interview with an Irish Press correspondent he told how while being allowed to visit his family in London during the Christmas holiday, he, his wife and brother eluded the police guard stationed around his house, made his way to Euston Station, jumped on the train as it was pulling our for Hollyhead, & made his way to Dublin where he told his story to the press. Gunner Williams is presently living in Ireland and is employed at the Shannon Industrial Estate in Co. Clare.

COMING EVENTS

The Old I.R.A. men of San Francisco will sponsor their annual Mass at St. Patrick's Church, on Easter Sunday, April 22, at 10 am. Everyone is invited to attend.
The Knights of the Red Branch and the Irish Northern Aid Committee will sponsor the annual Easter Week Commeration social at the K.R.B. Hall, 1133 Mission St, S.F. The social begins at 8 pm, donation will be \$2.00.
Benefit Dance for Joe Cooley at St. Finn Barr's (Hearst & Edna Streets) on April 28th. - 9pm-1am.

NAME _____ PHONE _____
ADDRESS _____ CITY _____ ZIP _____

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Mail to: IRISH AMERICAN ACTION ASSOC. P.O. BOX 16365, SAN FRANCISCO, CALIF. 94116 PH#731-5992