

EVERYTHING
BUT
THE TRUTH

PETER MURPHY © 2003

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Peter Murphy asserts the moral right to be identified as the Author of this book, except for some passages from Newspapers and reference to Book Titles and quotes of other Authors

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Prologue

The people of this state desire equality as human persons and in dealings between citizen and state, they want a just social system, they express it every day in the media, and on the streets...they fought for it for eight hundred years.

This story is a testament to the wonderful Constitution of Ireland, to the people who helped shape it and to the people of Ireland who voted to accept Bunreacht Na hEireann, the 1937 Constitution,

I hope it helps to achieve the equality in, and before, the law that is guaranteed in the constitution and that it serves as a warning to everybody from the President to the lowliest citizen in the state of some of the things that can happen if he or she is ignorant of the law, or if the people he or she deals with are so knowledgeable, self-motivated and uncaring of other people's welfare, and in a legitimate position of power over the affairs of citizens, that they will do almost anything to deny them the equality that is enshrined in our Constitution.

I also hope that it will help influence the people with the power to make the decision to teach the rudiments of law at National School Level in this country of ours, for if people are obliged to live by the laws they should at least know what the laws are.

It is my firm belief that when these things are done the people of Ireland will, in the spirit envisaged by the bible and those who took part in the eight hundred years of unremitting struggle, inherit the land.

Introduction

In Dublin City in the nineteen eighties a working class man struggled to carve out a life for himself and his children. Certain individuals and certain factions of the social order militated against him to deny him that life and contrived to endow him with a reputation that was somewhat less than desirable. I am that man, throughout my life I believed that the truth would shine through no matter what, in my fifth decade I realised just how powerfully destructive talk and appearances are and sometimes the truth needs a little push. This is my attempt to push the truth into a position from where it can be seen. I would also like to make it clear at the onset that I am not claiming to be an expert in Irish Law or indeed any Law.

If I damage anybody's reputation I am ready to face up to the consequences of my actions, as I have all my life. I do not think the people who damaged me are ready or would have the courage or the desire or the sense of righteousness to face up to the consequence of their actions.

The names have not been changed to protect the innocent.

This book is dedicated to my parents John and Christina Murphy, my son John, Angela and the rest of the children for making it possible, Gillian who made it easier, my sister Breda and the people of Ireland for making it worthwhile.

BUNREACT NA H-EIREANN

PREAMBLE

In the name of the most Holy Trinity, from whom is all authority and to whom, as our final end, all actions both of men and states must be referred.

We, the people of Eire, humbly acknowledge all our obligations to our Divine Lord, Jesus Christ, who sustained our fathers through centuries of trial.

Gratefully, remembering their heroic and unremitting struggle to regain the rightful independence of our Nation.

And seeking to promote the common good with due observance of prudence, justice and charity, so that the dignity and freedom of the individual may be assured, true social order attained, the unity of our country restored, and concord established with other nations.

Do hereby adopt, enact, and give to ourselves this Constitution.

(Government Publications)

Dublin

City of Culture
They waited all these years
I always knew
since first I learned to love you
all those years ago.

I was but a lad
when first I saw your invisible charm
I came to no harm
when I walked your magical streets
all those years ago.

My heart was sad
when I saw something bad
like a mugger or a vandal do his deed
but worse than that, the dereliction
when I saw my Dublin bleed.

Nobody could be sad for long
when they heard Dublin's song
when they saw it's people's guile
when they saw its people hurt and smile
City of culture.

'little pigs have big ears!'

After the turmoil of the *Rebellion*, the *War for Independence* and the *Civil War* in Ireland and WW11 internationally, John James Murphy and Christina were capably coping with rearing their eight children in their recently acquired house in the Dublin suburb of Drimnagh. Times were good enough that he could take his wife on his motorbike to whatever cinema she chose during the *Emergency* and leave the two youngest boys in the care of their daughters.

'Put them kids up to bed' my mother shouted to Sheila, my father was standing near the front door wearing a beautiful off-white Burberry coat. 'Come –on' Sheila took Eamon's hand and jerked him roughly in the direction of the stairs. Mother and father left. My sister's friend Carmel Staunton visited, the girls were singing and dancing in the sitting room. I sat on the stairs crying 'Stop that snivelling' Sheila said 'I want some bread and butter' 'It's bedtime' she shrieked 'and I'll smack your arse if you don't shuttup' 'I want bread and butter' She brought me out bread covered with a quarter of an inch of butter. 'Here' 'I don't want it' she dragged it out of my hand and went into the other room. 'Come on down to the shops and we'll get some fellas' Carmel said 'Shhh... Sheila said putting her index finger across her lips 'little pigs have big ears!' she whispered glancing towards the door.

If they find me dead on the stairs in the morning they will be sorry and they will know that I really am hungry. I cried myself to sleep. On waking I went down to the kitchen 'Here' my mother said holding out a slice of bread. She soaked a cloth under the running tap and wiped it across my eyes 'There's a good boy go out to play'.

An old man leaning over his front gate watched the contest as he spoke to his acquaintance. The boys circled the upturned bean can like two sumo wrestlers staring into each other's eyes, occasionally feigning a snatch to unnerve the opposition. The rules of the game were simple to grab the can and run away with it without the opposition touching you. 'Snatch-the-

bacon' it was called which said a lot for youthful imagination, for meat was rare on the mean streets of Dublin in nineteen forty-nine.

'Come-on grab it' an onlooker shouted enthusiastically and with a snatch too fast for most of the eyes that watched, the can was gone with the boy running speedily down the street his adversary caught flatfooted. 'He is the best bacon snatcher around here' the old man commented.

'Peter' my father called from the front door. I ran over to him 'come into the house' he sat in the armchair holding my two hands in his 'Did I ever tell you of the time I was walking to the mess room with two comrades... the sergeant stopped me...soldier he said, what kind of weapon do you have

' a rifle sir'

'What is it called'...'short lee Enfield,' ' why is it called short'?

Because it is shorter than the previous pattern, sir

why is it called lee, Lee was the inventor, sir

Why is it called Enfield, it was manufactured in Enfield, sir...

How many parts on a rifle, three what are they 'lock, stock and barrel, sir-'

How many pieces, too many to count, sir, skip guard duty for two weeks the Sergeant said... Peter, the greatest gift is to have the intelligence to learn, do you understand' 'No daddy'...

I was curiously examining the latch of a neighbour's front gate across the road from my house. Two older lads, tough boys, in the local pecking order approached 'Get away from there' the small one shouted I took no heed of him 'get across the road ye little bollix and play with yer own gate' he pushed me. The tallest one put his hand to my shoulder and pushed 'fuck-off away from here...ye little fat bollox' I ran back to him swinging my arms 'Leave me alone ye bastard'. He pinned my two arms to my body and pushed me away from him, I was crying with frustration, my mother rushed across the road 'leave him alone' she said 'come here Peter' she took my hand and we walked towards our house. I saw an oval stone the size of a duck egg on the ground, I let go of my mother's hand, picked up the rock and threw it at the tall one. It hit him on the knee he fell to the ground moaning. My mother put her hand on my head and rubbed me, the way she did when she approved of my actions, she shouted at the same time 'ye little pup, don't be throwing stones, get into that house' I ran in, still crying.

I attended Our Lady of Good Council Primary School and spent the last three years of my academic education studying for the Intermediate Certificate at Westland Row, Catholic Boys School, Dublin.

My first paid occupation was a van boy helping to collect and deliver laundry. I then worked on the loading bay of Killeen Paper Mills where I listened to tales of great adventures in England told by my older workmates as we sat eating our cheese or banana sandwiches at our breaks.

I walked home from work unaffected by the January weather my two younger brothers were alone in the house.

'Where's mam' I asked 'They're all gone to the hospital...the police were here...they said we can all go down and visit him' I ran to the bus and got off at Camden Street. I quickly walked to the closed side gate in Long Lane and banged on it 'what do you want' the uniformed gateman asked 'I want to see my father' 'visiting time is finished...what's his name' 'John Murphy...they said we can visit him at any time' 'your mother and sisters have just gone, he's alright...you can see him in the morning' Alone on the bus going home I cried uncontrollably.

The banging on the front door woke me, my mother answered the policeman, we knew his message we did not have to be told.

Surrounded by people wearing shamrock and singing Irish songs, I watched the waters of the river Liffey accompany the Dublin to Liverpool Ferry to see me off safely¹ until it was subsumed by the Irish Sea.

I found it difficult to cope, sleeping in parks and derelict houses most of the time. I was arrested with some boys for housebreaking and taken to Winson Green Prison to await trial at the Petty Sessions. Two months later the judge came in wearing an immaculate scarlet gown and a white horsehair wig.

When he broke the second seal I heard a second living creature shout "Come" and out came another horse, bright red, and its rider was given its duty to take away peace from the earth and set people killing each other. He was given a huge sword.

¹ See *Wild Shamrock* Minerva Press 1997

He sentenced me to Borstal Training. I spent two months in Wormwood Scrubs Prison waiting to be allocated to Borstal and the following eight months living at Hewell Grange, a house King Henry VIII had built for himself. He did not like it... neither did I. I never thought that I would have something in common with a King of England. On my release I returned home

‘Why don’t you get a job like mine...I have a good secure job, plenty of money’ Paddy Hernon said swilling his beer in The Barley Mow on Frances St. ‘How is it secure’ ‘There are not that many people who can drive a crane around’ ‘Paddy! anybody can drive a crane’

‘Don’t be fucking *stupid*’ he said rather annoyed ‘it’s a skilled job’

‘All machines... are designed by scientists so that people of average intelligence can operate them’

‘They need another crane-driver in my place... I bet you a tenner you wont get the job’ he said confidently ‘you’re on’ I shook his hand.

Peter’ he called from his seat at the bar as I entered the Auto Ban Public House on Ballymun Avenue ‘. The barman placed a pint of Smithwicks beside his pint of Guinness. ‘Are you goin’ through with it ‘ ‘Yeah’ ‘ have you got a sheet of paper’ he addressed the barman. ‘Sorry I haven’t’ ‘Gimme a beer bag’ ‘Look’ he said drawing the controls on the brown manila bag, ‘don’t use the slew brake, or you will shake the fucking thing like a butter churn...back slew’.

In the General Foreman’s office my bravado drained somewhat I began to regret making the wager. ‘Yes’ he said without raising his gaze from the newspaper on his desk.

‘Is there any work?’

‘No-’

‘For a crane-driver’

‘Can you drive a crane?’

‘Yes’

‘*Danny* come in here’ a man came in the door ‘give this man a trial on a crane’ ‘Come on’ He brought me around to a crane and pointed at it. ‘Use that one’ my knees shook as I climbed the ladder I was not sure I could find the door to the cabin. The driver rose from the seat as I entered.

‘Is the slew brake severe’ ‘Yes’

The company made modular buildings casting the concrete walls and balconies in large moulds, when set, they were polished and called stones. 'Put that on the trailer' he pointed to a stone. A man on the ground did the hooking and unhooking. I raised the stone and slewed towards the trailer. The 'banks man' stood on the trailer motioning with his hands unconcerned with the fact that a stone of more than six hundredweight was swinging towards him. I back slewed and loaded it successfully. 'Right' the foreman waved me down. 'Can you start in the morning, seven o'clock, lates are not tolerated' the General Foreman asked 'Yes' I went back to the pub. 'Peter... you're a wagon, here's your money'. 'The guy that stood on the back of the trailer is a wagon Paddy...not me'. I put in six months of my time there.

‘We can have a few friendly bets... nothing too heavy’

I struggled along Moss Lane East head bent low to the front, more of a gesture than a protection against the icy November winds of Manchester, thankful to pass through the double doors of the ‘Prince Albert Inn’. ‘A pint of brown -n- mild’ I shouted to the fat curly haired Mayo man behind the counter. ‘How’s it going Scouse’ I nodded my head to Mick Cassin from Cashel who was standing beside him.

‘*Bastard* of a night!’ Scouse said ‘if you were a brass monkey... you would need a weld’.

‘You guys wanna play’ A black man standing behind me...I did not see him come in. A striking man, six-foot tall, slim build, tight curly hair with the facial features of a European nobleman, dressed in a navy pinstripe suit, immaculate white shirt with a gold ring and gold watch so visual as to be common but on him had the opposite effect. In his left hand he carried three round discs about three and half inches in diameter covered with green baize on one side and black leatherette on the other.

‘We can have a few friendly bets... nothing too heavy’ he gestured with his right hand.

He spread the discs on a table and began shuffling them. ‘Look it’s a simple game’ he marked one disc on the baize with chalk, put them on the table green side down and shuffled them about ‘if you pick the one with the chalk on it I will double your money’ he said raising the sleeves of his jacket, revealing two flashing gold cuff links. My mother had warned me about playing this game when I was young, ‘*Find the lady*’ she called it, later on it was one of the things we spoke about as boys while standing on the street corner putting in time. The boys called it ‘*The Three Card Trick*’ I thought, up to now, that everybody used playing cards.

‘It’s a fair game...I’m an honest man’ he said, gold teeth gleaming.

I moved close to him ‘I’m not a pigeon’ I whispered in his ear

‘What do you think I am, a *conman*’?

‘No, you are a *jackdaw*’

‘What do you mean’?

'I'll bet you... your favourite colour is red' he smiled in a way that suggested I was right 'back in Dublin we have birds called Jackdaws and they are terrible robbers, they steal everything that is shiny or brightly coloured, you remind me of them'

'I like you... will you do a bit of work for me'

'Okay' I replied, not giving much thought to it.

'Come to the 'Big Alec' tomorrow'. Scouse, Mick Cassin and two other customers were gambling at his table as I left.

I entered the foyer of the Alexandra Hotel. He was entertaining two men at the opposite side. I called a pint and watched after some time I went into the toilet to urinate. A Negro of about eight years of age came in. He shoved four 'fivers' into my hand 'Julian said you are working' he walked away. I put the money in my pocket and went back to the bar unsure of what to do. I had seen a 'bowery boy's' film when I was a boy, with a sketch in which 'Satch' was playing a game like this except it was with three half walnut husks and a pea. There was a parrot on Satch's shoulder telling him which shell to pick, it was an amusing sketch for all... except the gambler that is. He had money sticking out of every pocket, held in his ears the way one holds a cigarette and it looked like there were not enough places in his clothing, or on his body, to hold all the money he was winning.

I watched his shuffling closely 'Fiver' I said pointing to the disc on the right. He paid me the fiver. I lost the next two. 'Score' I pointed to the middle disc, Julian was about to turn it over, 'hold it' I said, 'shuffle them again'.

'Do you not trust me, Paddy'?

'About as far as I could throw you' He shuffled again. I pointed to the one on the right he turned over the disc and paid me the twenty pounds.

I walked back to the bar 'winning' a considerable amount of money with some of it hanging carelessly out of my top pocket. I pretended to be drunk and bought drink for some people at the bar. I could spot those who were hesitant about betting and was able to reassure them with my actions and show. At closing time I was in the toilet, the young boy came in 'The money' I put it in his outstretched hand 'Julian said he will see you tomorrow' he gave me twenty pounds as he left. I went home to my room.

Julian could work anywhere there were people though he regularly used the three largest pubs on Moss Lane.

Drinking in the Prince of Wales Hotel having finished *work*.

‘Julian... what kind of behaviour of white men do you not like’

‘I do not like people compensating for the fact that I am coloured’ he said in a serious vein ‘people should act natural...if you were working on a building job with an Irishman and he did something foolish ... you might call him a stupid Irish bastard... he would not take offence because he knows there is no malice in it’.

‘Where are you from?’

‘Why’

‘You are very clever for a nigger’

‘You are not too clever for a whittie, I ... am from the jungle’

‘What chance do the punters have of winning?’

‘None... apart from everything else I can tell by their body movement which disc they are about to choose, if it’s ‘Chalkie’ and I do not want them to win, I pick it up before them, turn it over and say look it’s simple or words to that effect and then reshuffle the discs... if by some remote accident of fortune one of them was to win against my wishes he would be robbed outside’.

‘The Albert’ on Moss Lane four guys came in ‘Put the names on the board’ the smallest one shouted. I finished playing and stood at the bar drinking and watching the games. The four Scots stood beside me ‘where are ye from Paddy’ the small guy asked. ‘Dublin’ ‘My name is Robbie McDonald my friends call me ‘Jock’ this is Vinnie, John and Ain we are all from Easterhouse in Glasgow... where would we get digs around here’.

‘Ask some of the boys there, they might be able to help you... you left it pretty late in the evening’ They had no success ‘You can stay in my room, for a night or two if you like but I’m sleeping in the bed’. *The room was cramped I have never been to Scotland; it seems to be like Dublin with Easterhouse on a par with Keogh Square.* John and Ain got work painting Vinnie started cooking in a restaurant.

The boys consulted Jock about every occurrence and they carried out his bidding without question. He was just like some of the boys I grew up with back home smart and witty, keen to know everything. He came with me to the Denmark Hotel after a couple of pints I started to operate. To my

surprise Jock began gambling, there were too many people within earshot to warn him of his chances of winning.

‘Peter, Peter’ I walked over to Jock. ‘Get me a pint’ he asked in his inimitable way.

‘Have you lost much’ I put the pint in front of him.

‘I’m broke, but it doesn’t matter, you’re winning a lot’ ‘Jock, ...do they teach you nothing growing up in Glasgow... things are not exactly as they seem to be, I work for the black guy...he gives me a few quid at the end of the night...I will try to get your money back’

Julian was putting away his equipment I was about ten feet from him he looked up ‘No’ he shouted above the noise.

I sat beside him ‘It’s my friend’

‘I don’t care if it’s your mother, nobody gets money back’ he drew a line on the table ‘do you see that line, money only comes one way’ he drew his finger from me across the line in a grabbing fashion ‘it doesn’t go back...it’s a cheap lesson for him...we had a good night, there’s a bonus for you...I will see you to-morrow’ I took the thirty pounds and left. ‘You Irishmen are deep fuckers’ Jock said as I handed him the twenty.

In the bar of the Denmark hotel with Julian

‘I am going to do the holiday towns...Blackpool, Brighton and such. I want you to come with me... Peter, you know people don’t like losing money’ I nodded. ‘I’m going to get you a gun, if a row breaks out when we are on the road you have a choice of action, you can grab the money and fight, you can grab the money and run, you can grab the money and shoot...but *grab-the-fucking-money*’ he walked over to a table and set up his operation.

The Scots went back to Glasgow. Times had been better I was walking on the street thinking about home Julian approached I had not seen him for some time.

‘Hello Peter’ he was dressed immaculately as ever ‘how are you’

‘Not too good, Julian, I-’

‘I don’t give away money...why don’t you come to work’ he shoved two pounds into my breast pocket as he passed.

The familiar waters of the Liffey rushed out from its granite banks to surround the Liverpool to Dublin Ferry and welcome me home.

**‘your house has burned down, do you want temporary
accommodation’**

Rogues, cripples, vagabonds, cutthroats, cutpurses, doctors, women of easy virtue, easy women of no virtue, singers, intellectuals, men of breeding, men of no breeding, The Fountain Bar, John and Joe Broggy purchased it, their brother Brian worked part time there, Joe used to ask me to do the repairs that were needed.

I rented an apartment over a butcher’s shop in Camden Street and made a living doing building works mainly for Paddy and James Oman refurbishing around Crown Alley in the Temple Bar area and the friends to whom they recommended me. I purchased a truck and had a lucrative contract transporting marquees and party equipment for a hire company in Dolphins Barn. As business improved I employed Johnny Wilson to drive the truck, when deliveries were quite he used to sell coal door to door. Johnny was from Dolphins Barn and was married with four children.

Six of us were working in Marlfield Nurseries at Cornellscourt. Two were digging out an area of about twenty-five square yards the soil was soft and peaty, I collected some small coloured stones washed them and put them into my car. I dropped the men home and went into Kavangh’s Pub on Clanbrassil Street for a pint with Tony Dillon a bulky muscular man with a deceptively keen intellect who worked with me on a regular basis.

‘Two pints of Smithwicks’ we sat at a table.

‘Peter, Jimmy, the brother, asked me if you were off your head’ Tony said as he lowered his half-empty glass. ‘What!’

‘You know Jimmy...all life is a mystery to ‘im, he’s on a mystery tour from when he wakes in the morning until he goes asleep at night...he saw you picking up rocks and washing them...he thinks your box of trains is not right’.

‘The cheek of him, and he only started yesterday’

I dropped Tony home.

Jimmy came to my car to draw his wages.

‘Get in’ he got in the passenger side ‘do you want to be paid with rocks or money’

‘Money’ he stared into my eyes

‘Don’t be afraid to say it, you’d rather have the rocks, I know, I’ll tell you what, I have lovely red and green stones, I’ll give you them and I’ll throw in some apples and pears as well’ ‘Fuck off’

‘I’m busy now... think about it’

Jimmy finished that week. I had some stones with holes in them that I used to collect on the beaches around Dublin. A piece of hard stone finds its way into a cavity of a larger one and over the years the movement of the tides wears a hole of intricate shape and size, ideal hiding places for the fry in the community tank. I went to his house and gave one of them to this wife and asked her to tell him that I wanted fourteen tonnes of them.

Tony and I picked our way through the chunks of concrete as we walked on Aungier Street towards the flower shop to send a bouquet to Angela in the maternity ward at St. James. ‘Jimmy drinks in ‘lousy heads’ he shouted above the noise of the mechanical shovel pointing to a pub with The Good Times displayed above the window. ‘I wouldn’t expect any better from him, go on in, I’ll follow you’ I picked up a large piece of concrete, went in the door and banged it on the bar in front of Jimmy. *‘There’s your holiday pay’...*

‘Will you bring John down to me in the morning’ I asked as we drank the last pint in the Camden house ‘Ok, what do you want him for’ *‘Mind your own business...I am jesting Johnny, I think I will bring him to Blackpool for his birthday’*

Johnny shook me to wake ‘What’s wrong’

‘You said you were bringing John to Blackpool’

‘Alright, we’ll get breakfast in the restaurant down the street’

We went into a nearby travel agency ‘Yes’ the guy behind the counter looked bored.

‘Have you two tickets for Blackpool, an adult and child’

‘When do you want them’ ‘Now’

‘I’ve no tickets for Blackpool’

‘Alright, good luck’ I turned to leave.

‘*Hey!* I have two to Liverpool’

‘How far is that from Blackpool’

‘Forty miles’

‘I’ll take them’

Johnny drove us to the airport. On the plane I was worried that John would be nervous he was looking out the window excited at seeing cars the size of ants.

We got a taxi from the airport to Blackpool and booked into a hotel on the promenade. We spent four days there...John enjoyed his ninth birthday.

The owner of the butchers shop was selling the place and he required vacant possession of the entire building I promised him that I would move out. Vincent Cody, with whom I sometimes drank, had an empty house in Cabra that was being vandalised he asked me to move in, rent-free.

The water system of the Fountain Bar was contaminated with heating oil from the mains, the fire brigade was called and they left the premises in a shambles, the bar was closed to the public. Joe asked me to refurbish the place. I took the job on as I had the men and materials to hand.

He paid me a couple of thousand on two occasions. I was practically finished and they owed me nineteen thousand pounds I asked Joe for money.

‘We have none, there’s a problem with the insurance claim...come with me in the morning to the insurance agent in Harcourt Street and I’ll see if we can get money’ We went to the agent but he could not give any money or say when they would be paid.

‘Will you complete the job on the pub’ John asked ‘and we’ll give you a share of the place’ ‘where’s the deeds’ ‘In the bank’ Joe said ‘aye, eye, bee Blanchardstown’

‘How much is the pub worth, and how much do you owe on the place’.

‘Its worth about one hundred and twenty thousand pounds...we owe about sixty thousand’ ‘Right, I get a one third share of the place, there’s about four thousand pounds needed to get the place ready structurally...we can sort out the legalities later, we need every penny to get into business’ they agreed. Frank Smith, a long time friend that I worked with in years past recommended me to his bank manager Dan O’Driscoll of Allied Irish Bank Capel Street branch he was amiable and told me he was born on an island off the Kerry coast where they still speak the mother tongue. He set up an account with an overdraft facility of twenty thousand pounds for me. The banging on my front door woke me Dick Colgan and Billy Wallace a lorry driver that drinks in the pub were standing on the path.

‘What do you want’ I asked looking at Dick.

‘You said you would buy the house, I’m moving you in...right Billy start downstairs...the big stuff first’ I stepped aside ‘you have to give me three thousand pounds before Christmas’ he said as he carried a table out. In the evening I gave him the three thousand pounds.

I met him and his wife in the offices of Bowler Geraghty his solicitors at Ormond Quay John Mills acted for him in the conveyance another solicitor acted for me. The house was transferred ‘Peter’ Dick said ‘it’s Monday morning, you better insure that house before darkness falls...it’s a pretty rough neighbourhood’ I borrowed a thousand pounds from the nearby Bank of Ireland we went to an insurance agent in Walkinstown and covered the house and contents for forty thousand pounds.

The house was broken into three times the insurance company said they would pay all the claims together. My car was stolen from outside I recovered it nearby and decided to put a lock and chain on the steering wheel...it was burnt-out.

I completed the job on the pub. I knew little of the pub business other than that publicans get most of my money, and the money of most of the people I know. It was agreed that I would get an amount equal to half of each of their wages as I was still doing building jobs.

‘We need stock money’ Joe said when I asked him to open for business ‘How much do you need, my money is getting tight’ ‘To stock up properly would take about fifteen thousand’ ‘I haven’t got that we can start with a thousand and build up’ I gave him a thousand pound. The place was two weeks open and a bank holiday weekend approached. We only had enough stock for two days and were discussing matters ‘I say we sell what we can and divide the money’ John said ‘Right’ Joe agreed

‘Hold on a minute, if we do that were back to square one, we might never get back into business...what’s wrong with selling for the two days and using the money to buy beer from another publican’ ‘Right’ they concurred.

They began opening at seven o’clock at night ‘Why can’t you open the same hours as any other pub’ I asked. ‘We can’t afford to pay the part time barman’s wages’ John said ‘and I would not work any more than union hours’ ‘If I do one of the part timers stint will you open full time’ ‘Yes’

‘Money is tight this week’ Joe said standing at the bar ‘If it will help I’ll take nothing this week’ ‘that’ll be a big help’. John told me that money was short the following week. I met the two of them together on payday ‘It’s alright not to pay me provided neither of you are taking money from the pub, I want to be paid as long as it is open...if you want to close...close’

‘There’s a big ee, ess, bee bill to be looked after, they’re cutting off the power’ ‘I’ll go in and see them’ I made an easy-pay agreement with them. ‘If Joe ever tells truth his tongue will turn black and fall in a pile of dust at his feet’ his father said as we enjoyed the staff drink ‘he is the only man that can tell a lie and prove it’

Joe was served with an eviction notice from his rented accommodation in Marley Grange. I refurbished the upstairs of the pub to an acceptable residential standard and helped him and his family to move in to it.

‘Will you buy the place’ he asked me one evening as the three of us were drinking in the bar ‘You’ve nothing to sell’ ‘The licence alone is worth thirty grand’ John joined in. ‘I will give you three thousand each and take over the debt in Blanchardstown’ I got the six thousand Joe backed out of the agreement. ‘Will you give me my three thousand’ John asked ‘I might as well throw the money in the Liffey if Joe won’t take his’ he nodded in agreement.

John suffered a massive heart attack and survived on a life-support machine in the intensive care unit in James’ Hospital for three days.

The family was splintered I went to Brian’s house and told him of the death Eithne brought the body to Waterford City for burial.

Joe, Brian, brother-in-law Robert, Michael Gannon and I went to the funeral. We stayed a couple of nights in Dooley’s Hotel while the ceremonies were taking place.

Joe introduced me to Gerard Harrison the Manager they banked with he said I might get away with paying eighty thousand pounds to them I was trying to get him down to sixty thousand.

‘Where’s Joe’ I asked Eddie the barman ‘In hospital...Brenda is up there’ he raised his eyes to the ceiling. I went up the stairs and knocked at the room door. ‘Come in’ she said ‘Joe is in hospital, I’m going to visit in about an hour ...he was diagnosed as an alcoholic’. ‘What hospital’ ‘Down the hill’

‘Right, thanks, tell him that the deal is still on ...I’ll visit him when I get the time ...I’d better go downstairs’

‘How are we fixed for beer, Eddie’ ‘ I’ll go down and check’

All the spirit bottles behind the bar were empty except for three half bottles. ‘There’s about two and a half kegs of Guinness, one Smithwicks and half a Tennants’ Eddie said emerging from the cellar. I began to work full-time in the bar. The main suppliers would not give credit or take checks. I bought what I could and borrowed from other publicans. Joe came out of hospital and was convalescing upstairs.

‘I’ll still go through with the deal’ ‘Jesus Peter, you must be joking, what would you get for three grand...I’d want at least fifteen’ ‘right, I’ll give you fifteen, do you want to be paid by check or cash’. ‘Get me a draft for thirteen thousand and two in cash’ ‘okay.’

I employed a solicitor Mary Cullen of Tyrconnell Road to do the conveyance. Joe brought me to his solicitor J. Gaynor of Thomas Street to tell him of the transaction. ‘I hope I will not suffer on account of doing the place up’ I said he shrugged his shoulders. I told Mary what I intended to do ‘Don’t give over any money’ she advised. I met Joe in the pub ‘You can stay upstairs for a month or two to straighten out your affairs’ I said as I handed him the money ‘you can work in the bar if you want’ ‘I’ll straighten out the licence in September, Peter’ ‘What should I do about John’s wife’

‘Give her nothing...’

I told Eithne that I would give her sixty pounds a week to be deducted from the final payment when its decided. ‘I’ll send Jonathon in on Friday’ she said

I changed the name to ‘*P & J’s Fountain*’ Joe looked upset as he entered the bar.

‘You couldn’t wait to get the name down Peter’

‘The place needs a change of name, it may help change the image’

‘Is the pub insured’ Mr. Harrison asked as he surveyed the structural works I had carried out ‘I dun no’ I replied ‘it can be looked at later’ ‘I might lend you the money’.

Mary got the deeds from John Gaynor for inspection, business improved by the day some spirits were going unaccounted for.

There were a few noisy arguments upstairs I asked Joe when he intended leaving. 'Brenda wants fifteen hundred for the household stuff' 'I will give her that' I had the money in my pocket he began avoiding me.

I eventually cornered him in the Phoenix Park, having a picnic with his family and gave him the money.

I continued upgrading the premises Mr. Harrison, Mr. Cooper and Mr. Morgerley from Blanchardstown branch inspected the work. Dan O'Driscoll also came in 'I hope I won't be penalised for improving the premises, Dan' 'It's unlikely'

'Will you have a last fair day before I go' Joe asked 'Ok' 'We can run a darts competition.' 'I don't want anything to do with a darts competition...you can run one if you want.' 'We could have a dinner upstairs and invite the local sergeant and the parish priest.' 'Alright.' He put up posters in the bar announcing the fair and the darts competition with two hundred pounds first prize, and a hundred second, the entrance fee was a tenner.

The Fountain Bar is to be found in a vibrant location that is steeped in history, surrounded by hospitals St. James up the street is a general hospital it was previously a workhouse the South Dublin Union. Dr. Steven's down the hill specializes in the treatment of venereal disease it is colloquially called 'the pox hospital'. Nearby St. Patrick's treats alcoholics. Dean Swift recognized the amount of alcoholism and deprivation in the area he instructed the Executors of his estate: that they should turn all his worldly substance into money and purchase lands of inheritance in fee simple situate near Dr. Steven's Hospital, if it cannot be had there anywhere in Ireland except Connaught, but as near to Dublin City as possible and build a hospital to receive as many idiots and lunatics as his worldly substance could maintain. One wonders what he had against Connaught, but I certainly admire the man. The Mendicity Institute is in Ushers Island. The Simon Community put up a place at the bottom of Watling Street around the corner from that. Arthur Guinness chose the area for his brewery. The Royal Hospital Kilmainham is a couple of hundred yards up the road. The variety of the people who conducted business or resided there and the variety of events that occurred there leaves one breathless.

I hired the necessary equipment from a catering company and employed a brother-in-law to prepare the meals.

The day of the fair crowds of people waited for the pub to open. Horse dealers bartered in the street. Two travellers had a horse race with a considerable amount of money wagered. A large force of Gardai deployed from Kevin Street Station maintained the peace by their presence. From the moment it opened, the bar was straining at the walls with drinkers. Noel Kershaw brought a piebald horse into the bar it was drinking Harp Lager out of a bucket. After some time he was whinnying and unsteady on his feet, he leant to one side and then the other occasionally squashing the drinkers beside him.

‘Get that horse out of here, he’s drunk’ I shouted filling some pint glasses.

‘Give him one more’ Noel coaxed

‘No, he’s the most obstreperous horse I’ve encountered in a long time, if he gets any more drink he’ll wreck the place’

He took a few photographs and led him out.

There were only two dart teams they played each other I paid out the prize money. Musicians were plentiful and the singing was constant. Neither the sergeant nor the parish priest attended I invited about thirty people from the bar to come upstairs and eat I gave the leftover food to the people drinking in the bar. The arrangements and food cost about a thousand pounds though I collected the notes out of the tills four times that day. The bar took in more than five thousand pounds.

A little after twelve there was a knock on the door.

‘Hello, Peter Murphy’ A male voice shouted.

Joe opened the door.

‘Is Peter Murphy there’

Joe turned and looked at me to determine which way to answer. I lowered my head slowly in assent and walked to the door ‘I’m Tom Corcoran from the Corporation’ a man said holding out his hand ‘your house has burned down, do you want temporary accommodation’ There was a jeep at the kerbside with a flashing amber light on the roof.

‘What’ I considered the consequences.

‘Do-you-want-temporary-accommodation’

‘No, no’

He went away, I felt a rush of anxiety...John slept there frequently. I hurriedly drove to the house and looked in the window I could see the stars shining through where the roof had been. I went round to Angela's

'Where's John'

'in bed'

'Get him up'

'it's two in the morning'

'Get him up'

She went up and brought John halfway down the stairs.

'How are you' 'All right' he rubbed the sleep from his eyes.

'Come here' I put my arms around him 'go back to bed, we will go to Bray in the morning' I slept on the couch in my mother's house.

The sharp morning breeze caressing my face wakened me, the back door was wide open, my coat was lying in the yard, with papers scattered on the ground. I lost about nine hundred pounds. The investigating detective approached me

'Something's not right here' 'What are you talking about'

'I don't know' he rubbed his chin in thought 'I am not insured for this, I'm going to work, good luck' among the stolen items was a cheque for three hundred pounds from the Royal Liver Insurance Co. I was able to recover that money.

Brenda and the children left for her parent's house in Romford, Essex in June. They were to have a holiday and tie up any affairs that they had there. Joe would follow them later, on the way back he was to fix up any affairs relating to the transfer of the pub particularly the license transfer, and bring his family on to America.

The offices of Walter Hume & Co. loss adjusters, are at the top of a large elegant staircase that winds its way up three floors, hot Dublin summer afternoons are not conducive to climbing. 'Come in' Mr. John Kelly said in his upper-class English accent 'sit down... now regarding your fire claim- 'Will you hold on till I catch my breath' -'I will need receipts and the garda report-' 'I need accommodation...I'm staying at my mother's at the moment'. 'Could you rent a house' 'I am going to book into a hotel near my work' 'We would prefer you to rent a house-' 'I am booking into a hotel' 'right... where were you when the fire occurred' 'In work' 'Where's that' 'in the fountain bar James street' 'How did you find out

about the fire' 'Mister Tom Corcoran of the corporation told me' 'You will need a quantity surveyor' he said 'that's all for today, come in on this day next week, good-day'

My brother told me of Chris Dunne a quantity surveyor he knew from working in Cantrell and Corcoran, I met him and he agreed to do the quantities for the house...

'I didn't know your granny'

The Ashling Hotel looks over a spacious green arena at Kingsbridge known in bygone times as Bullies Acre and enjoys a privileged view of the beautiful Liffey. I cannot remember the first time I saw the river, but I do know it must have had a dramatic effect on me, when I realised the city was here because of the river I felt like I should embrace it or drink it, but since neither of these actions would have been a prospect I was reduced to writing songs and poetry about it. I had seen its course outlined on maps, but I later tried to plot it in my head. The reference points being the many bridges I crossed whilst driving around. I told the receptionist that my house had been destroyed by fire and the insurance company would cover my hotel bill but I would pay upfront anyhow, she was sympathetic to my situation and provided nice accommodation. John's brother used to come to the hotel to keep him company and unknown to me they were playing around with the inter hotel phones.

The receptionist called me to the desk one morning as I was leaving for work 'would you mind taking a smaller room' she asked frostily 'what's wrong with the room I have' 'we reserve that room for people every year at this time' 'I will terminate my stay' there was one hundred and fifty pounds outstanding, nobody asked me for it and I had decided not to pay it until I received the invoice. My business and my mother's addresses were on their files and they had the two phone numbers. I packed my bags, gave in my room key and as we were leaving John turned and gave her a victory sign. I booked into the West County Hotel in nearby Chapelizod. Guardian Royal Exchange insurance company asked me to call to their office the receptionist introduced me to a lady named Murphy 'Would you like to sit down, mister Murphy'?

'No thank you' she thrust a piece of paper, with a cheque for one hundred and fourteen pounds attached, into my hand. I read the typed message we consider the above claim to be null and void *Ab Initio*

'If you have any queries ring the above solicitors'.

'What's this'?

‘That’s all I have to say to you mister Murphy’ She went behind the counter. *Ab Initio* means from the beginning and Null and Void was fairly clear, though there was no reason given.

I got John Kelly on the phone ‘What’s going on, they are refusing to pay out’

‘I have made certain recommendations but I most certainly did not recommend that’ I contacted the solicitors they confirmed that I was not to be paid.

I gave the details and the premium cheque to John Mills he said he would get an opinion on it. I met with Mr. Hamilton B.L. in the office.

‘If I go out of business over this, will they pay’ ‘It is a grey area’ ‘The Corporation have threatened the take my house, my friends have lost confidence in me, who will pay for this or are they all grey areas’

‘They took your money and they have got to pay’ I left feeling a better than I had for some time.

The bar was under stocked I had not got the cash to hand to order enough beer from the suppliers. Guinness’s delivered only once a week on the appointed day, I ordered as many kegs as I could pay for and as I took in money I would buy again. The main problems occurred when I had to pay bills and wages and to have enough stock to trade on the weekends particularly holiday weekends. I got stock sheets from a friend in the Workingman’s Club and learned to do the stocktaking on paper but in reality I became expert on buying, borrowing and keeping stock and ensured that I did not run out of any commodity too often.

Michael Gannon came with the pub he was about fifty years old and lived at Mary Aikenhead House the nearby flats complex. He went for supplies, collected glasses and helped with the general running of the pub. After business hours, as was the custom, we had a staff drink ‘There’s stock going missing’ I said to him one night while standing at the bar ‘Peter, I would tear the heart out of me chest and throw it on the floor, before I would rob you’

‘Will you give us a gig’ asked the bearded guitar playing ballad singer ‘I cannot afford to hire entertainment right now Noel...I haven’t got the money’ ‘we’ll play for drinks and a few smokes’ ‘Who’s with you’ ‘there are five of us...ye know them all, Gerry and that ...we’ve just made our

first tape and we need venues' 'Come in on Sunday and we'll see how it goes'. They brought a few groupies the first night and business began to build steadily. I began to pay them a few pounds...

Two city trained agricultural men came to the bar. 'We're here to collect a debt you owe to the Ashling Hotel' one of them said showing me his credentials. 'I do owe money and I may pay it' 'We will come back in a week' the other one said as they were leaving.

'*You have not paid your bill*' Garda Whelan said on their return 'The business between myself and the Ashling Hotel is a *civil matter*, and if the Ashling Hotel want money from me they should ask me in a *civil manner*, and you should not be here, *should you*'

Rakish Paddy were singing rebel songs Garda Whelan and his comrade pushed through the thronging crowd and grabbed my arm 'I have a warrant for your arrest' he pulled in the direction of the entrance. 'Can I make a phone-call' 'No, you're going to the Bridewell, come on' he tugged on my coat 'Make your phone-call Peter' Frank Cummins one of the burlier regulars said as he got near us. Garda Whelan released my sleeve. I phoned Bowler Geraghty and asked if they could have a solicitor meet me in the station. I got into the garda car. 'You think you can run out of fucking hotels without paying your bills' Garda Whelan snarled 'I didn't run from anywhere' I answered. 'Are you going to pay your bill then' 'No' 'Date of birth' the well-fed flatulent sergeant asked raising his gaze from his ledger 'twenty-ninth June nineteen forty two' 'Address' 'The West County Hotel' 'Are you ready for your cell' 'I do not see any reason why I should be locked up'. 'Do you not like the cells' he asked. 'I am concerned about cleanliness and hygiene' 'Right, this way' he put me into a cell. I could just about see the concrete pad on the floor that substituted for a bed for the walls were covered in excrement that did not reflect the light well. Garda Whelan came into the cell 'Are you ready to pay now' 'You or Mr. Nocter will get nothing from me' A tall thin man with wavy dark hair combed to the side that gave him a foppish look came to the cell 'My name is Bill Jolly from Bowler Geraghty, I was speaking to the sergeant and I advise you to pay the bill'. '*I will not*' 'I will see you in court' he said as he was leaving.

They brought me through a tunnel into a holding cell beneath the courts filled with people in various stages of repair.

‘Garda Whelan and Peter Murphy’ the registrar called. I stood in the dock he asked for an adjournment and personal bail was fixed. He brought me to the bails office

‘Sign here’ he pointed to the document. They had me down as residing at my mother’s address ‘That is not my address, I live in the West County Hotel’

‘We are not changing it ...if you do not sign you will be locked up’ I signed

‘Can we sue the gardai and the Ashling’ I asked John Mills in his office. ‘Get a dismissal, then we will talk’

Jim Whelan won twenty pounds from me playing snooker, he was nearing retirement and he played the piano in some ‘singing pubs’ ‘Are you coming for a pint Jim’ ‘I’m in your hands...lead on’

We went to Kavannagh’s bar in Long Lane ‘Two pints of Smithwicks’ ‘When are you going to give me them kegs back’ Paddy asked as he pushed the pint in front of me ‘What are you talking about’ ‘I gave your man Mick two kegs of Guinness a couple of weeks ago, he said you sent him’ ‘Right, I forgot all about them I’ll send them over in a couple of days’

‘Mick never told me about that Jim’ ‘That’s the trouble with Irish people’ Jim said ‘they can’t tell the truth, if you can be truthful you will beat the world, nobody can find weakness in you...one night I told a lie to my wife and she found out and she was very upset...woman! I said to her, everybody that drinks tells lies... I told you a lie to save you pain, because I love you, and that’s the truth’...

Joe gave me four thousand pounds worth of cancelled checks, proof that Eithne’s house in Bow lane had been purchased with money from the pub, he went to England.

I moved in upstairs.

Mick approached me in the bar ‘Peter my daughter is going to Dundalk to study to be a nun, she needs sixty pounds, could you lend it to me’ ‘Okay... Mick how many places have you borrowed beer from in my name’ ‘Joe said I was to use your name...Kavannaghs of Long Lane, The White Horse and eh...The Workman’s Club’

Mick had a drink problem...he couldn't get enough of it. He was behind the counter sweeping the floor. I picked up a paper roll went into the toilet and quickly came out. He had a glass up to the optic of a bottle of Barcardi. He threw the contents of glass into the sink. 'I didn't, I didn't' I was looking at the bubbles rising in the bottle of Barcardi. He went into the cellar I followed 'Ah, no... Peter I wanted a drink and I did not want anything that would leave a smell on me breath, that fucking bastard I'm married to would kill me if she smelled drink off me breath' I went upstairs to ponder his explanation.

'The licence is up for renewal' Mary said 'the Gardai are objecting...when the Broggys were running the place a Garda had chased somebody into the bar and could not find him. John would not allow them to go upstairs and had gone to Court pleading that the upstairs was residential and not part of the licensed area. Now the Gardai wanted the doorway blocked up with concrete blocks' 'What do you advise' 'I'll get an opinion from Tom Morgan he's the foremost barrister on pub licensing'

I had to stud, board and skim the opening. This meant I had to travel via the street to go upstairs, worse I would have to lock the door of the bar from the outside at the finish of business and either hide the takings in the bar or carry the money with me. I installed a safe in the wall of the cellar. Mr. Morgan and Mary did an excellent job and secured the licence still in the name of John and Joseph Broggy.

The side door opened in to a small hallway, I built a trapdoor practically the full size and put a section of ladder in place to get from the cellar to the living area.

The turnover increased and I could buy enough stock to carry me through the week.

Bang! Bang! I put on a pair of jeans and opened the door. 'We have a warrant to search the premises' two detectives standing on the path one holding a piece of paper in the air.

'Come in' I stood aside as they ascended the stairs. They were pulling the place asunder 'What are you looking for' 'Guns and money' 'If you find any money its mine...there's a staple gun in the press' He pulled the contents around with a renewed vigour. 'We're going' 'That's an awful mess you made' 'See you again' one of them said as they walked out the door. 'Not too soon'...

I was picking up empty glasses and straightening the furniture.

‘Peter, would you be able to lend me twenty pounds’ a voice interrupted my reverie ‘don’t make a show of me now, don’t let anybody see you giving it to me’

In the backroom I took out a twenty pound note, folded it and rolled it into a small cylinder, about three quarters of an inch long and a quarter inch diameter the outside was completely white impossible to tell what it was in that shape.

‘Well’ he asked as I came out, I put the note in his mouth ‘Is that secret enough for you’ he took the note out, unrolled it and when he saw the unmistakable blue his face lit up. ‘Thanks’

‘The concerned parents are going to march on the pub’ Tony said in his excitable way. He was a young man of about seventeen he had some personal problems and used to sweep the floor and generally help out to keep occupied.

‘Who are they’ ‘The vigilantes, half of the bastards are drug pushers’

‘Where can I speak to them’ ‘They have a place in the flats’

Five people lounged around the smoke-filled flat I knew four of them.

‘What’s going on?’

‘There are drugs being taken in your pub’ the unknown quantity said ‘were going to close you’

‘Don’t be fucking stupid... are you people fucking mental’

‘We represent the concerned parents against drugs and we are going to stop drugs in the flats’

‘I pay taxes, I paid about thirty thousand pounds last year, If anybody comes near my premises I will have them arrested...the C.P.A.D. is an illegal organisation’

‘We will see the committee’

‘Don’t go near my place, see the committee and tell me what they have to say. I don’t even smoke cigarettes’

I went back to work.

They informed me that there was a meeting in the school building at Basin Lane and I could go and speak for myself. I was amused to see a Garda sitting on the wall. I had no strategy prepared and did not know what to expect. At least one other publican from the area attended.

A group sat at a table facing the crowd with two girls standing at a microphone in front of them answering questions.

'I'm a robber not a junky' one of the girls said the other one giggled'

One of the committee turned to the girl that giggled 'Did-you-see-somebody-using-drugs-in-the-toilet-of-Broggy's-pub' 'Yes' she said 'Will-you-go-to-Coolmine-for-treatment' 'Yes' '*Right* you will be contacted, that's all' the girls melted into the crowd.

'Martin Campbell!

He emerged from the crowd. 'You were seen selling drugs in the flats' the committee member said. 'I don't sell drugs' 'You are shooting up at the hospital pipes every night' 'I'm not a fucking junkie, I'm a robber'

'You are barred from the flats, if you are caught in the flats again you will be punished' 'I live here' he protested. 'You can find somewhere else to live, leave the stage' he walked unsteadily toward the crowd.

'Peter Murphy' 'Whacker' Humphries called I went up and acknowledged the committee, a pall of cigarette smoke floated above the table 'the old people of the area are being terrorised, threatened and mugged by drug addicts, there are drugs being used in your pub'

'I know nothing about drugs being used in the pub'

'We know there are'

'If you knew there were drugs being used in the Gresham Hotel would you march on it'?

'The Gresham Hotel is not in our area'

'There are drugs being used in other pubs in the area, are you marching on them'

'We will march anywhere there are drugs'

'I don't take drugs you people are trying to damage my livelihood there are no drugs used in the bar with my knowledge'

'Robert Dunne drinks there' one of the others said.

'Yes...but he needs help not persecution, do you want me to bar him'

'We will have a vote on it'

'I want to speak before you vote' I said taking the microphone in my hand

'Ladies and gentlemen, you all know me a lot of you drink in my bar. If any junkies are bothering people on the street they can go in there for help and they will receive it. I think you should all stop this foolishness and get

down to the real problems and teach the kids of the area how to make a few bob. I want to explain to you what these people want you to vote on'

'We'll tell them that' 'Whacker' said

I looked straight at him 'You are not capable of explaining anything' I said and turned toward the crowd 'the committee want Robert Dunne kept out of my premises or they want Robert Dunne kept out of the area if he is to be kept out of the area it would have nothing to do with me as he could not then come into my place I am going to work now I assume I will be informed of the result'

'You should stay and vote' one of the committee shouted.

'I will abide by whatever is decided' I said glancing back 'I don't want to influence it one way or the other, good night'

I walked towards the exit the crowd opened like a zip fastener 'Good night, Mister Murphy' a voice from the crowd said 'Goodnight Peter' another joined in

They voted to keep him out of the area.

'I won't cause you any trouble' Robert said in the pub that evening 'I will stay out of the area, thanks for all the help you gave me' he shook my hand 'goodbye' he called as he left.

The unknown quantity approached me in the bar.

'Can I have a word with you'

'Yes'

'Peter...me granny is after dying in London and I need forty pounds, now I wouldn't be able to pay you back in one lump, I'll give it to you by the week'

'I didn't know your granny' I said as I put the forty pounds in his top pocket.

Joe's sister owned the shop next door to the pub. I used to sell her cigarettes or lend her minerals while she waited for supplies she told me Joe was in America.

'Could you give me his address'?

'I don't know it' she replied 'one of his brothers writes and tells me about him'

‘If I write a letter will you send it to his brother’

‘Yes, but I cannot guarantee Joe will receive it’

I wrote a letter requesting help particularly with the licence and handed it to Peggy ‘I’ll pay the postage’ ‘That’s not necessary’

Mary Cullen sent a letter with a copy of a letter from Eithne Broggy’s Solicitors, Patrick F. O’Reilly & Co. of 8 South Great Georges Street, Dublin 2 enclosed. It said that she is not prepared to settle unless she is given the same money I gave Joseph Broggy, fifteen thousand pounds.

Garda Whelan had a computer printout in his hands ‘were you in Borstal in nineteen sixty’ the ‘naire’ rose in the pit of my stomach I moved across the court.

‘Garda Whelan and Peter Murphy’ the registrar shouted. I went into the dock.

‘Place your hand on the Bible’ he said ‘repeat after me... I swear by Almighty God’

‘I swear by Almighty God’

‘That the evidence I give’

‘That the evidence I give’

‘In this case’

‘In this case’

‘Shall be the truth’

‘Shall be the truth’

‘The whole truth’

‘The whole truth’

‘And nothing but the truth’

‘And nothing but the truth’

The receptionist and another girl from the hotel identified me. ‘Did you reside in the Ashling Hotel between July and November nineteen eighty six’ ‘Garda Whelan asked ‘Yes’ ‘Did you pay the bill’ ‘I paid everything except the last week or so’ ‘Do you owe money’ ‘Yes about a weeks money’ ‘Would you like to give evidence’ ‘Yes’ I outlined the circumstances of my leaving and the requests of the Gardai, I had not said I would pay them I distinctly remember using the work may as it was a very important word in John Steinback’s Story East of Eden. I said that if the Ashling Hotel had sent an invoice to me I would have paid and that the Gardai should not be collecting money in this manner, for anybody. The

case was dismissed. ‘What about the one hundred and fifty pounds bill’ the receptionist asked.

‘You will have to go another way for that’ the judge said.

‘I will pay it’

‘Mr. Murphy wants to pay it’ the judge said amused by the gesture. I gave them a cheque. Garda Whelan came over ‘No hard feelings’

‘No’ I pointed my finger at him ‘I have no hard feelings, I’m going to sue you and I am going to sue them, happy Christmas!’

I asked John Mills to sue the Gardai and the Ashling Hotel.

‘You have too much on your plate at the moment’

I began writing an explanation of the circumstances leading to my Borstal sentence under the working title *Another Borstal Boy* it gave me satisfaction and as the words accumulated I paid to have them typed on A4 sheets.

Mary Cullen sent a letter with the Pub Licence enclosed keep it safe she advised.

Mister Harrison requested that I call into Blanchardstown branch.

In bed I analysed my position the place was valued at about sixty five thousand pounds when I moved in, I had put about eighty thousand pounds in, that is money owed to me by the Broggy’s, the money paid to Joe and Eithne and what I had spent on improvements, the amount they are looking for has nothing to do with the value of the pub. I am working eighteen hours a day...

Mr Harrison ushered me into a large room and pointed to a seat.

‘The bank must safeguard it’s interests you have not been paying anything off the pub, Mr Murphy’ ‘I have not been given a price for the pub’ ‘I told you it was eighty thousand pounds’ Mr. Harrison said ‘-I think we should sell it at auction’ Mr. Cooper interject they spoke to one another for some time I was not listening closely, suddenly it was silent, everybody in the room looked to me ‘With respect to everybody in the room...whoever gave the Broggys the amounts of money owed or whoever allowed the debt to get into its present condition must have been eating their brains for their fucking breakfast...I will tell you what to do, put the place on the market and find its value, don’t tell me what Lisneys value it at or what the bank’s valuation is, it is worth what somebody will pay in pound

notes... do that and I will then do a deal with you, now I am busy gentleman, good luck? I went back to work much relieved...

'The police were here'

'That cheque bounced' the taxi driver said coming to the counter 'You're joking'

'I never joke about money...here' he handed me the cheque 'I am terrible sorry I'll get your money...will you have a drink' 'I'm working...just a quick jemmie'

'Here' I gave him the score 'Give me a call any time you want a car' he said going out the door.

Two men from Capel Street came to the living quarters... 'Sign that' one of them said producing a document directing my solicitor to give any cheque he would receive in settlement of my house claim from the insurance company into the bank. 'What do you need that for' I asked as I signed 'Dan is getting his ass kicked and he needs more security'?

'Okay' 'You are to stop writing checks and we want you to pay one hundred pounds per week off the overdraft'

I wrote a note to Dan asking if he could furnish me with proof of the fifteen thousand pounds cash I gave to Joe Broggy.

'Mick... take that note down to Dan O'Driscoll' I said putting it in an envelope.

'Right' he took it and walked out of the door

You did not give him fifteen thousand cash you gave him two thousand cash and a bank draft for thirteen thousand pounds he replied on the same paper. I went in to Dan and got photocopies of the transactions.

'What's happened' I asked Mick the barman on my return from a few hours break.

'There was a bit of a fight 'Jack the hat' threw a stool across the counter and smashed the tank' some of the fish were wriggling on the floor. 'Clean up the mess' 'yeah, it won't take long'

'What happened the fish' an old man asked as he passed me in the street.

'The tank was smashed' he looked as though he had not many comforts in his life 'how do you know about the fish'

'I used to go in to look at them he said with concern in his voice 'will you be getting more' 'Shortly, good luck'

'Jack the hat' was across the street on a bike a Garda standing nearby. I ran over and gave him a punch he fell to the ground, I threw the bike on top of him, grabbed his lapels through the frame he managed to bite my left wrist. I gave him a punch with my free hand and got up to walk away.

'Hold it, hold it' the Garda said, I walked towards him 'Call a car...this man damaged my premises, I'll be back in a minute'

'Will you look after the bar Pat...I'll be going to the station' I called to the barman and went back across the street. 'Jack' and myself were put into the 'wagon'.

'Have you sold drugs to any school children lately' I asked loudly 'I don't sell drugs' 'Yes you do, you scumbag'

We arrived at the station.

The Gardai discussed things amongst themselves. 'Are you cut' the sergeant asked coming over to me 'Yes' 'Gimme a look' he held my hand gently and put a plaster on the cut 'now, now' he said the way one speaks to a child that he is comforting 'What if I get aids' 'Too late to worry now' he said laughing 'go home'

'Jack the hat' was released without charge shortly after that.

I hired a masonry-cleaner to clean the red brick and granite façade and left the bar in the charge of my brother Fergus with the intention of taking some time off. On entering the bar at ten in the morning I was shocked, it looked like a bomb had hit the place with broken glass everywhere.

'What happened' I asked eyes scanning the damage.

'The police were here' the barman said 'they are going to close the place...it's a disaster'

'Nothing is a disaster when you're making money' I said 'and I'm making a lot of money...clean up that broken glass and open for business ...what happened'

'Fergus kept the stone-cleaner and some of his friends back for a drink, a fight broke out, the Gardai had to break the door open to get in about five thirty this morning, the takings were stolen...somebody must have spiked his drink, he was asleep on the floor when the Gardai came... they were fighting amongst themselves'

I came across bottles of spirits secreted in several place around the pub.

A party of six people were drinking at a table one of them put roll-up papers on the table and began to build a joint, my brother Fergus was in the cellar working.

‘Sorry lads...no drugs allowed’

‘Ah Peter, we are only smoking’ one of them said

‘Sorry its not allowed’

The guy making the joint carried on.

‘No drugs’ I said directly to him.

He continued making the joint.

‘No more service’ I put his drink on the counter ‘I’d appreciate if you would leave’ He jumped up holding a piece of metal tube, it was about eight inches long and in the form of a handle. He pressed a button on it a round metal ball, about three quarters of an inch in diameter shot out on a thick spring. As he neared me I grabbed the cosh with my right hand and struggled with him, I got a glancing blow on the hand, I was near the counter-flap and we ended up battling behind the counter. One of his friends picked up a stool he made several poor attempts to hit me with it damaging the bar canopy and breaking glass in the process. At each attempted a strike I pulled the other fellow between us just to be sure. I shouted to Fergus to get the Gardai and wrenched suddenly on the cosh, it came asunder I was left holding the spring and metal ball. The guy outside the bar ran off. I dropped the bits on the floor and got a claw hammer, he ran out. A Garda came in with the man under arrest ‘What’s goin’ on’ he asked ‘He attacked me with a cosh’ I pointed to his prisoner ‘Do you want him charged’ ‘Yes’ The Garda brought him away.

‘Mister Murphy’ ‘Paddy the Dipper’ called, he was middle-aged, not in great health and lived by stealing to order ‘you must want something...think...tell me what you want and I’ll ambush it for you’ ‘I don’t want anything’ I gave him a pint ‘you must want something, don’t forget, I can get anything’

Kilmainham court the following morning the matter was adjourned and given a date for hearing. I was told that the man’s brother played football for Dublin he was from a respectable family and was the ‘black sheep’. Every ‘black sheep’ in Dublin must have drunk in James’s Street sure, was I not a ‘black sheep’ myself.

At the hearing I was called to give evidence.

'Take the Bible in your right hand and repeat after me' the clerk held the book out.

'I swear by Almighty God'

'I swear by Almighty God'

'That the evidence I give'

'That the evidence I give'

'In this case'

'In this case'

'Shall be the truth'

'Shall be the truth'

'The whole truth'

'The whole truth'

'And nothing but the truth'

'And nothing but the truth'

I sat down. The Defence Counsel stood up.

'Did you know that this man received sixteen stitches?'

'I did not, but I am glad to hear it'

'Why had you a hammer behind the bar'

'I had been carrying out some carpentry repairs'

'Do you know this man has a problem?'

'We all have problems, he is a problem to everyone'

'I have no more questions'

'How much is the damage' the judge asked.

'Less than fifty pounds'

'Thank you' the judge said lowering his head to halfway between a nod and a bow.

The guy stopped me in Meath Street he had a child in his arms.

'I got a suspended sentence, I am off the drugs, sorry for the hassle'

'That's okay' 'Can I come into the bar again' 'Sure'

Eddie called to me as I entered the bar 'two men came in wearing balaclavas tonight, one of them had a shotgun' 'Did they get the money'

'No, they were lucky to get out, they both stood at the door the guy with gun took one or two steps towards the bar, Frank Cummins gave him a bang of a stool on the head, he went down, he got another few boxes and kicks and was lying on the floor... his pal ran away, we carried him outside

and left him lying on the path' 'What happened to the shotgun' 'Frank got it'. Frank came in. 'What happened'

'He must have been lost'

'He must have been a tourist' Eddie said.

'Where's the gun Frank' 'I got a hundred and fifty for it, what are you having'

'I don't think you should be robbing robbers like that' 'Fuck off, and have a drink'

Naire doesn't mean shame'

Michael Gannon and I hurried, through the swirling dry leaves shed so profusely by the plane trees of Dublin, to the Four Courts, I had the keys of the premises in my pocket. The charge of driving a vehicle with no insurance was read out.

'What have you to say' the judge asked 'The van was insured...Joe Broggy had it covered' 'Where is the policy' he asked 'Joe Broggy has it' I said with a trace of annoyance in my voice.

'Guilty... six months imprisonment'

'I want to appeal' I said 'Independent surety of eight hundred pounds'. Events had taken a surprising turn I found myself sitting in custody waiting to go to prison. I had a couple of hundred pounds cash and a check book with me. I asked Michael Gannon to go for Frank Smith and gave him twenty pounds for fares. Some hours passed the court ended and the Gardai escorted me to the meat wagon to take me to Mountjoy.

The compartments each side of a central passage were just about big enough within which to squeeze an average sized man the doors were heavy wire mesh. I sat on the hard wooden seat expecting every moment that somebody would tell me to go home. A fellow standing in the passage was shouting and swearing he looked into my compartment 'Look there's a baldy oulfella' I stared at my knees not showing any reaction. *'There's a fucking baldy oulfella in here'* after some time it fell silent. I hope there will be no trouble when we get to the prison if there is I will hit somebody the best bang of a head that he ever got, and if that doesn't put him away, I will have to put up with whatever he bestows. We got out of the van without incident and went into the reception area. 'I got six months for driving without insurance' the man sitting next to me said 'I will lose me job over this and I am getting married... at least I think I am, I don't know how she will take this' 'Where are you from' 'Cabra'

'Don't worry too much about it a lot of our most famous citizens have been in prison... the late great Sean McBride was in this prison'

I heard one of the living creatures shout in a voice like thunder, "Come". Immediately I saw a white horse appear, and its rider was holding a bow.

He was given a victory crown, and he went away to go from victory to victory.

‘Who is he?’

‘He won the Nobel Peace Prize, when he died and his funeral cortege was headed for the graveyard in Glasnevin it stopped outside here. I took it that the late great Mr. McBride was expressing his *naire* to the successive governments of the Free State’

‘What’s *naire*?’

‘I was speaking some time past with Gerry Molloy who was born in the Gaeltacht. I cited two lines from the poem *Mise Eire*.

‘Is mòr mo glòr. Mè do rug Cùchcualainn ann
Is mòr mo naire mo clan fein ag diol a mhatair’

I translated the lines

Great is my glory,
I am the one, who bore Cuchulain,
Great is my shame,
My own family sold their mother.

‘*Naire* doesn’t mean shame’ Gerry said ‘we still use the word back home there is no word in the English language that expresses it exactly, it means that the speaker has a loathing far beyond contempt for the one he directs it at’

One has to curl ones lips in a contemptuous way to pronounce it and if any people are good with language it is the Irish. ‘Come on, hurry up’ the warder shouted abruptly.

I undressed and handed my clothes to the warder he searched the pockets and took out my money and check book. ‘We have a wealthy man here’ he said holding my coat and looking pointedly at this compatriot who nodded. He put my clothes on a hanger.

Freddie Prendergast gave out the prison clothes.

‘How are you Peter’ he handed me my outfit ‘have you seen Bobo’

‘About a month ago Freddie, he’s well’ ‘Give him my regards when you see him’ ‘I will’ I had a bath, put on the prison garb and was taken to the cell area.

A lot of the prisoners recognised me as I was passing Dessie Kinsella I felt pressure on my stomach and automatically put my hands down to find I

was the proud owner of lump of cheese weighing about a pound, 'In case you're hungry during the night' he said smiling. 'Tonto' O'Brien approached I put a radio in your cell, you have to be doing five years here to get a radio, I made an exception in your case...give it back to me when you are going' I noted to myself with some amusement that he knew my cell and I did not yet. 'Don't forget your medication' the inmates were in line outside a cell each in turn was given a liquid draught in a container the size of an eggcup. I will forego the medication. 'What's wrong with you' the warder asked as he showed me to the cell 'I left my pub this morning with the keys in my pocket I hope the barman looks after the place'. 'Don't worry' he said 'Do you want me to get a letter out'. 'No thanks' Dessie approached 'Are you alright' 'yea' 'Do you want any smokes or anything else' 'No thanks... what I want you cannot give me' 'I can get anything in here as a matter of fact I bring stuff out of here to some of the poor creatures outside' 'What are you talking about' 'I work on the outside party, we go to Fairview Park every morning to clean it up...I bring jeans and cheese and teabags and leave them for the old folks in the park they leave me presents-'

'Did you hear about the guy in here the other day going into the psychiatrist for his test' a prisoner interrupted 'No' Dessie answered.

'He went into the psychiatrist office, the psychiatrist picked up a red snooker ball and threw it to the guy, the guy caught it, that's an orange, peel it the psychiatrist said, the guy threw it back to him and said you peel it and I'll eat it' He let out a peal of laughter and walked away. 'Don't forget Peter...anything you want' Dessie moved down the landing.

I lay on my bed *it's amazing the way people keep up their side of things. Had it been a psychiatrist telling that story the patient would have tried to peel and eat the snooker ball. Ah well, tonight! I prefer the story the way it is.*

The noise of the warder pulling back the bolts woke me 'you are going out' as I left the cell unit a lot of people bid me goodbye 'What do you do outside' the warder asked 'I'm ten years in here and you know more prisoners than I do' 'If only you knew' I got my clothes and walked toward the office.

Two homosexuals exercised in isolation near the perimeter wall, one of them saw me and shouted 'How are ye Peter' he used to drink in the bar.

The warder gave me a flashing glance 'You and I are business rivals'
'What' he asked
'When business is good with you its bad for me, half of my customers are here'

We reached the outside door.

'See you, Peter' the gateman said

'Socially, I hope'

'Good luck'

Frank drove to the Merchants lounge, after lunch he dropped me at the bar. Eddie was behind the bar the cover of the jukebox was open. 'What happened that' I nodded towards the machine. 'It happened last night Peter, I was not on, the money was taken' I went upstairs without commenting I kept some valuables upstairs in a box, it was empty....

‘you should have a forty foot yacht out there...

The Dublin Gas Company had decided to test their piping for leaks and repair where necessary throughout the city following a serious explosion in Sandymount a company man came into the pub.

‘We want to check for leaks’

‘Be my guest’

Some men went into the cellar with their equipment ‘Hey’ the guy in charge called me ‘we have a positive reading, you will have to evacuate the building’

‘I live upstairs with my son’

‘We will book you and your son into a hotel, the company will pay the bill, where would you like to go’

‘The Gresham’

The Gresham is a status symbol to Dubliners only film stars pop stars and very wealthy people can afford to stay there. A lady in charge of relocations brought John and myself into the hotel.

‘What kind of a room would you like’ the receptionist asked.

‘Elizabeth Taylor’s room’

She had stayed there some time ago.

‘I’m afraid that’s full Mr. Murphy’

‘The one next door will do’

The porter brought us up to our room. John and I had a nice night.

We got a taxi up to the bar the next morning after breakfast and opened after lunch.

The charge of driving with no insurance was dismissed.

‘The bank have requested the deeds back from John Gaynor’ Mary said ‘clearly you are going to come under pressure’

Gardai from Kilmainham Station use the Health Centre, saunas baths are good places in which to speak out and I am outspoken by nature a discussion came up on criminals and I tendered an opinion that favoured dealing leniently with the ones who were from deprived backgrounds as I believe most people break the law of necessity.

In the nearby pub I watched the pool games. Two guys were obviously hustling a fellow who was well on and he appeared to be drinking alone. 'Can I have a game' I asked. The loner looked relieved 'Yes surely' he said 'What are you playing for' 'a fiver a frame' we won that frame and the next, the hustlers wandered off. 'Have a drink...what's your name' 'Peter' 'My name is Mike Reid I'm an accountant I work for *hire here* up the road' 'are you any good...the way you drink you must have problems' 'the best...my drinking habits are nobody's business but my own' 'Could you do the accounts for my pub' 'Sure I'll call in tomorrow'

Mike came to the bar, I helped him put boxes of receipts and cash register rolls in his car. He returned two weeks later 'What do you do about vat' 'Nothing' 'There's more than fifty thousand pounds vat paid in, it's nearly all reclaimable' he pointed his arm in the direction of the Liffey 'you should have a forty foot yacht out there, you are doing tremendous business'

'Can you get the vat back' 'You need a company' 'How do I get a company' 'They sell them out in Blackrock for three or four hundred'

I gave him the money to purchase a Company.

'Here' he said handing me the company papers. Epinal Limited.

'Epinal is a nice name Mike' 'it's the name of a town in the alps' 'Appropriate'

The forms to change the directors and secretary were filed in the company's office the next day.

I asked Chris Dunne to do a bill of quantities of the work I had done on the pub.

'Time ladies and gentlemen please' I called in the usual monotone. I put one hand on a woman's shoulder and the other on a man's in a friendly fashion. 'Come on now, time up' the man snapped at my right hand like a rothweiller he caught my index finger in his mouth. I caught him by the throat with my left hand, and pushed him towards the door. I freed my finger he was hitting me with his head, fists and knees. The woman circulated us both trying to get in a strike with her stiletto-heeled shoe. I pulled the man between her and myself using him as a shield this did not deter her. I gave him a head butt and he fell to the ground. I stood facing the woman she ran off. I bent down 'why did you do that' 'Fuck-off' he

tried to butt me. I hit him a slap on the head. A patrol car pulled in to the kerbside I recognised one of the Gardai from the health club. He rushed over and dragged me aggressively 'I am arresting you' 'Look...I'm the proprietor of that pub and this man assaulted me' 'I am arresting you' 'he owns the pub' Mary O'Brien said the garda proceeded to drag me towards the car. 'We want to be witnesses' her husband Richie said 'I'm not taking names' the Garda said. 'Were witnesses take our names' Richie insisted 'It's all right Richie, don't be getting upset' I turned to one of the other Gardai 'Will you take their names'. John and his younger brother were looking out the upstairs window crying. 'Will you allow him to console the children and lock up the bar' Ritchie asked. 'He would probably run away' He took me to Kilmainham station and put me in a cell. Some time later he brought me to the sergeant and charged me with assault. 'Sign that bail sheet' he said 'Will you charge the other man'. 'No! go home' he shouted. 'Why wont you charge the other man' '*Go home or get locked up*' I walked out the foyer of the station wondering what I should do. Brian Gilmartin a detective that I knew came in 'How are you' I explained the situation 'you'd be better off going home' I followed his advice.

'Will the case be called early' I asked Garda Derham in Kilmainham court 'I have to be in Morgan Place for a licence hearing' 'If you are not in court...a warrant will be issued for your arrest' I stopped a solicitor and asked him to represent me, I explained the circumstances to him, and told him I wanted the other man charged at my own expense if needs be. 'Garda Derham and Peter Murphy' the registrar called 'I want an adjournment judge' Garda Derham said. 'My client wants the alleged victim in this matter charged' Mr McNelis said. 'Bring Mr. Stokes to court the next time, Garda' Judge Hussey said. I had two witnesses with me. We left.

The next appearance he had nobody with him he asked for an adjournment. I objected. He said he had witnesses to bring it was adjourned.

He called into the bar and asked me to swear out a complaint. I declined. A guy came in on crutches bought a pint and sat down. I went outside the counter to serve a customer. The guy with the crutch beckoned to me I sat down beside him.

‘I have a claim against the Corporation...it is nearly over...would you be able to lend me a few pounds’

‘How much’

‘A couple of hundred’

‘Jesus Christ man, I don’t know you-’

‘Yes you do, Peter, I’m from Drimnagh...the same as yourself’

‘Did you never hear of banks-what about your solicitor’

‘I am up to the limit with them, it’s nearly over’

‘Sorry, I could not give money under them circumstances’

‘Well will you lend me twenty pound’?

‘Sorry, I could give you a couple of pints, but that’s it’

He had four pints I wrote them down in the book under cripple’

‘How is it going ’ I asked Brendan Gleeson from Drimnagh.

‘Alright’

‘Who is that guy with the crutch’?

‘Paddy something, he is from Drimnagh’

‘Did he ask you for money’

‘Yes’

‘Did you give him anything’?

‘A couple of pints’

‘Don’t give him money’

‘Why is that’?

‘He’s a hungry bastard’

‘Where does he drink’?

‘He cannot go into The Marble Arch, he owes too much money’

‘What about his action’

‘That’s genuine enough, one of his legs was left shorter than the other, about an inch... I think his solicitor told him that he’d get paid by the inch I hear he owes that much money that he is jumping off walls on it trying to make it shorter’

Brendan laughed. I went behind the bar.

‘Could you give me twenty major’ Paddy asked as I neared him.

‘Sorry’ ‘Why not, it’s nearly the same price as two pints’

‘Paddy, com’ere, look’ I drew a rectangle on the tabletop using spilt beer to mark the lines ‘that’s a rectangle the definition for that is a

parallelogram having four right angles' I drew a square beside it 'the definition for that is a plane geometric figure having four equal sides and four right angles, now it is quite clear from that, that a square has all the criteria needed to be a rectangle and it is also clear a rectangle has not got the criteria for to be a square, so a square is a rectangle, but a rectangle is not a square...do you understand that'

'What is criteria' he mumbled unsure of the pronunciation.

'I strongly advise you, to proceed on your present course to chronic alcoholism, go and drink your drink'

There is about forty-five percent profit on beer if you could reclaim your vat and only about eight and a half per cent on cigarettes if you could reclaim your vat and about one and a half per cent if you could not I was not reclaiming the vat with a twenty pack of cigarettes being approximately two pounds, if a packet went astray it would take the next hundred and twenty packets to make up the loss.

The washing machine leaked occasionally the water passed through the ceiling and dripped onto the floor 'Are you going to leave it like that forever' John scolded me. I was sitting in the living quarters relaxing. The large rubber plant caught my eye it required watering frequently. I placed it underneath the ceiling where the drops came down as a temporary measure. John came into the room, his eyes on the plant. 'Ye cute 'hoor'' he said 'now you don't have to water the plant' he laughed heartily 'and you don't have to fix the washing machine either.

I hope it doesn't get dirty

'Jackie, will you wash them dishes?' I called the barmaid and pointed to the pile of dirty dishes lying near the sink.

'I'll wash them later'

'Come 'ere for a minute, do you do that at home Jackie'

'What'

'Wash the dishes before meals'

'Of course Peter, you don't think we eat of dirty plates, do you?'

'Jackie, if you wash the dishes before meals they are always dirty. If you wash them after meals they are always clean and it takes the same amount of energy' I said in a fatherly fashion 'Do you understand that?' 'right, no need to gimme a jaysus lecture'

'I'm going down to Guinness's, if anybody wants me ill be back in an hour'

Walking down the street to the Brewery I was approached by black Paddy contrary to his name he is a whiteman, I 'd say the pronoun referred to his aims in life.

'Have you any money?'

'That's no way to ask for money' I said 'if I answer no I'm saying that I am broke, if I answer yes you reckon that I have commit myself to giving you money...yes, I have money'

'Lends a tenner' he asked 'No'

'Lends a fiver'

'No'

'Lends two pounds for cigarettes'

'No'

'I wont ask you again'

'Good Luck' I walked on.

Michael's wife came in.

'Here, there's a barring order' she said holding a piece of paper.

'Take that away from me, I am not even married'

'Yis are all in it together' she said 'In fucking what... get out of here' I escorted her to the door.

Her daughter sent me a letter threatening legal action.

'What will you take to get out' Dan O'Driscoll asked. 'I will leave for thirty thousand pounds...it will take twenty five thousand to clear my debt in Capel Street, I don't think it is unreasonable for me to get five thousand pounds for what I have put in, along with my insurance money'.

'I hope it doesn't get dirty'

'So do I' I said writing in my pad

'What are you writing'?

'I am logging events as they are happening'

'I hope you are not writing what I was saying'

'No Dan, I'm writing that you asked me not to write what you're saying'

'You're an awful man'

He phoned the following day 'Come down to the bank tonight at eight o'clock' I knocked on the closed doors of the AIB Capel Street 'Come in' he said holding the latch of the double doors. A crow props holding up the floors and scaffolding everywhere 'this way' he led me to his office at the rear 'they won't go for your terms' he said playing with two pieces of chromium covered metal 'ingenious they way these pieces fit together...look at that...a perfect key... fits the vault, come I'll show you' he walked to the vault and opened it 'I'm going upstairs' I looked at the blocks of notes *what's he up to, I would need a wheelbarrow to take a decent amount, I could fill my pockets and put some under my shirt* 'are you alright' he shouted down the lift shaft *Maybe he is setting me up to have me shot, I wont take anything.* He came back 'Come with me I've got to check the bank in Dunlaoire' 'right' we drove to the bank I waited across the street in Scott's Pub while he done his business afterwards we had a few pints together...

Three men from the bank came upstairs to see me, after discussing the possibilities 'Remember Rowans Seeds' one of them made a victory chant referring to a gentleman who had a shop in Westmoreland Street beside the Bank of Ireland. I remembered the man all right he used to have the area in front of the bank full of garden furniture, concrete gnomes, birdbaths and suchlike. The bank took possession of his shop I do not know the issues that were involved, anyway, the gentleman paraded up

and down with a placard for some time, and then seemed to vanish into oblivion.

‘Mr. Rowan was a tourist attraction, I am bringing you to the High Court and Supreme Court and to Europe if needs be...I will not be marching up and down to amuse the passers-by’

I received notification from the Department of Social Welfare of an oral hearing of the appeal against the decision to revoke Eithne Broggy’s pension. Her Solicitor will be attending and it is open to you to be legally represented if you wish. I later received a notice of adjournment but eventually the hearing was held in Townsend Street.

In the waiting room, Eithne and her solicitor sat opposite me, they did not speak. There were three men at the table when we went in ‘I own the pub number one thirty eight James’ Street’ Eithne said ‘Have you anything to say Mr. Murphy’ the chairman asked. ‘Mrs. Broggy is getting nothing from the pub’ I said ‘and I don’t think she will get anything in the future, she has no income at the moment, why can’t you give her a pension, you can always revoke it if the circumstances alter’ ‘thanks for your help’ Michael O’Shaughnessy remarked as he caught up with me in Townsend street ‘Your welcome’

He ran away to Australia with all the money

The group were staying back at night drinking, Noel was getting the barman to put three whiskeys in a bottle to take-away, he was also getting sixty cigarettes every night

It didn't take long to realise that I would need a pub the size of Croke Park to make enough money to keep them in the style to which they were accustomed. I got rid of them and tried a solo artist that used to play the guitar and sing Neil Diamond stuff he was a wonderful entertainer but was harder to please than a French Chef. I went into the bar after closing time he was drunk and would not go home, he had been getting drink from the barmen without payment. I ended up throwing his gear and himself out on to the street.

'Any chance of a gig' a voice caught my attention I turned around, a small man of about fifty-six years of age 'What do you do ' I asked looking at the rag doll in his hand. 'I'm a ventriloquist' he said 'there's all kinds around here' 'meet Charlie' he held up the doll and it seemed to say hello.

'The pay is forty pounds, and that's it... I don't care if you pay the dummy or not'

'That's fine with me' he said and held out his hand. 'Come in Tuesday night'

He was doing his act

'How are you' Pio Byrne asked as he came into the bar.

'Grand'

'Don't take offence, but you would have to be drunk to look at that' Pio said, pointing to the ventriloquist.

'Who are you telling, every night he is on I get pissed a lot of people must feel the same way... the turnover has tripled' Some of the nearby pubs have entertainment on the first Tuesday of every month Children's Allowance Day some of them give free sandwiches to the punters. We had entertainment every Tuesday the place got chocker block.

'Did ye see the Sunday World' Mick asked 'here I'm finished with that'

On the front page was the image of the woman who lived next-door to me in Ballyfermot she said I got the insurance money and ran away to Australia.

I turned the pages to Pub Spy's column: I sipped rancid beer in the dilapidated bar...a middle aged bottle blonde screeched out *I didn't know god made honky tonk angels...*

I gave the paper to John Mills and asked him to sue.

Kennedys Villas is a small estate located on the left bank of the brave Camac River at Bow Bridge. It was cited in the European Parliament as one of the worst slums in Dublin. A Black Sheep of the architectural profession must have built it, his choice of site was appropriate as the river was cited as the most polluted in Europe. 'Twice' lives here, he's about four foot ten inches tall and works in the Corporation. He told me he would sell anything for drink. He sells shovels, picks, wheelbarrows, floats, trowels and anything else he can get his hands on. He even sells the cobblestones that they extract while repairing the roads. He is called twice because he tries to get paid twice for everything he sells. If that does not work he will supply the order again pretending it is a mistake and attempts to get paid for the second lot. I asked him for a sweeping brush. I was in a pub nearby with Angela at a Cabaret show. We were dancing on the floor 'Twice' dressed in his work clothes red cravat hanging from his neck, danced with a brush as he neared us he held the brush away from his body in an elegant manner.

'Do you want to buy it, it's going cheap'

'Can I not have a drink on my own without you persecuting me'

'You know how much I love drink, it's a fucking great brush...four pounds, the price of two lousy pints'

'Leave it over in the pub' I called a lounge boy 'put two pints on Twice's table'

Guinness's Brewery was a couple of hundred yards down the street. I went there to pay for the order and conduct any business I might have with them. A man of about twenty-five years of age stopped me.

'Peter we want you to lead us'

'Who'

'There are ten of us'

‘Why ask me, I’m not a criminal’

‘You know what to do, if you tell us, the gang will do anything you say’

‘Sorry, I’m a legitimate businessman, I am not interested in making money illegally’

‘I’ll talk to you again’

‘Ok but I won’t change my mind, good luck’

‘Paddy the Dipper’ sat in the corner I hadn’t seen him for some time he was having difficulty walking. ‘What’s wrong with you’ I asked ‘I had a stroke, the side of me body is paralyzed’ ‘Maybe you should not drink’

‘Are you fucking joking *me*, if I’m goin’ to go, I’m goin’ happy’

‘Boyo’ Dunne came in and called me I sat beside him.

‘How are ye’ he asked

‘Alright’

‘It’s a rough town out there’

‘Ye its pretty tough’

‘You know me don’t you’

‘Yes’

‘What do you do about protection?’

I pulled his lapels tightly around his throat and slapped him on the cheek.

‘Who is bothering you I said ‘tell me their names and I will look after you’ releasing my grip. ‘Paddy the Dipper’ had a heart attack and was lying on the floor. Paddy Quirke a strong man about six foot tall, knelt down beside him. ‘I know about what to do he said I will revive him’ he placed his left hand, palm down on Paddy’s chest, about where the heart is and gave him an unmerciful bang on the chest with this right hand he counted one, two, three, four, five, and gave another heavy blow. ‘Hold it, hold it’ I said grabbing his right wrist ‘you’ll break the poor mans rib cage’ Two ambulance men came in and took him out.

‘How are you fixed’ Brendan from Drimnagh asked ‘I didn’t see you at Mrs. Mullens funeral’

‘Hold on a minute...there are rules to this game and you’re breaking them all, I better explain...I am a tappee and you are a tapper...If the tapper expects the tappee to give him money, he must have respect, start again’.

‘Mr. Murphy would you please oblige me with the price of a couple of pints, thank you in anticipation’

‘There’s a fiver’ he snatched the fiver as he walked away he turned ‘you’ve got a problem’

‘Twice’ came into the bar and sold a brush to Eddie ‘why did you buy it, haven’t we enough brushes’ ‘I couldn’t refuse him, he stood with his cap on his joined hands, it was as if he was praying to me’ ‘he was! I went to the living quarters

Eddie called on the intercom about six-thirty ‘there’s a guy down here looking for you’ ‘I’ll be down in a minute’ as I walked to the front door, a tall man confronted me. ‘Peter’ he mumbled ‘Yes’ he caught my right wrist with his left hand, pushed a large brown envelope to my chest, placed my right hand on it and ran away down the street. I called to him intending to bring him in for a coffee or a drink, but he never looked back. I glanced inside Eddie confirmed that this was the guy that he had called me about. I opened the envelope upstairs, a notification of an action that the bank were taking on Tuesday morning in court seeking to have John and Joe Broggy put into receivership.

...I can get you a barrister’

‘We need a barrister’ Mary stated reading the notice ‘have you any preference’ ‘Gerry Danagher! She spoke on the phone for a couple of minutes. ‘He said he will do the case, but he is in Cork on Tuesday’ ‘Can we get an adjournment’ she rang the banks solicitors ‘they said no ...I can get you a barrister’ ‘Okay’ She arranged on the phone to meet Mr. J. Finnegan at his home in Bray, Saturday afternoon we travelled in Mary’s car.

When he broke the third seal, I heard the third living creature shout, “Come”. Immediately I saw a black horse appear, and its rider was holding a pair of scales. And I seemed to hear a voice shout from among the four living creatures and say, “A days wages for a quart of corn and a days wages for three quarts of barley, but do not tamper with the oil or the wine”

During the meeting he referred to a law book² he said he would meet us in the court on Tuesday morning.

I had contributed to the problem so I decided that whatever the judge determined would be all right with me. We met in the round room and went into the court. Barrington J was sitting. The bank was looking for the receiver to have the right to evict me. Joe successfully defended this and the bank immediately sought an adjournment they had then to produce affidavits. Joe advised me to let them get the receivership and sell the premises and we could then put in bills. I was quite happy to do that...when I saw copies of their affidavits I changed my mind. The affidavits of Mr. Harrison were perjured the other two backed him up. Among other things Mr. Harrison said that he never met me in the presence of either Joe or John Broggy. A judge in any court would look at the bank as one entity he therefore could not say he loaned me money to buy into the place and now he was trying to evict me because of other people’s debts, I resolved to fight. ‘If Mr. Harrison was in the witness box’

² *Administrative Law in Ireland* by Ronald M Stout Institute of Public Administration

I said to Joe Finnegan ‘and he was asked where he met me, how could he answer... could he answer I walked in off the street or could he say he met me on the street if he answered in either of these ways and was then asked why he dealt in such large amounts of money with a person he met like that, what could he say he admitted in the same affidavit talking about insurance and the price of the premises to me’.

Joe knew that I knew they could never go to Court.

I bought the book ‘*Administrative Law in Ireland*’ in Easons and began reading it. The two principles of Natural Law grabbed my interest.

Audi Alteram partem and Nemo Judex in sua causa.

The first maxim means when anybody takes any action against a person or their property or business, the person has the right to speak out in defence. More importantly to me it means I will have to have the opportunity to question those affidavits. It literally means to hear the other part. The other phrase means no man can be a judge in his own cause.

Latin! The language of the Romans, a people that ruled four fifths of the known world and were brought down by their own decadence. It is used in technical description of all science and in the nomenclature of animal, plants and all matter throughout the globe. If a professional person wants to bamboozle an undereducated person they use it. I love the language dearly it should be taught as a foundation subject for life worldwide. Its abuse is diminishing rapidly in Ireland, with the people of the country being more and more educated. Anyway it most certainly would not overawe me I can practically speak it. *I wonder how they hoodwinked the ancient Romans.* In this country with the people being so mentally agile we need a further complication, Irish! all government publications are bilingual I, of course, have a deep love for the Irish language.

BUNREAACHT NA HEIREANN

Article 8

1 The Irish language as the National Language is the First Official Language.

2 The English Language is recognised as a Second Official Language.

3 Provision may, however, be made by law for the exclusive use of either of the said languages for any one or more official purposes, either throughout the state or in any part thereof.

In the book I read if one had the knowledge or the money they could get justice. This meant to me that I could get justice without money.

I would say that the obstacles one has to surmount in the journey of life make one more fit to survive provided he can overcome them, but if the crossbar is placed there by men and it is raised each time one of the disadvantaged gets over it, it is inevitable that a point will be reached where he cannot overcome. If ones well-being or life itself is at stake at each obstacle, you can see the amount of integrity required by the people in charge of the crossbars. If there are no obstacles placed in front of others, they will have an easy passage.

They got the basement and licensed area put into receivership.

‘They cannot win’ I said on leaving the court ‘Why do you say that’ Joe Finnegan asked ‘Because I am telling the truth and they have lies in their affidavits’

‘The truth has nothing to do with the law’

‘I cannot believe that’

‘A lie becomes the truth in law’

‘It is not right that they have put me out of business’

‘Why do you mean’ ‘They haven’t heard the other part’ I said deliberately using the words from the textbook. He gave me a long hard look.

‘When is the next court hearing Mary’ ‘I will let you know when to go to court’ ‘I want to be told of every court proceeding relating to this, I want to attend all of them’

'I just want justice'

'You're living in Disneyland' Frank said 'if you think you can beat aye, eye, bee, they have a teeming legal department with lawyers scratching their arses all day delighted to have something to get their teeth into' 'That's all they are good for...scratching their arses'

The Gardai came with the Sheriff's men I was behind the bar, one of them handed me a copy of the Court Order: if you do not comply you will be considered to be in contempt of court. 'Where's the power' he asked John was frightened and crying, it had an effect on the man. 'Everyone out, come on hurry up' the others were shouting and ushering the customers out. I showed him where the meters were and I attempted to do an inventory of the stock but I was too upset to do it. I was sick but I knew they had not got a clear victory. The receiver was John Hussey of Arthur Young and Associates of Portobello House and the solicitor for the receiver was O'Grady and Co. of Upper Fitzwilliam Street.

I saluted Neil McNelis in the court 'Garda Derham and Peter Murphy' the registrar called I walked into the dock 'Where's Garda Derham' judge Hussey asked. 'On holidays' a Garda answered. 'Strike out' she said. I had learned in the Ashling affair that I could only sue if I got a dismissal. 'I want a dismissal' I said 'Mr. Murphy, I cannot give a dismissal without hearing the other persons evidence, that is the law of the land' 'If that's the law, it sadly wants changing' 'You will have to go to Leinster House to do that' 'I am not on a crusade, I just want justice'

'Strike out! I was furious and I felt I would have gotten sentenced for disturbing the court had I given her the least opportunity. I waited in the gallery 'Can you get me to talk to the Judge again' I asked Neil. 'She will not change her mind' he advised me 'be careful' I was called when all the cases were finished 'I will not change the verdict Mr. Murphy' she said as I got into the dock.

'I do no want you to change the verdict, I want an adjournment' 'on what grounds' 'On the grounds that you have not heard the other persons

evidence' I replied not knowing the law. 'The thirteenth October...at ten thirty'

Mr McNelis, Garda Derham and myself appeared. Justice Hussey gave a strike out. I refused to accept. She directed the Garda to take a statement from me and adjourned to the twenty-fourth November at two o'clock in the afternoon. I went to the station with him. He narrated as he wrote the complaint 'On July the eight nineteen eighty seven I was driving up James St.-' I referred to my notebook 'it happened on the seventh' 'What are you doing with that' 'I am lodging a complaint about you with the Garda Complaints Board'

'You're a nice man aint ye'

'You're a fucking beauty yourself'...

'Mr. Murphy you have got your dismissal' Judge Hussey said as I crossed the threshold of the court at four minutes past two in the afternoon.

'I want to speak' She nodded her head in assent but did not look too pleased.

'I apologise to the court and the Gardai for all the time used but I am innocent of any offence'...

John Mills arranged a meeting in the Law Library.

I was summonsed to appear in court to answer a claim of ten thousand six hundred and fifty four pounds and ninety-four pence rates for the premises.

I heard some activity down in the bar and went to investigate the receiver's men were in the place. I asked the guy in charge if I could take out the beer, as it would go off. He said I would have to ask John Hussey. I rang him the following day. He said I would have to produce receipts.

I went to '*Hire Here*' to speak to Mike Reid, I was told he was in the Isle of Man I got the address of his employers there and gave it to Mary Cullen. 'Will I be able to question Mr. Harrison about what he said in his affidavit' 'The receivership process could not be completed without you having the opportunity to question all the people who submitted affidavits' The process continued in the examiners court at Aras Ui Dailig with Mr. John Comerford presiding I had difficulty finding the room and coming to terms with the authoritarian atmosphere. It was adjourned.

I went into court six in the Four Courts. The bank was applying to have William Cooke appointed as administrator to John Broggy's estate for the purposes of the receivership. Counsel put the application to the court 'Are there any offspring' Judge Costello asked 'To my knowledge there is not' 'Hold it, if there are any offspring it is contrary to Section twenty-seven, four, of the succession act nineteen sixty five and I can not give you this application...are there any offspring' John Reid looked around the court 'No!' He got the appointment. I informed Mary Cullen on the phone. 'Whacker' Humphries and one of the C.P.A.D. Committee were incarcerated in Mountjoy for contempt of Court. A prominent politician said that the C.P.A.D. is the most dangerous organisation we have had in this state for a long time.

BUNREACT NA H-EIREANN

Article 40, Section 1.

All citizens shall, as human persons, be held equal before the law. This shall not be held to mean that the state shall not in its enactments have due regard to differences of capacity, physical and moral and of social function.

John Mills informed me that the meeting at the law library is cancelled he has arranged another meeting in Suffolk Chambers. That was cancelled because my quantity surveyor could not be contacted I later learned that he was in London.

I met Dick in James Street.

'How's it going'?

'Alright' 'Are you getting the labour' 'No, why did you ask that' 'I met a guy down in the Labour Exchange this morning, he used to drink in your bar, we were talking about you Peter, he said you would be too proud to claim the labour...why do you not claim'

'I don't claim the labour because it robs something from you'

‘Your dignity?’

‘No, not that, at the present time it is not undignified to claim dole money’

‘What then?’

‘It seems to sap your ability to be ambitious, when you draw the dole and get all the benefits, it is too drastic a step to give it all up and try to work or do business’

‘You must be feeling the pinch now’

‘Yes I could do with a few pounds’

‘Come on up to the bank in Ballyer with me, if I get a loan I’ll give you some money’

‘Come on in, I have an appointment’ he said stepping off the bus.

‘I will wait here, I know nobody in there’ ‘Come on in’

‘Right’

A man waved to us from behind the glass barrier, unlocked the door, showed us both to a room at the back, and sat us at a desk.

‘Mr. Harry Robinson, he’s the manager’ Dick said to me and turned to Harry ‘Peter Murphy’ we shook hands

Dick spoke to him I wasn’t interested much in what they were saying. Mr. Robinson pointed at him ‘I’m giving you nothing’ he turned to me ‘I’m giving you a thousand pounds’ I signed for the money and gave Dick a couple of hundred out of it.

Eamon told me Chris Dunne *was* home for a short time. I traced him to a pub in town on his way to catch a plane to London. He gave me his London address and said he would supply any information anybody wanted by fax, letter or phone, but would not be coming back.

In the sauna of Crumlin health club talking of my problems with the insurance company, one of the other men told me of Richard Smith a loss adjustor that dealt with insurance claims and gave me his business address. I called to Richard Smith’s office, I felt at ease with him. I wrote down the circumstances to make it easier for him to comprehend what was going on. John Mills informed me of an appointment with John Kelly in Suffolk Chambers. I told Richard about it and he said he would look after it.

Ballyfermot branch advanced me another thousand pounds.

They sent a letter saying my account was due for clearance and would I keep them informed of any developments especially on my house insurance.

Dan O'Driscoll asked me to call in I brought Richard Smith. Two men sat with him 'We are going to sell the pub' one of the others said "You cannot" I said 'we can and we are selling it'.

'What do you think should happen to aye, eye, bee I asked looking at Dan.

"I do not understand the question'

'If I was caught robbing a bank, I might get ten or fifteen years imprisonment or worse still I might get a bullet in the head now aye, eye, bee is caught robbing me, what do you think should happen Dan ...is that not a straightforward question'

'What do *you* think should happen' Dan asked with a hint of a smile on his lips.

'One hundred years wages would not be bad for a start, at three hundred pounds a week it is a million and a half, without interest accrued'

'I am right ...they cannot sell the place' I said as we left the building.

'I know'

'We are dealing with messenger boys...none of them have the authority to make a decision' 'That's right'

'I hope I did not say anything to interfere with the way you negotiate Richard' 'No, no, if you want me to negotiate anything for you...I will do it for nothing...do you want a lift home' 'No thanks, good luck'

'What happened at the meeting' Dick asked in the pub that night

'I asked them for a million pounds'

'Did they give it to you'

'No'

'What did they say'?

'They asked me what I would do with a million pounds'

'What did you say'?

'Nothing. I didn't comment'

We walked on.

'What *would* you do with a million pounds'?

'How much is a pint'

'One fifty'

‘I would buy six hundred and sixty six thousand six hundred and sixty six pints and put the pound in the poor box’ ‘Who would you give the drink to’?

Mary told me on the phone that she could not make it to the next hearing in Aras Ui Dailigh but she would send somebody I met her agent John O’Connell in the building Mr. Comerford presided there was nothing of importance said he adjourned.

‘What do you call the examiner’ I asked John in the foyer ‘What do you mean’ ‘What is his function’ ‘He takes the workload off the judges’ ‘He’s an apprentice judge’

‘He will never be a judge’ ‘He’s an apprentice without a future’

‘You can call him anything you like, you are doing that anyway’.

‘Could you loan me some law books’ ‘What ones’ ‘Can you lend me a copy of the Constitution’ ‘I have some to spare at home, I’ll give them to you’

The pub was advertised for sale in the papers.

‘I can get an acceptance form from the Guardian Royal Exchange Insurance Company in a matter of hours’ Richard Smith said. ‘Great I’ll call you in a couple of days’

He had a form in his hand as I walked into the room ‘they will give you thirty one thousand five hundred pounds...that’s the best I can do’ ‘Jesus, that’s great Richard’

‘There are still a few small details to be worked out... a further meeting will be required for this unfortunately we cannot meet until next week.

The bank increased my debt by five hundred pounds. I received a letter with an acceptance form in the amount of thirty one thousand five hundred pounds with a Payment Mandate, a Fee Statement and the original draft I had written and given to him enclosed. I rang the office and made an arrangement to call in. In the office on my forty sixth birthday I signed the form and received two cheques from him, one for of twenty thousand seven hundred pounds made payable to Peter Murphy and Allied Irish Bank the other for ten thousand was payable to me. I gave the largest cheque to Mary Cullen and instructed her to hold it pending the outcome of the whole affair.

‘We have a meeting in the Bankcenter, Ballsbridge’ Mary said. ‘Can I bring Richard Smith’ ‘I don’t see why not’ the three of us went into the

beautiful building ‘Look at this place’ Mary said like a young girl on her first visit to a cathedral.

‘Had I known they had this much overheads, I would have given them the pub’

‘Hello, my name is Curran’ a man shook hands with her and gave her a nametag to pin to her jacket. He turned to Richard ‘Pleased to meet you’ he handed him a tag, glanced toward me and threw a tag onto the seat beside me. Seated at a table on the second floor two women one of them with note-taking equipment accompanied him.

‘Why are you treating Peter in such a fashion’ Richard asked ‘have you no consideration for his position’

‘We must protect our collateral’ he indicated to one of his assistants ‘he is a danger to the licence’ the assistant produced a letter from the Gardai in Kevin Street ‘the licence is in the name of John and Joseph Broggy, there is one conviction and one charge pending against the premises’ she put away the document.

‘We must protect our interests that is why we acted’

I stood up ‘if you read that document it proves I could not endanger the licence, take it out and read it’ she read it again.

‘What are the penalties if someone breaks licensing laws’ nobody answered ‘I will tell you, they are endorsement, suspension or deprivation, *how could I endanger a licence that is not in my name*, I would further point out, that I have hired a barrister to preserve, protect and acquire the licence last year’

‘It is in the letter’ the solicitor said.

‘People can say anything they like, it does not make it so’ I picked it up a book from the table ‘do you see this book’ I said ‘*it’s black*, you people can tell everybody in the country it is white or you can tell everybody in the country it should be white, you can even hire Paul Daniels to make everybody in the country see it white, but it is *black*... if you can change that... you will have no trouble with this case’

‘Are we all finished’ Mr. Curran asked

We sat at a table in Jury’s Hotel ‘We could sue them in the high court, if you wish Peter’ ‘Yes, I want to do that’

‘I wonder could we make that story into a play’ Richard remarked.

‘Mary’ I asked ‘what was that meeting about’

‘Negotiation’

‘I’m going to no more meetings unless they are for settlement, they are draining away my money and my energy, if they want to speak again make sure they specify it is for settlement’

I paid two thousand six hundred and seventy pounds into Ballyfermot to close off the loan.

'He said you don't know how to fight'

As I walked down Thomas Street past Meath Street corner the Garda who looked after the licensing in the area approached from the opposite direction.

'Hello Sergeant'

'Hello' 'will the Gardai object to me holding a pub licence in this area'

'I will check it out' 'thank you, see you'

Capel street branch sent a letter expressing disappointment that I had not given them my insurance cheque it also stressed that if I did not clear my debt in seven days they would commence legal proceedings, a copy of the directive was enclosed.

They made me think Aesop's fable about the wolf and the lamb.

The story went as follows a wolf and a lamb were drinking water at a stream.

'You are splashing me' said the wolf.

'I couldn't be, I am downstream from you, and the wind is blowing from you to me' the lamb answered.

'I had a fight with you last summer' the wolf said

'You couldn't have, I was only born in January

'Then it must have been your father'' he said and jumped on the lamb and devoured him.

The wolf would not be lost for a reason.

I received a summons to go to Court for serving drink after hours.

'Wear a tie tomorrow' Dick said walking on Thomas Street

'Why'

'Because its respectful'

'Oh I see, so that I can look like mister Harrison, who wouldn't know the truth if he was on honeymoon with it, maybe if I wear a silk gown, a horsehair wig and look like a white Golliwog, I could rape an eighty nine year old woman or even burn bloody Leinster House down, what a

fucking country...I'm beginning to think the snakes drove St. Patrick and the rest of the saints out of it'.

'I'm not trying to change the world, just wear the tie and shut up'

'Ok, I'll wear a tie... this thing about tradition, I do not think tradition makes anything right... as a matter of fact, if people are doing something wrong for a long time, it is all the more urgent to change it'

'Just wear the tie'

'Would you like to do away with all uniforms'?

'No, I like ceremony and pomp I just wish people in authority would not use their authority oppressively and also that people would look beyond the uniform's and see reality'

Frank Cahill and myself were in court number three the judge announced that all cases would be heard in court number two in the afternoon. Walking back from lunch, I was concerned about the time. Frank knew the registrar, he said the guy was an awful gambler and would probably be in the bookies. Frank went in to Hackett's Bookmakers on Lord Edward Street I waited on the footpath outside.

He came out laughing. 'Don't worry, the court cannot start without my friend and he said he is waiting for the result of the two fifteen' The Judge came out puffing and grunting. 'Frank he's drunk'

The registrar called the cases the judge was lenient. Peter Murphy was called, a man drinking after hours in The Dropping Well pub in Milltown he was fined two pounds. The Judge got up to go. I ran up to him with the summons in my hand.

'Here' I pushed the sheet towards him.

'Strike out, strike out' he said, glancing at it.

'You might as well strike it out yourself' Frank said.

This was the pending summons talked about in the Bankcentre.

I was drinking with Christy Hand in Clanbrassil Street he was a respected Individual, reputed to be a decent man but not one to tangle with.

'Peter did ya hear'

'What Christie' I asked though I had heard rumours and partly guessed.

'I have a couple of months to live'

'If your guaranteed that your alright I feel lucky every morning that I wake up, have another pint'

His strength was evident as he clinched his fists.

‘Have a pint’ he said smiling.

‘We are all dying Christie, the short time in between each of us means nothing’

‘I feel so strong and so helpless’

It was last drinks.

‘A bottle of Vodka and give me twelve glasses’ I said to Paddy Kavannagh

He raised his eyebrows as he gave them to me.

Christy and I went to a nearby derelict factory.

‘You know the way them Russians in the movies drink and throw their glasses in the fire’

‘Yes’

‘Well drink this and throw it at the wall’

Christy lowered the vodka and threw the glass at the wall, at the same time he shouted, ‘salut’.

We continued until the glasses were gone. He threw the vodka bottle at the wall. ‘Jesus, that was great’ He lived nearby I left him at his front door.

Mary said she had contacted the banks solicitors and asked for some negotiation they said their best offer is twenty thousand pounds and your costs; the debt at Capel Street would remain. She gave me a copy of the statement of claim it contained five heads of damages, negligence, breach of trust, conversion, interest and costs. Conversion is the tort of dealing with another’s chattels with the intention of denying the right of his ownership. In this case the chattel was money, I knew we could uphold each category, it is also a criminal offence under the Larceny Act.

John Mills thinks you will lose this’

‘What do you think Dick?’

‘I dunno’

‘Why does he think I will lose?’

‘He said you don’t know how to fight’

‘No, he doesn’t know how I fight, I will win, as a mater of fact, I am that far ahead of them that I think I should take stupid tablets before every meeting’.

I opened the door to Frank Cahil’s knock

‘I’m going to the market for some fish, will you come ’

‘Come in, and have a cup of tea first’.

‘Grand’

We set out for the Corporation Fruit and Vegetable Market.

Some fish filleters were still working. We stopped to watch one of them.

‘What’s that’ Frank asked, pointing at the tabletop.

‘Widows memories’ the filleter said laughing.

‘What kind of fish is it?’

‘Rock Salmon’

‘Why is it called widows memories?’

‘Look at the shape of it’

‘Like some’

‘No, I’ll have some cod’

He gave me a large piece of fresh cod.

‘They are nice people’ Frank said on the way home.

‘Yes, they are very handy with their knives’

‘Their knives are so sharp’

‘They are not as sharp as the knives of the people I am dealing with Frank’

‘It’s interesting enough each type of fish is processed differently, some they clean, others they cut stomach and all out, did you notice how fast they are and how few cuts they make to each fish, would you eat Rock Salmon’

‘Even if I was a widow I wouldn’t eat it’

Ballyfermot branch advanced me one thousand pounds at the interest rate of fifteen per cent, payment to be made in two weeks.

I had a collection of crystal there is six glasses to a set, the dearest ones, the Waterford Crystal brandy glasses would have cost about forty pounds each. Frank Cahill was an avid dog-racing fan he frequented both Harolds Cross and Shelbourne Park tracks in Dublin. He set off one evening with a carrier bag full of crystal to sell at Shelbourne Park.

‘Death of a salesman’ he said as he came in the door that night ‘I sold two sets for thirty pound’ ‘is that all you got rid of’

‘You don’t realise what I went through you would sell napkins for a rocking horse quicker the money was appreciated.

I went home to find I had no power supply the meters were on the ground floor. I called in to Mary ‘Don’t move out’ she said ‘I am not moving out, I live in one-three-eight James Street, and I want all my letters sent there

surely you are not telling me if I stay out overnight I am deemed to have left the place' 'I will contact them' I slept at my mothers.

Ballyfermot sent two letters saying the loan was granted on the understanding it would be paid in two weeks, would I call up and clear same.

Mary notified me by post of the next hearing in the Examiners Office, we went in and it was adjourned. O'Rourke, Reid sent a letter addressed to the Fountain Bar confirming the next date.

Mary gave me a copy of the Banks defence in the High Court Action I looked at it they denied everything word for word and put in a counterclaim.

'What do you think Peter' she asked staring intently into my eyes.

'There is no substance in their defence and there is no substance in their counterclaim'

The Irish Times reported that Judge Frank Martin halted case to call the Fraud Squad in to hear the evidence.

'*What would make you happy*' Mary asked in her office 'When Mr. Harrison is in Mountjoy doing time for perjury and fraud-' 'There's not much chance of that' she commented. 'I want the aye, eye, bee to lose their licence-' 'There's less chance of that' 'I am prepared to get a question asked in Leinster House if need be...the question is this, can a large financial institution that is licensed by the Government on a mandate of the people flout the constitution to break a citizen of this state and malign a citizen of this sate to make what they have done seem right'

Before the appointed day O'Rourke Reid notified me by letter that the hearing is adjourned and gave a new date. 'Do you see nothing sinister in the fact that they told me the day before the hearing that it is adjourned' I asked 'No' she answered with a bland look. 'As far as I'm concerned' I said 'that is tantamount to *them* telling me that they run the Examiners Court'

It was adjourned again. Both my solicitor and O'Rourke, Reid sent letters confirming the next date her letter had no name or date on it.

Ballyfermot branch sent a statement the loan is one thousand and eighty one pounds fifty-seven in the red.

I sent a letter to Mary saying that I consider a million pounds to be an appropriate amount of compensation and outlined my rationale for reaching this figure.

A middle-aged man with a green white and orange scarf pushed through the thronging crowd in the lounge of the Workingman's Club scanning the faces as he passed and focussed on me.

'Ah, do you mind if I sit down' he asked with a Dublin accent

'No, you're welcome to sit there' I said waving my hand in the direction of the seat opposite.

'I have something to tell you, I knew it was you when I saw you'

'Will you have a drink?'

'That's very kind of you, I'll have a whiskey'.

I placed the whiskey in front of him.

'You are doing two things, I do not want to know what they are, I am to tell you that you will be successful in both, I have always known I had to tell you that...my name is Docherty, they call me Doc... you are not to worry so much'

'Will you have another whiskey' 'Just a drop of water with it, I used to live in Ash Street... I live just across the canal now, Cooley Road...I helped to start the Irish Taxi Federation...Dublin is a great city'

'Yea my father and a lot of other fathers fought hard for it... a city of water and granite' he stood up 'I enjoyed meeting you, I will never see you again' he said taking my hand in his 'it is a great privilege to meet you' he shook my hand and walked towards the door. I sat looking at the empty glasses; the lounge boy was coming towards the table collecting empties. When the glasses are gone there will no trace of that man having been here I thought, resisting an urge to take one. I rushed out the door 'have you seen a man come out' 'Nobody came out' the doorman answered 'are you sure...a small man with a green white and yellow hat' 'Nobody has come out' I went back to the bar. The glasses were gone I longed for an action replay of the meeting, but it was finished.

Frank Cahill introduced me to Ada Giblin a solicitor friend of his, she lived in Stamer Street in a house once owned by George Bernard Shaw I went there to show her developments and discuss the situation.

‘You have to play your cards close to your chest in this game’ she said on one occasion ‘I think I’ll have to keep them up my arse’ ‘George Bernard Shaw will never be dead’ she said laughing loudly.

I showed her a copy of the order that the Bank got from Judge Barrington. ‘Have a look at that’ she pointed at the last clause, I took the order in my hand ‘they have said they will pay you’ she laughed raising her eyebrows at their naivety.

I read it with renewed interest and the plaintiff by its counsel undertaking to abide by any order which this court may here in after make to damages in the event of this court being of the opinion that the defendants or either of them or the said notice party shall have suffered any damage by reason of this order which the Plaintiff ought to pay.

‘What do you want to do’ Mary asked handing me a correspondence from the bank, it contained two questions do you hold a check for approximately twenty thousand pounds the proceeds of a Guardian Royal Exchange Policy and is the check payable to both AIB PLC and Peter Murphy.

I glanced up from reading it, she that challenging look in her eyes.

‘Answer yes to both questions’

‘There’s a settlement meeting in the law library at four o’clock in the afternoon next Wednesday’ ‘That’s good I look forward to it’ Her secretary confirmed the venue to me on the phone she said she had arranged that everyone meet in the Round Room of the Four Courts at a quarter to four, to discuss strategy. *Introibo ad altare dei.*

‘You don’t look so self assured now’

Half past three, Joe Finnegan was dressed in his black gown and his white horse hair wig speaking with two people, he moved towards me ‘You don’t look so self assured now’ he said almost as if he was voicing his thoughts ‘how much will you accept’ ‘They have done a lot of damage’ ‘No, *you* have done a lot of damage... think about it...’ he walked away.

Mary came in at five minutes past four. Joe Finnegan came back and they ushered me to a corner. A young woman joined us. ‘Who is this’ I asked looking from Joe to Mary. ‘She is a trainee barrister’

‘How much will you take’ Joe asked.

‘I will not say’

‘That’s not good enough, I have to know the parameters within which I have to deal’

‘These people called this meeting and they should offer a solution my figure depends on what they say’

‘You owe mister Finnegan the courtesy of an answer’ Mary said

‘One million pounds’

‘That’s unrealistic, I might get you twenty thousand pounds I think they would be mad but I might get you that’

‘Two hundred thousand pounds’

‘You are not the self-assured man I met two years ago, you don’t look well, think of your family’ he went on ‘I have seen men winning actions and coming out of court broken men they are only giving the money to save embarrassment...you won’t get another penny’ he walked to the opposition.

‘I told them you would assault me when I told you’ he said on returning ‘they offered twelve thousand pounds and they will pay their own legal costs’

‘You need not worry about me assaulting you, I have no intention of breaking the law, but you can tell them I have the *naire* for them...I am going home’ I moved towards the door.

Joe placed his two hands on my chest and blocked my route 'I think they are mad, but they will give you your cheque and pay the legal costs'

'No' I answered

'Think about it'

'No'

'Think about it for two days'

'I've thought about nothing else for the past two years. No, No!

'You owe mister Finnegan the courtesy to think about it'

'Right' I turned to leave Joe blocked my way.

'I don't know why they haven't evicted you, if I was in their shoes I would have you out in two days'

'Let them go through the process'

'What will you accept?'

'I will take forty thousand if they pay all costs...forty thousand... clear and in my hand' I felt I could get back into the pub business with forty thousand pounds cash. He went away with the news. 'I hope they refuse Mary ... I am sorry I set that parameter' Joe came back 'they refused'. I went out into the dazzling sunshine.

Walking down the Liffey-side looking at the river I saw shoals of grey or seen one caught or met anybody that had eaten one. I had read they only came foraging for food in the water. Each in their turn made small runs with sucking motions scooping the algae off the top of the mud. I could clearly see the magnificent white of the inside of their bottom lips. Curious creatures these fish. I have never held one e in summertime and they were good to eat. I wondered how far up river they went. The brackish water finished around Islandbridge. I should not think they would go up that far as they are a saltwater fish. I walked on. Somebody had told me they had soft mouths that broke away if you hooked them. I do not know if this is true or not but it is what I would expect in this city of ours some of the people I know have gimmicks in their repertoire that are as startling as my smug little friends below.

O'Rourke Reid made a without prejudice offer to endorse my Insurance cheque over to me and strike out the debt. The debt was my overdraft plus interest I had given the original money to Joe Broggy and used the rest in upgrading the premises, anyway, I felt that it was caused by me being put

out of business. I was amused by the last couple of lines which said we are prepared to keep this matter open until tomorrow and in respect of which we await receipt of your clients instructions. The meeting finished about six yesterday, they move fast when they want to.

‘Would you not come down on the forty thousand’ Mary asked as I entered the office.

‘That offer is no longer there, I want my High Court action to proceed without any further distractions’

‘Mister Finnegan asked me to ask if you will allow them to sell the pub’

‘No! yesterday Mister Finnegan proposed a deal that makes the guy who sold his only cow for a bag of beans look like a whiz kid ... is the case set down’

‘Yes’

‘Could you give me a list of what we need to get to court, I want to do them one by one’

‘I will ask Joe Finnegan...can you get an accountant’

‘Can *you* get an accountant?’

‘Yes, but I need money’

‘I want to tell you a story I read in the Bible ... when the widow of Narn lost her only son, she went to Jesus and pleaded with him, Lord, can you help me, certainly Jesus said and brought her son back to life. A widow in a similar predicament went to Buddha and asked the same question, certainly Buddha said, but first you must show me a mustard tree that never grew from a mustard seed, and a house lived in by man that was not built by the hand of man, the woman went off trying to meet his conditions but after roaming around for years she realised she could not and Buddha could not do help her...you are like Buddha, I have had two offers from aye eye bee I am two years out of business, you must have a clients fund, I think it is very unfair to ask me for money... you are giving me endless tasks’

‘I will get you one’

‘Is there anything else’ ‘no’?

‘I’m going, goodnight’

Her secretary told me on the phone that Mary wanted to see me.

‘They have offered forty thousand pounds and costs’

‘I will consider it’ I knew they would nail me to this figure when I mentioned it in the Law Library.

The waters of the Grand Canal were calm as I trudged toward home feeling like I was some kind of primitive man, a Red Indian, a Blackman or an Australian Aboriginal being abused and robbed of his inherent rights by civilized men.

They upped the offer by a thousand pounds.

Mary requested to have a look at the documents she included in the discovery, as she wanted to make another copy.

One or two people recognised me as I made my way to the Central Office I had been there before with a guy searching his claim though I did not understand the workings of the office Ada had assured me that it was in order to ask about my claim. I stood in line waiting my turn came.

‘Yes’ the gentleman behind the counter asked

‘I would like to check a case to see if it is set down’

‘What case’

‘Peter Murphy versus Allied Irish Bank’

‘Who are you?’

‘Peter Murphy’

‘Are you sure its not aye, eye, bee versus Peter Murphy’

‘I’m sure’

‘Check them books’ he said pointing to a pile of large books

I found nothing. I told him the number and the year. He looked in the books ‘it is not set down’

The aroma of the hot coffee drew me into Slattery’s bar in Capel Street, Frank Smith called to me, he was seated with Dan O’Driscoll on the other side of the room ‘How are you Frank’ I nodded to Dan ‘Do you believe in god’ Dan asked in his valentian manner ‘Yes’ ‘That’s good for you’ll need him when they blow the fucking head off you’ ‘If you want to do that, I will hold out my head for you now’ I said bowing my head forward ‘but you must do it on O’Connell Bridge... in public, not behind closed doors where you do all your damage, good luck’

tactics of children

I knew that the bank realised that they had made a mistake and they did not want to go through with the process as things were. Mr. Comerford's sphere of activity would oblige him to get through the process as speedily as possible thereby keeping the amount of buildings unoccupied, because of receivership, to a minimum. The reason for this is obvious otherwise a large number of buildings in the city would be unoccupied and infested with animals such as rats and pigeons that occupy these buildings.

In bed reading about Jesus being questioned by the High Priests of the Sanhedrin and how they put questions to him that even he could not answer. When they thought they had him trapped, he put a similar question to them and said when you answer my question I will answer yours. I decided to place the Examiner in a similar position. I called to Mary's office

'I want you to write to Mr. Comerford and ask him does he consider my claim to be in priority to aye, eye, bee's, what stage the receivership is at and when is the next hearing'

I thought if they had told him to string out the receivership, their cause would be lost if he put a date on it, and if he would not put a date on it he would be negligent in his duty as Examiner.

'I will send a letter tomorrow'...

The Irish Times published a law report that justice must be done in public outlining a Supreme Court Judgement delivered on May the second nineteen eighty-nine giving the five judges reasons.

Telecom Eireann sent a Civil Process to be heard in Dolphin House. I had told them that the pub was in receivership and I couldn't pay the bill, I did not defend it, their claim was just. They were awarded seven hundred and twenty three pounds and costs.

Mary sent me a copy of the letter she sent to the Examiner it asked that he take note of my claim but did not require an answer. I asked her to write again and told her what to put in the letter.

Reading the Bible I noted one of the Disciples that Jesus had told to go about the world preaching said to him Lord, if there is so much trickery in the world, men say things they don't mean and things appear to be what they are not, how can we judge a man. Judge a man by his actions Jesus answered. The bank was using monetary oppression against me. When I wanted to go to court to force the receivership along my solicitor asked for money.

Central Office, same man was at the counter. I looked at the books it was set down but no date for hearing on it 'how do I get a date on it' I asked 'There is a lady across the way in charge of it' he pointed to an office. 'Yes' a small lady with a hair-bun clipped in place addressed me as I crossed the threshold.

'I was told you are in charge of that case' I said handing her the title and number written on a piece of paper.

She consulted her books in silence 'Nothing much happening with this, it's just lying there'

'How do I get a date on it'

'Everything is done, the *Certificate of Readiness* must be signed before there is a date put on it'

'Thank you'

'What about the offer' Mary asked sitting in her office chair.

'It is not acceptable'

'Here is the affidavit of discovery, take it home and read it'

'What about the Certificate of Readiness' 'Joe Finnegan is on holidays, he comes back on the twenty second'

'Has the Examiner replied to the letter?'

'Mister Comerford is on holidays' she looked straight into my eyes 'who is teaching you the law'

'Nobody, I'm just reading the odd book or two...'

'I will let you know when to do the affidavit' she said. I went into Ballyfermot branch and borrowed a further three hundred. My loan account was now more than sixteen hundred in the red. As I left I mused *children use a similar tactic if they want their playmates to do something against their will, they used goodies like holding a carrot in front of an*

ass. I consider these to be tactics of children that will be dropped when they grow up.

A notice for secured incumbrancers appeared in the Irish Times.

‘Will you go into the Court and ask that I be indemnified on the order of Judge Barrington’ I asked handing her a photocopy of the grounds for damages. Mary did not reply ‘Have you received the Certificate of Readiness’ ‘I haven’t’.

I phoned her ‘Have you got the Certificate of Readiness. ‘I have not got it’ she said ‘Is it signed’ ‘We will go to meet Mr. Finnegan after the long holiday’

Miss Condon sent her a letter saying that the advertisement is directed to creditors whose debts are secured. If you consider that your clients claim comes within this category, then the procedure outlined in the advertisement, should be followed, that is, a claim should be formerly entered in the Claims Book in this Office, and an Affidavit in proof should be filed in the Central Office of this Court and a copy of same should be lodged in this office and with Messrs. O’Rourke Reid & Company Solicitors for the Plaintiff, within the time limit specified in the advertisement.

Mary told me Joe Finnegan was sending the Certificate of Readiness with the affidavit.

I received a letter with the Affidavit of Discovery in the High Court Action and a request that I ring the Office. The secretary made an appointment for three o’clock. ‘Mister Finnegan will get together with Mister Trainor of aye, eye, bee and sign the Certificate of Readiness’ Mary said, handing me the Affidavit grounding my claim in the receivership ‘will you get that sworn’. I photocopied the document and went into a commissioner of oaths had it sworn and returned it to her office. I walked by the canal and read the copy. It only claimed twenty three thousand nine hundred and thirty pounds and some other items that had already been established as mine by Judge Barrington in nineteen eighty seven. A lot of important items were not listed in the affidavit of discovery I brought it to her office the following morning and got her to fill in the items in biro. ‘Why don’t you live up to your reputation’ she asked casually

‘I’m going home’

‘Has Mister Comerford answered the letters’ I asked her in the foyer of Aras Ui Dalaigh ‘Mister Comerford has stopped writing to me’

We went upstairs to the room everybody except Eithne and I carried a briefcase or a folder, when I was young if my childhood friends saw a man or a woman carrying a briefcase they would jeer him, saying things like ‘he has his lunch and dirty books in that’ I never gave it much thought but I knew the briefcase had an effect on them, that they somehow felt subservient to the person. I had two briefcases full of evidence back home I resolved to bring one the next time.

Miss Condon appeared, eyes scanning the room ‘who are you’ she asked a Lady.

‘Solicitor aye, eye, bee’

She bowed her head towards another lady.

‘I’m with the bank’

She seemed to know Mary and did not need to be an Albert Einstein to figure out who I was. She focussed her attention on Eithne.

‘I’m Eithne Broggy, John’s Widow’

‘What is your business here?’

‘I want to see what’s in it for me’

‘Well’ said Miss Condon looking around the room.

‘I want this matter referred to a judge of the high court’ I said

‘Mister Murphy do you not think you are adequately represented without interfering in the process’

‘Correct me if I’m wrong, my understanding of justice in Ireland and indeed justice anywhere, is that a person has the right to speak for himself’

‘I am adjourning to the nineteenth of October’

Miss Condon called Eithne as we left.

Bunreacht na H-Eireann.

Art 34, Section 1

Justice shall be administered in courts established by law by Judges appointed in the manner provided by this Constitution, and save in such special and limited cases as may be prescribed by law, shall be administered in Public

Section 2

The courts shall comprise courts of First Instance and a Court of Final appeal.

John Mills sent a letter advising that Dublin Corporation intend to acquire 89 Kylemore Avenue, under the Derelict Site Act. However, their Chief Valuer has instructions to open negotiations to safeguard my interest in the house I asked him to negotiate.

Ada and I prepared a supplemental affidavit claiming eighty four thousand six hundred and fifty pounds. In addition to the twenty two thousand nine hundred and thirty pounds, I claimed that I was entitled to thirty eight thousand three hundred and twenty pounds being the money that I expended on the premises plus the money I paid Joe and Eithne. I also claimed twenty three thousand four hundred pounds for loss of earnings and that the licence was mine because I had purchased it and preserved it. It also asked the Examiner to indemnify me in keeping with Judge Barrington's Order and stressed that I was not notified of the application for the order of twenty seventh January or when it was perfected on the tenth of March, in spite of the fact I was a notice party in the original application. It said that the bank applications were grounded on affidavits that were somewhat less than accurate. It finished with her beautifully appropriate phrase that the money I was claiming represented *the benefit of the fruits of my labour for the entirety of my working life*.

The banks solicitors sent a without prejudice offer asking if I would allow the sale of the place and what would my lowest settlement figure be...

‘Don’t use bad language’

The sun was warm on my back as I descended the steep gradient that is Winetavern Street *nobody should get lost in Dublin, everywhere is related to the river O’Connell Bridge is the centre of the city you could tell if you were downstream of the ‘bridge’ because you could see the sea and practically taste the brackish water.* I looked into the river, the green brown seaweed clung to the walls above the waterline as if it was a tremendous effort to be in that place but it was worth it to dwell in such a wondrous city. Gandon’s splendid edifice stood in front of me with the balustrade taking the place of the Liffey wall and the bridges to the left and right of it adorned with matching balusters, a fitting environment for people of such power.

Across the bridge and into a Commissioner of Oaths I had my affidavit sworn, heading towards Aras Ui Dalaigh a black cormorant diving beneath the surface of the river caught my attention, *was she telling me to hide from the notice of such powerful people or had some relative in the distant past been frightened by the thundering guns and passed the story from generation to generation and on to my alert friend. Happy fishing. Busy little creatures, they remain submerged for long periods and always surprise me when they surface, judging by the length of time spent beneath the water and the proximity of the surfacing points they must swim in a zigzag pattern.*

I paid the stamp duty and lodged one copy in the Examiners Office. I walked into the main court buildings without going out into the street, past the Round Room and into the Central Office. I filed a copy there and got the other copy franked. There was no date on the action. I exited to the public highway at Chancery Place, past Capel Street Bridge I leaned over the wall to rest and look at the water.

‘Don’t! Don’t! I turned around to see a man gesticulating ‘tomorrow is another day’ I nodded to him as he passed. *If some of the more sycophantic members of the aye, eye bee staff in the Financial Centre,*

beside the Custom House, could see up this far, they would be straining at the windows shouting 'jump, jump, jump, you baldy little fucker, jump' I looked towards the Financial Centre if I could shout loud enough and the wind would carry the sound down to them I would shout: there is nothing ... further... from my mind.

I crossed the Halfpenny Bridge, walked round the College Wall and up Dawson Street, a pleasant walk through Dublin. Sursum Corda.

'This is a true copy of the original I have in my pocket, would you like to see it' I asked the receptionist of O'Rourke Reid, number one hundred and nine Lower Baggot Street as I gave her the copy. 'No' she answered hesitantly. I hailed a taxi and settled back in the plush seat.

'Drimnagh... Mourne Road...up near the church'

Watching television, it had been a tremendous days work I reflected, but when and where will I get my wages.

I sent a registered letter to Mary outlining the number of times I had asked for the certificate of readiness and threatened to seek alternate means to get a date for the hearing of my case.

'I have recently been speaking to the solicitors for aye, eye, bee...' Mary said on the phone 'they said they are still awaiting documentation from Blanchardstown to enable them to complete the discovery, they say they will not certify the case until this is available...we could take a further motion to force them to complete the discovery, I am anxious to bring the case to a conclusion at the earliest possible date, what is your answer to my letter of the tenth ' Give them nothing'

She gave me a registered letter with 'Premises Vacant' written on the envelope, it had been sent to the Fountain Bar and stamped return to sender. In the letter she asked that I let her know what evidence Bill Jolly had relating to the case. 'Bill Jolly has nothing to do with this'

In the foyer of Aras Ui Dalaigh I carried my black briefcase. Mary glanced furtively at it as we ascended the stairs. I sat at the table and put my case on the floor. I noted Eithne Broggy was not there. 'It is too late to put in affidavits Mr. Murphy' Ms. Condon said. I put the case on the table.

'That is a supplemental affidavit' I said, not knowing if there was any substance in that point I unclasped the case, her eyes darted from me to it with the consistency of a metronome. 'I am adjourning till the ninth of November...Ms. Cullen can do a new affidavit'

Three people sat at the table when we arrived I put the red case on the tabletop. The bank's solicitor said he wanted to take further instructions. She adjourned.

My mother and I were drinking a bottle of Liebfraumilch 'they couldn't take their fucking eyes off the briefcases' I said

'Don't use bad language' she managed to get out before she burst into convulsions of laughter

'The next time I will go dressed in a blanket like Mahatma Ghandi and see what effect this has' 'They thought there was a bomb in it'

The phone rang 'hello'

'Is that Peter Murphy' a voice with a northern accent 'Yes'

'You're a dead man' he said and hung up. 'Mother!' 'What is it' 'do you think these toe-rags will do away with me'

'No, how could they keep the person quiet if they hired him he would be as much of a threat to them' she said in between bursts of laughter

I borrowed five hundred pounds from Frank and brought Angela out to a cabaret show. I was relating events to her. After the show I brought her down to see their new Financial Centre beside the Custom House. Angela looked at the beautiful building 'scumbags' she shouted. As a punishment for her assiduity I took her to a restaurant in Richmond Street South. We had a meal and drank three bottles of wine.

Mary Cullen and I went to Aras Ui Dalaigh Ms. Condon was sitting, a double of Terry Thomas's obviously bewildered by it all, was standing talking, sweat streaming down his face. Business and property in Cork were up for grabs he finished talking. 'What do you want' Miss Condon looked toward the bank's solicitor 'I have been instructed to ask for permission to apply for an order for possession' she focussed on the victim 'Mister McCloskey, the banks solicitor has to obey his instructions, it is not his fault, and I must act on the evidence...I have to grant this application'

So they could evict him and it was nobody's fault I thought they wouldn't even give the man the pleasure of identifying somebody to swear at... they are showing me what they can do. The man headed for the door, silently crying out for help.

She opened our proceedings Mary had no further affidavit. It was adjourned.

‘I am inclined to give you the order to sell the premises’ She said to the Bank’s solicitor on the next occasion. ‘You are telling me’ I said ‘that you are giving these people’ pointing at the banks solicitors ‘the right to apply for an order of sale in an application that is grounded on perjured affidavits that I never had the opportunity to question, that is wrong...it is in breach of article forty section three subsection two of the Constitution’

‘There is another time for that’

‘They are perjured’

‘That is a serious allegation’

‘I know it is serious, it seems to be more serious for a working class person to make the allegation than it is for an aye, eye, bee official to commit the crime...good day’.

Mary told me on the phone that it was adjourned.

I was inclined to bring a reporter to the next hearing if I could get one to come.

My car was stolen.

I made an appointment with Mary’s secretary for Friday at two in the afternoon. Mary was coming out of the office as I was going in “I am very worried about the position’ she said as she passed on the path ‘Can you come up in the morning at eleven’

‘I don’t think we can win this case’ she said the following morning ‘it’s costing too much money. Joe Finnegan is not interested in it...have you read your original affidavit...you are changing your story, I must consider my own position, you have a good offer, why don’t you take it’

‘How much is the offer’

‘Thirty thousand pounds’

‘Why did they cut their offer by ten thousand when they thought that I was accepting, they offered forty thousand pounds six months ago, now they are offering thirty thousand ...I want to do the affidavit’

I had read my affidavit four days earlier and noted that I had not changed a single word I also knew allied irish bank would give me nothing if they thought that I had no case.

‘Tell them I want forty thousand pounds into my hand...clear of all debts, with no hidden expenses popping up later ’

'They knocked down me Villas'

The banging on the upstairs floor startled me, I rushed to the bedroom, my eighty-four year old mother was on her knees having difficulty breathing. I helped her into bed and called my sister Breda on the phone. We both tried to make her comfortable, at three o'clock the ambulance came, she was taken to James Hospital, and we followed in my sister's car. The doctor told us she would not last the night. I went into the cubicle in the accident and emergency unit. My mother was tossing and turning on the stretcher 'I want to die, I want to die' she was unconsciously muttering. I attempted to put her into a sitting position I called a young doctor. He lifted her with me 'Can you do anything for her, Doctor' 'I will do what I can' three of my sisters came in at that stage and they each assisted. I walked outside to be alone. The rest of the family came during the night. In the morning the young doctor came over to me 'she is okay, but I am very surprised'

Twice was sitting in the foyer as I left the hospital 'They knocked down me Villas' he said 'I can do nothing about that...where are you living' 'I got a nice place in town...Eithne Broggy is dead, and Jonathon is gone away to live in England, do you want any stuff' 'no thanks, I'll see you' I had heard talk of them using the Royal Hospital Kilmainham as a meeting place for the European Economic Community ministers they would not want them to see Kennedy's Villas on there way to work each morning. I felt a sense of loss I don't know the reasons for this, but one of them was probably that I didn't have to live in it. It reminds me of what Ernest Hemmingway wrote when he was dying with cancer, before he shot himself; the pain is with me that long now I would miss it if it were gone. 'Papa' Hemmingway was not a hard man to respect. Indeed every boy and man that lived contemporaneous and subsequent that knew how the man lived and died would admire him and probably every girl and woman as well, though I don't know how they feel about these matters...

I rang Mary 'The case is not on the nineteenth, the bank is looking for an adjournment...can you come up' 'Aye, eye, bee will write off the debt, give you your Insurance cheque and twelve thousand pounds' she said

eyes concentrating on the writing pad in front of her, I moved toward the door 'I might get them to fifteen thousand' she said and made a call

'Okay fifteen thousand' she replaced the handset.

'What is your bill'?

'A thousand pounds will do me and Joe Finnegan'

'Ask them for another thousand'

She rang again 'yes'

'Right, provided I get paid on the twentieth...keep five hundred for yourself'.

'All right'

Hibernian Insurance Company sent a without prejudice letter acknowledging receipt of my communication of eleventh of December and asked me to forward the keys, documents of ownership, Insurance Certificate and Disc to their offices in Haddington Road. The Insurance Disc was on the windscreen of the car when it was stolen. I sent off the rest of the items. Ad Deum Qui Laetificat Juventutan Meum.

The Bank got an adjournment to twenty-first.

'The agreement is to be sent over by courier' Mary said on the phone.

I rang again at five thirty.

'It is not here yet, but is definitely coming today'

'Mary is busy' the secretary said at ten thirty in the morning 'Will you ask her to ring the house when she comes in' 'Yes'

I tried again at twelve 'Mary is gone out' the secretary said.

'Tell miss Cullen to call it off, I will continue in court'

I called at four in the afternoon Mary answered 'I am going into the high court at the next sitting, would you write and tell me how near we are to having my case certified'

'I will do that'

I went to the office unannounced at five minutes to five Mary opened the door 'Peter' she said loudly, a figure scurried across the hallway into the living area of the house, he was dressed in dark clothing and the white of his shirt was immaculate and starched 'the agreement came but I sent it back' she said when she regained her composure 'the conditions are not right...we cannot let them walk on us'

'Was the money right' 'Yes'

The prospects for Christmas were bleak indeed I thought about how short life is. I was concerned for my mother I felt that I should have given her more material things. I knew of several people who died with court actions in progress. Indeed the gentleman that sold me the house in Ballyfermot died recently he had an action in progress. I could get back into business with the amount of money offered. That, after all, was what I wanted to do.

Mary sent a letter with a draft agreement enclosed they would pay on condition I vacated the building. 'Okay' I said on the phone, she sent the agreement for me to sign prior to drawing any funds.

I thought about fixing for the few days I read in one of the law books that if one accepts money it does not mean the case is over. I could see quite clearly the reasons for this. The most important reason in my view would be that I did not know how long they could string this out and one does not have to die for justice and even if I was prepared to do that, what kind of justice would that be, the people and the organisation that done the damage and broke the laws are alive and well.

Another reason was that when I spoke to anybody about the case they replied yea, yea, but they have all the money and you have nothing ... you must be living in Cuckoo land or words to that effect, also I feared for my life.

When they paid me it meant I had won and I was not living in Cuckoo land. I intended vindicating myself by writing this account of what had happened. I was also aware that I was accepting less money than I had been offered six months before. This would lend credence to the fact that the amount was not the most important thing to me at this time. I knew that later on when I was trying to get my justice people would say his money is gone-he is only kicking. I went to the office and signed the agreement. She paid me with her own check 'What about the book' she asked. I shrugged my shoulders in reply. I lodged the check in Ballyfermot Branch feeling that I'd been conned though anxious to begin living again. *Tomorrow is the first day of the rest of your life.*

I contacted Hibernian Insurance Company regarding my Motor Insurance Claim. They said they could not get confirmation of the police report. I tried to get Ballyfermot Garda Station on the phone once or twice with no

success. I wrote a letter copied it and sent it by registered post to the Superintendent.

Hibernian Insurance Co. sent an agreement they proposed to pay me one thousand two hundred and fifty pounds. I cleared the thousand owed to Bank of Ireland, Ormond Quay.

I asked Mr. Flynn the manager of Ballyfermot branch if they would finance me to buy a pub.

‘Between me and you’ he said ‘you will never get anything out of this bank’

‘In that case, I am withdrawing my money’

‘Very well’

I produced my passbook that showed a balance of thirty thousand pounds.

‘I want to withdraw the lot’

‘You have not got that there’

‘What are you talking about’ ‘the cheque from the insurance company is more that six months old and they wont honour it’ ‘why did you put it in the passbook’

He shrugged his shoulders ‘There’s yer money’ he gave me the cash.

My present frustrating position evokes comparisons, with a particular aspect of the natural order that is devastating, destructive and vicious. I am thinking of organisms and animals living together in ever differing ways, in groups, in partnerships, in parasitic, predatory and symbiotic relationships. They hunt in groups or hoards to protect each other to ensure the species survives. In partnerships each individual looks after its own and its partner’s welfare. Parasites of course live on their host and would kill it except for they would then perish.

Symbiosis where two entities form a partnership, one is usually dominant; sometimes the stronger symbiont could not survive without the weaker one. There is a variety of ants, which have a symbiotic relationship with plant lice. They herd and protect the plant lice, and live on their milk.

It is only a very small step in natural terms for any of those to prey on one another, and this is, as they say in Tallaght, only a kick in the bollix away from cannibalism, and that must be wrong. I mean if everybody eat one another some guy a greedy pig would end up on his own. He might get the flu or something, then maybe he could only get a National Health doctor,

fucked! A whole species; wouldn't have to wait for some deranged Russian, to press the wrong fucking button, fucked...

All of these arrangements have good and bad points. When the bad comes to the fore it is particularly vicious, and should be left to the lower animals. I consider the bank to be a preying symbiont with parasitic and cannibalistic tendencies who can alter it's objects at will and is not restricted by any rules.

Every now and then the radio blared *you bring out the best in us*. I thought, if they are talking about their legal team it was funny and if they are referring to their banking service...it leaves a lot to be desired.

In G.R.E. offices on Stephens Green I asked the counter assistant for my money.

'Hang on' she said and went upstairs 'they said they will sort it out but it will take a small bit of time with the computerised system and that' she said on her return. 'Go back upstairs and tell whoever is dealing with this that I have brought the aye eye bee to their knees with this and you people will be easy ...if I don't get my money now I am taking legal action' 'Your money is available' she said handing me a replacement check.

I opened an account in the Bank of Ireland at Crumlin Shopping Centre. I realised all banks would stick together when protecting the interests of banking organisations though I thought AIB would maybe leave well enough alone. The Assistant Manager of the bank advised me to put money in the I.C.S. building society while he was so doing I got bad vibes from him.

I started a small tailoring business in town with Peadar Brennan. The plan was that I set up the business financially, he was to do the physical work and we split the company shares when it's on a sound footing. I was dealing in cars and was also doing building work...the phone rang 'Hello'

'Is that Peter Murphy' the same voice

'Yes'

'You're a dead man' he hung up.

I heard the voice of the fourth living creature shout, "Come". Immediately I saw another horse appear, deathly pale, and its rider was called death. Hades followed at its heels.

I will never again speak first when answering a phone. If somebody is calling to threaten me or make an obscene call, they have to know they have the right person on the line. By remaining silent the only way they would know is if they have me in view I will then be able to look for them and if they were to face me....

Hibernian Insurance Company sent a cheque for one thousand two hundred and fifty pounds in full settlement of my car claim.

In Aras Ui Dailagh I asked to see Ms. Condon. 'She's out' said the receptionist. 'When will she be back' 'I dunno' 'Do you mind if I wait' 'Wait all you want' twenty minutes passed Miss Condon came out of an office. 'What's happening to the pub'?

'If you want the pub why don't you put in a bid' she marched back to her room.

My mother went from the hospital to my sister's house. After a short time she returned to Mourne Road. The death threats were coming regularly. I rented a small house off Cork Street, it was fifty pounds per week with a months deposit and a month rent in advance.

‘This man is drunk, judge’

The main line of the Grand Canal is filled in from the basin to the first lock, a short distance from the half redundant bridge that connects Kilmainham to Rialto across the South Circular Road from where I sold cars there was a house going for forty five thousand. It was a fine house with an extension, a large backyard and a garden. Small repairs were needed. I planned to sell cars from the back, upgrade the extension, live in it and rent the remaining accommodation. Building plant and materials could also be stored there. It was ideal. I had ten thousand pounds in the I.C.S. Society. I also had five thousand pounds on deposit in the Bank of Ireland, O’Connell Street, although this is a guarantee for the overdraft in the clothing business and some money on deposit in Bank of Ireland, Crumlin Shopping Centre. The I.C.S. would not entertain the notion. Red lights began to flicker in my head.

‘You should check the Irish Credit Bureau to see if there is anything on the computer about you’ the man who was selling the place advised.

‘You need to fill out a requisite form I will send one out to you’ said the lady on the phone. A few days later I returned the completed form and the five pounds fee. There were two items on the printout: firstly they said I had not completed the business with my cash register in a satisfactory manner, this was a falsehood secondly there was a judgement to Telecom Eireann for seven hundred and twenty three pounds this was quite legitimate but I wondered why they bothered. The red light in my head stopped flickering...it stayed red. I gave the details to John Mills to see if he would do anything about it.

The pub opened for business in the summer of ‘ninety-one’ it is called ‘The Barn Owl’.

I purchased *The Irish Legal System* by Byrne & McCutcheon in Easons and began to read it.

‘They thought you would go away’ Frank said in Grogan’s Pub ‘Go away, where?’ ‘Just go away’

‘I will not change my identity nor will I be emigrating’.

The Gardai put tickets on all the cars I had for sale. I was going into the lane a garda that knew me well stood in front of my car with his hand in the air 'Are you taxed and insured' 'Can't you see them in the windscreen'

'What's your name' 'Don't you know my name well' 'Have you got a license' 'Yes' 'gimme a look at it' 'I haven't got it on me' 'Where will you produce it' 'Fuck off' I drove into the lane.

Kilmainham court I had my license with me. The court usher looked menacingly at the crowd 'Quiet' he shouted to the nervous adults and the frightened young people. I moved across the court to speak to a solicitor. The usher glared at me. I walked past him unconcerned 'This man is drunk judge' he said directly to Judge Hussey 'don't be foolish, I've never had a drink in the daytime in my life' 'Lock him up' she said they locked me in a cell. I was brought upstairs about four o'clock, fined for failing to give my name and released. I gave up the car dealing business.

'Hello John how's it going' I called outside the grocer's 'Alright' 'Making plenty of money' 'I 'm doing some investigative work for banks'. 'Would you be able to help me...they have me on the Irish Credit Bureau computer.' "That's nothing" he replied laughing' they're run by an organisation known as the 'Illuminati', you want to see their own internal computer" 'Can you help'

'I can give you this advice...forget about them and get on with your life, goodbye' 'How am I going to get justice' 'let god look after them'

'That's fair enough but I believe that god is in charge of eternal matters and men should look after earthly matters...I want my justice in this life...if god wants to punish the wrongdoers in the next as well, that's his business' 'best of luck to ye'...

'I've been away for five years in England'

The tailoring business was making profits, the time was running out on the lease, the landlord had assured us he would be able to extend the time until the termination of his lease in nineteen ninety-five he then said that he wanted to ensure it was broken legally before he renewed it and wanted us to put everything out into the street for a week, he gave me an opinion of Counsel relating to this. I told him it would break the business. He said there was no other way. He then said he has been in touch with the owner of the building and she said he must get us out. Peadar found another premises and moved in with the condition we pay three months rent. The new lease was for thirty-five years. I had been helping a friend out periodically for two years. He had had an accident and received some pretty bad injuries- he separated from his wife and had mega problems. He was in a life threatening financial condition. I told his solicitor that some of the money I gave him was rent and was needed for the moving. She assured me that the hearing was imminent and the case would be well over by the time I needed money and if perchance it was not she would give me any assurance or letters of undertaking or guarantee I would need to get my rent money from the bank. Towards the middle of September I was concerned. I got a letter of undertaking from his solicitor. Business was improving, we were dealing with some of the most reputable stores in Dublin, and prospects were excellent.

I went into the bank for a facility of a thousand pounds for the rent. They left me standing unattended at the counter for some time and then made it abundantly clear that the only thing I would get from them was insulted. I told them I felt they were obliged to give us finance that we'd increased business and started Dress Hire Section at a cost of approximately three thousand pounds since nineteen ninety. 'No! It's our money and we can do what we like with it' *It's the currency of this country and you have stewardship of the amount that you get your tentacles on.* I tried to contact

the Manager, Mr. Michael Vaughan on numerous occasions at the bank and by phone. He would not speak to me.

I sent a registered letter to Mr. J. Madden, Area Manager, College Street office of Bank of Ireland pointing out the urgency of the matter and the unjust and near criminal treatment I was receiving from the Bank of Ireland. Mr. J. Madden rang and said the letter should have been to Mr. Liam Madden. He said he would hand the letter to that man during the course of the day.

I looked closely at my account statements and discovered two occasions on which they had deducted money wrongly. I rang the bank they invited me to go over at seven o'clock to discuss the matter I went into a café in Middle Abbey Street for a cup of coffee Jonathan Broggy was sitting at a table. 'How are you Jonathon...I haven't seen you in ages' 'I've been away for five years in England' 'Are you working' 'Yea I'm okay' he got up to leave 'I'll see ya'

The bank door was opened by a young man 'hello' I pointed out the errors to him 'What do you think we should do' '*Give me back my money*' I said 'leave...it...with me' he said in between bursts of laughter 'and I'll see what can be done...good night' 'good luck'.

I moved to my mother's house some nights we would buy a couple of bottles of wine 'Peter, I got your father the job with the McBride's' she said as she sipped her umpteenth glass 'they were very fond of him, Sean brought lovely white lilies to my second child's funeral, your father used to carry guns and ammunition immersed in the butter on his messenger bike up to Bat O'Connor's in Baggot Street, Tommy O'Brien used to direct operations from his house in Green Street, number twenty-one it was the same as the bus...is that statue still in Monto, your daddy and some I.R.A. men put it up, it was full of prostitutes, foreigners and sailors down there, they had to do something...they wont get away with it this time will they Peter...you will win, wont you'

'Yes, Mam'

Proinnsias De Rossa TD and his team could be seen working in the his office across the street from the front window of the tailoring premises, I sent a letter asking for assistance he replied that he held a clinic every Monday morning in the Bottom of the Hill Pub in Finglas. I explained the

problem to him, when I finished he said he did not think I had any recourse in law....

I wrote to bar council complaining about my barrister they were evasive for some time though eventually they sent me a complaints form and stressed that there could be no monetary remedy for the complainant. I was not about to embark on a costly almost impossible task of proving him guilty of misbehaviors to the satisfaction and benefit of the bar Council for the good, or bad, of my health.

Bunreacht na H-Eireann

Art 6, Section 1

All powers of Government, legislative, executive and judicial, derive under God from the people, whose right it is to designate the rulers of the state and, in final appeal, to decide all questions of national policy, according to the requirements of the common good.

Section 2

Those powers of government are exercisable only by or on the authority of the organs of state established by this Constitution.

I sent Ms. Maura Geoghan-Quinn the Minister for Justice my written log of events asking her for help, she appointed Inspector Larry Quinn of Store Street Station to investigate the criminal allegations. 'I retire in two years and I want a nice easy life' he said at the first meeting 'I don't think this will go anywhere' I gave him a written account of the criminal events to clarify matters i.e. the two occasions on which money was wrongly deducted from my account and the occasion on which John Reid commit the perjury, I also gave him copies of the affidavits that contained perjury. 'I have to investigate your character' he said 'to give fair representation and that' 'fine' 'Six years imprisonment for armed robbery in London' he held a print-out at arms length 'three years for armed robbery, London-' 'Hold on Inspector, I have never been sentenced for armed robbery, as a matter of fact I have never been in a police station in London' 'There are nine, stand over here' he said indicating with his head that I should stand behind him. 'They are not mine, there is something wrong' 'I will have to

send them with my report to the minister’ ‘Okay once you tell her I deny all of them.’ ‘I spoke to the manager of the B of I, he said it was a tellers mistake and he will give you your money back’ ‘Everybody that’s caught *stealing* wants to give the money back’ ‘John Reid admitted giving the evidence, he is upset and he does not want it sent to the DPP...Joe Finnegan said he got you forty thousand pounds, I don’t really think we have enough but I will give it to the boss...it is after all his decision’ ‘I want it sent’

Maura Geoghan-Quinn’s office sent me a letter saying that the director of public prosecutions has directed that no prosecution should be initiated and as the director is independent in his prosecutorial function it would therefore be inappropriate for the Minister to comment any further. Confidentially I was told to learn the law.

I petitioned the Attorney General’s office, they sent a letter back advising me to employ a solicitor I sent a further letter asking the Attorney General to prosecute the offenders, as is his function. A month passed by I wrote to the Taoiseach asking him if a person in a legitimate position could refuse to do his appointed function and when asked could refuse to account for his decision. The Taoiseach’s office replied saying I would hear from the Attorney General’s office, they answered that they would not help me. I went to the legal aid office in Ormond Quay and asked them for assistance to get my rights. They gave me work instead of assistance I did not pursue it.

‘No! he’s drunk everybody can see what kind of a character he is, that’s enough for me’

‘Tanya is getting married ...will you come to the reception’ Frank asked ‘Where is it’ ‘In the Shelbourne...I’ll send an invitation’ ‘I want to bring John’ ‘Okay’... Shelbourne Hotel, Stephen’s Green John and I sat at a table talking, Dan O’Driscoll and Frank’s wife danced shakily on the floor they seemed to have their eyes focused on me, I looked directly at them, Dan raised his finger to imitate a gun and pointed it at me ‘Bang, bang’ he said grimacing. ‘Pull yourself together Dan, you’re drunk and behaving like a knacker in front of all these people’ I walked to the toilet. ‘Will I give him a box’ John asked catching up to me ‘No he’s drunk everybody can see what kind of a character he is, that’s enough for me’

‘Your daddy was an eejit’ mother said the following evening as she sipped her wine ‘lying all night in a shed in Howth waiting to unload guns with the rats running over them, I’d like me job...he fought all his life for this country and never got anything for it...after the civil war when he wanted to leave the army they done everything to try to get him to stay...then when he was leaving the officer said to him Murphy I’ll see to it that you never get anything from this army...he used to write for other people’s medals and pensions and got nothing for himself...when he got sick towards the end they would not even give him the blue card, a fucking eejit, three times he applied and three times they refused him after all he done’ ‘He had a good life’ ‘Yea but it could have been better, he could have got the fucking medical card, it was little to ask, and they refused him that ’ ‘Why didn’t Sean McBride or one of his wealthy friends help him’

‘When they wanted us out of the cottage in the lane, Sean told him to give the rent book to no-one, he gave it to the secretary he said she was a nice girl and she promised him she would look after it, she looked after it all right...a fuckin’ eejit’

‘Tony’ I asked a solicitor friend ‘will you issue a summons against Joe Finnegan and Mary Cullen for me’ ‘you can do that yourself, Peter’ I bought the forms in a legal stationers, filled them up and served them by post. The stamp duty on the summons was sixty pounds I was living on social welfare payments. The power of money in our society became apparent *maybe I’m overly optimistic*. I enrolled in Crumlin College to do legal studies.

I researched the court fees they are stamp duties that one must pay on the filing of documents in relation to taking action in court. The most frequently used originating document in the High Court is a Plenary Summons the fee on filing this is sixty pounds. In nineteen eighty nine when the present court fees orders were made by the then Minister Ray Burke, and when it became apparent to me that I could not trust my lawyers, my sole income was thirty five pounds.

I felt I could use the strength of my enemies to defeat them i.e. as an abstract form of the physical tactic used in oriental disciplines of martial arts.

I issued a Plenary Summons against The Minister for Justice, the Minister for Finance, the Attorney General and Ireland claiming damages for negligence. I learned that the challenge to the court fees should be on the summons and I applied to the master’s court to amend.

The Chief State Solicitor’s office enlisted Harry Whelehan sc and Helen O’Meara barrister at law to *fight the case*

The day before the hearing in the high court I was served a bundle of papers by the opposition among which was a written submission. It was the first time I saw a written submission. Judge Shanley asked me, among other things, if I wanted the agreement I entered into to vacate the premises set aside, I of course replied in the affirmative. In relation to the constitutionality of the court fees he said he believed I had not got the money for the court fees but I had not done what the Legal Aid office had asked and therefore deprived myself of legal aid and the standing to challenge the court fees orders. The order did not set aside the agreement. I filed the notice of appeal and served the opposition. I set about preparing a written submission for the appeal constructed along the lines of theirs.

‘That’s Irish’ I said laughing ‘What’ Eddie asked ‘In my opinion the main oppression exerted in this country is allowed to flourish on the victims

ignorance of the law and here they go and give free third level education where people like us can learn the law if we choose...it's paradoxical, typical Irish...I don't know how they think they are going to rule the people in the next ten years or so'.

As I neared the house carrying the meat for the dinner I sensed something was amiss I could see through the front window that the back door was open I hurriedly went inside, my mother was lying on the floor, a cup filled with tea on the table...I knew she was dead before I checked for a pulse. I called her doctor on the phone he said he would send an ambulance. I rang my brother Eamon and asked him to tell the rest of the family. Eamon arrived at the same time as the ambulance. The attendant removed her jewellery and held it out to me I nodded to Eamon to take it, the rest of the family came.

The publishers sent me a letter 'we are pleased to inform you that your novel 'Wild Shamrock' is being published on the tenth September'. It was published as a work of fiction though this did not detract from my exhilaration.

I got a letter from my sister with a copy of a will executed by my mother in nineteen ninety-three enclosed, it left her entire estate to my brother Fergus.

My brother's solicitor demanded possession of the house. I filed a caveat to the will in the probate office.

I won five thousand pounds on the lotto and bought John a car in Windsor Auctions for a thousand pounds.

I went into the office of the court reporters to purchase a transcript of the trial. 'What is your name' the lady asked a worried look on her face 'what's the matter' I asked 'Nothing...just that' she put her finger at *Ireland* in the title 'I am not battling against Ireland, indeed my father fought all his life for this country...I am trying to make the government abide by the constitution' this seemed to put her at ease.

Kilmainham courthouse the usher scowled at the crowd, it reminded me of the box-man at the toss school in the old days, the main difference being I could see the money that motivated the box-man, I could not fathom why the usher did it 'I walked across the court toward Neil Mc Nelis the usher was not pleased he tried to block me with his body I side-stepped and

passed him, on the return journey he attempted to block me I turned with him so that I was always at his back 'Judge judge' he shouted with frustration 'What's up' judge Hussey asked looking at us both 'nothing judge' I said 'he is causing a ruckus for nothing' 'Lock him up' she said I was surrounded by Gardai I went to the cells with them. 'Do you realise that what you are doing is unconstitutional' I said to the turnkey 'I know nothing about the constitution' he said carefully securing the lock. There were six guys in the cell waiting to go to their places of detention, I was telling them how best to deal with the oppressive treatment they were receiving, at first they laughed at me then the one who seemed to be the toughest became interested and we had a long discussion, I took the names of the guys in the cell before they were taken away.

'Right Murphy' the turnkey brought me to the dock 'Well' asked Hussey J 'I am unaware of any contempt committed by me if the court will explain any contempt committed by me I will purge it'

'Do you want to go or stay' I turned and walked away, Stephen Cunningham looked at the judge preparing to stop me, the judge shook her head imperceptibly he allowed me to pass.

Garda Raymond Murphy and Shane Ellis stopped John as he was driving down to Mourne road they took his car and charged him with having no insurance. I made a police property application for restoration in court forty-four Chancery Street. 'Wait till I get you up to our court' Garda Shane Ellis said to me. He asked the judge to adjourn it to Kilmainham Court. 'I respectfully ask the court to adjourn it to any court save Kilmainham' 'Adjourn to Kilmainham court' he decreed.

In Kilmainham court I produced a receipt from Windsor Motor Auctions proving that I had purchased the car from them 'forfeit to the state' Judge Hussey said. I approached Neil McNelis outside the court 'Should I do a judicial review' 'I think you should appeal ... in a judicial review you are dealing with her own' 'thank you'

I filed an appeal to the circuit court.

Court twenty-six Morgan Place 'Well' the judge looked at me 'These people have my property without lawful justification and I want it' 'Well' he looked at counsel for the state. 'The Attorney General is canvassing a question in the high court at the moment-' 'I'm giving it to him' 'My lord

I must protest-' I'm giving it to him...property restored to the owner mister Peter Murphy' 'If it please the court'...

I got a copy of the order and brought John with me to the station.

The member-in-charge called Garda Murphy 'Are you going to pay the storage' 'I'm paying nothing' 'I'm not giving it to you' 'Can I speak to the sergeant' 'Well what do you want' the sergeant asked 'My car...this is an order from the circuit court restoring my property to me are you going to give it' 'I'll bring it out, wait outside' 'Right' I went out to John. The two of them pushed the car through the gateway 'Here' the sergeant said holding the keys out to me, Garda Murphy walked towards the station 'Thank you...and thank Garda Murphy for me...good luck' we drove away.

Kilmainham court John's case was put forward 'Did she not give you legal aid' I asked 'No'. I gave him a written request for legal aid to hand the Judge and sat in the court at the next appearance watching events, as usual she did not look at me 'Who wrote that' she asked 'My dad...Peter Murphy' 'I might have known his hand...I wont give you legal aid while he has a car...appear here again on twenty-fifth'.

Judge Windle's bloodshot eyes looked out from his purple red face at John in the dock 'a total of twenty one months...license suspended for eight years, three years endorsement and a fine of six hundred and thirty-five Euros' take him away. 'That person should not be on the bench with power over people's lives...is he an alcoholic or what' I asked the solicitor outside the courthouse 'Yer right Peter, he said 'he's drugged up to his eyeballs'

I sat watching the proceedings in the court, summons tucked inside my jacket, Stephen Cunningham smiled at me 'Hello' he said in a whispered voice. Typical...I thought the first time the fucker has ever acted with any courtesy towards me. When the list was finished judge Hussey looked at him 'Are we all done' 'I think mister Murphy wants to say something' Stephen said 'That's for you' I said handing him a copy of the summons, I walked to the bench 'this is a true copy of the original I have on my person ...would you like to see it' I gave a copy to the court clerk. 'I'm not accepting that' she said 'It's not served right...when you learn how to serve it, I will accept it' the clerk hesitated 'are you going to take it' I

asked he looked bewildered I took it from his hands and walked toward the door Stephen Cunningham held out his copy as I passed 'You have that and you might as well keep it now'. I stepped onto the street.

The following morning, having read the rules of service again, I went early to the courthouse and stood at a tree between the offices and where the clerk usually got out of his taxi.

His car stopped, I stepped away from the tree, he reached for the handle - he froze on catching sight of me - he spoke to the driver - he emerged from the car- I walked toward him 'I'm taking nothing' he said resolutely, both hands full of files, he pushed past, up the side of the courthouse I grabbed his coat lapel, he struggled towards the entrance 'this is a true copy of the original I have in my pocket...would you like to see it' I could not contain the laughter he got inside breathing heavily, I walked back to the street feeling as if all the oppression I have been burdened with in my life was pouring away into a black hole.

John spent twelve days in prison he was then released on bail pending appeal.

The chief state solicitor office filed an appearance and asked for a statement of claim I sent them this. Months passed I sent a letter to the chief state solicitors office allowing a further twenty-one days and warning that if I did not receive a defence I would apply to the court for judgement in default, they requested further particulars and said in the event of my not supplying them before the application they would apply for costs, I sent them.

Garda Murphy summonsed me for allowing my car to be used by an uninsured person I refuted this in court and proved that the prosecution was malicious.

'It's part of history now' a guy said to me sadly indicating with his head the spot where the pub had been ...he got two million...you must have done well out of it' 'Yea' I said looking at the many signs apologising to the public, explaining that the civil works were needed to build the Luas.

I wrote to the Garda headquarters in the park to get access to my record under the Data Protection Act. They sent me a printout of my criminal record it had twenty-three items on it the ones in London were not on it.

I returned a copy of the printout with a letter requesting that the false and inaccurate data and all reference to imprisonment and fraud be removed.

They sent a revised print-out with nine items remaining all the removed items were false and all but two of them occurred in England

I requested that these be erased or amended for a variety of reasons. They took another one off and amended most of the rest.

I now had eight convictions on my record, two of which were trivial offences committed in Birmingham when I was seventeen years old and trying to fend for myself, the circumstances are explained in my novel referred to at page seven so that knowledge is available to all. Three of the others were offences under the road traffic acts, one for failing to give my name to a garda. The others were malicious damage, assault and breach of the peace with two two-pound penalties and a six-pound penalty.

All the offences are there because of my being perceived to be from the disadvantaged class and ignorant of the law and being oblivious to the manner in which the agencies of the state militate against that group, I have suffered the ramifications of that all of my life.

As Caroline Fennel said in her beautiful book³...

furthermore they are said to lead to differential law enforcement, in that in the main they will be used against those individuals perceived by the police to be the most likely to be involved in crime i.e. black, urban, working-class males.

I was not so worried of being perceived in that light as I was about being deliberately placed in the category.

I realised I was in the thick of a war between the haves and the have-nots. Our main disadvantages are poverty and ignorance of the law, we send out indicators of our positions, they are as easily seen as the claw of a fiddler crab when he is calling for a mate in the mud flats and on the basis of these indicators the oppression is exerted. The haves possess money and status, they maintain that by education and if they have not got the knowledge of the law when needed they may be able to hire somebody that has.

The Gardai police the under privileged more stringently than they police the privileged for the reasons so eloquently given by Caroline Fennel, and to my mind the added feature that they feel safe from retaliation by these

³ *The law of Evidence* Fennel Butterworths

individuals. Because of this it seems to me that through an evolutionary process successive executives have, at the behest of the haves, promoted and nurtured the gap between the haves and the have-nots in our society, which may be the price we have to pay for having a modern society, that in itself places heavy burdens on the group without denying the equality guaranteed by the constitution to a specific section of the group, i.e. the group existing on social welfare payments, by legislation, i.e. the court fees orders.

I met a vivacious lady named Gillian she was unpredictable in her actions, when I told her of my battle she got completely behind me and helped me acquire a personal computer, one part at a time. My son John assembled the computer enlisting help when we could afford to pay for it I set about learning how to use it.

I had the option to seek judgement in default of defence in the Hussey case instead I filed the papers for a judicial review application seeking a declaration that the Ministers for Finance and Justice acted ultra vires the constitution in imposing the court fees, which were needed to seek judgement in default of defence. They were different fees than those of the other action. I now had direct and indirect challenges on the court fees orders.

The chief state solicitor's office enlisted Mark Sanfey BL and another to represent them.

I applied to Mount Street legal aid office for help in seeking the declaration on the court fees. The legal Aid office did not refuse me directly they led me a merry chase that all involved knew was never coming to a conclusion. As the Minister for Justice appoints the Legal Aid Board I never had faith in the application anyway.

I applied to the Legal Aid office in Clondalkin for assistance in challenging my mother's will. After some time they refused because there was property involved and they did not think I had any chance of winning. They advised me that I could appeal.

I could feel the heat from the wall as I woke from my sleep, alarmed I rushed to the bedroom door, black clouds of smoke with flames licking between them advanced up the staircase I went into John's room 'Get up' I shook him 'What is it ' 'the house is on fire, we better get out this window' there was a burglar-proof lock on the window opening John

forced it open-we climbed to the party wall and to the ground. 'Are you all right' a man asked as we got to the front of the premises 'I was going by in my taxi when I saw it...I've rang the fire brigade. 'It is malicious' said the plain clothed garda 'you were lucky to escape with your lives, have you any enemies' 'at least one' 'Who is that' 'whoever done this'...

The fire had started at the front door it was obvious that somebody had broken a pane of glass and thrown in an incendiary device.

I realized that the fire gave the grounds needed for my brother's lawyers to seek an order for possession, to offset it I filed the application under the succession act in the central office seeking provision to be made for me out of my mother's estate. I had the papers ready for some time and was waiting till the time limit neared. I received notice from my brother's solicitors that they were going to the circuit court to make permanent the interim order for possession that they had.

I told the judge that the high court had *seisin* of the property and he could not give the order. The opposition finished his address '...of course you are entitled to your order' the judge said. I knew that the sheriff would have to give me notice of ejection and I could seek a judicial review of the judge's order then.

Irish Permanent summonsed me they said I fraudulently obtained money from their bank I asked them to explain their claim they replied that they would see me in court. Crosskerry's Solicitors represented them. 'I want to counterclaim' 'You have no papers in...' the judge said

The bank produced witnesses and questioned me extensively. Murphy J gave her judgement: 'I have no doubt the bank acted in a high-handed and arbitrary manner in this...I believe mister Murphy's version of events, I am dismissing with costs and had he had his counterclaim in I would have given him that' 'if it please the court'.

The indirect attack on the court fees, almost two years after I sent them particulars the state put in a defence in the Hussey case in an effort to frustrate my challenge by making the issue moot.

In my written submissions I claimed that successive executives have nurtured the gap between the *haves* and the *have-nots*, deprived the people of the equality guaranteed by the constitution and knowingly denied a section of the people access to the courts since nineteen thirty-six. They

made court fees orders that year I claimed it was to circumvent the constitution, in anticipation that the fees orders would not survive a constitutional test.

The Judgment proclaimed that the court believed the legal aid system was inadequate but the fees were only small, maybe nominal, and I could have paid them.

I filed the notice of appeal in the Supreme Court Office the stamp duty was fifty-five pounds.

In all constitutional matters in the Supreme Court there are five judges.

Dr. Gerard Hogan who lectures in law at Trinity College Dublin and who with Gerry Whyte another law lecturer published the third edition of Kelly's constitution⁴ the main book on Irish Constitutional Law presented written submissions and a beautifully compiled *book of authorities* to the Supreme Court. He was eloquent in his address to the court.

I said the fees emanated from a feudal system of government foisted on us by a foreign oppressor and they had no place in a modern democratic state. I accused successive executives of knowingly nurturing the gap between the haves and the have-nots. The court did not declare the fees unconstitutional

At the hearing for costs Doctor Hogan said costs normally follow the event and he could see no reason why that should not be the case now. The Chief Justice looked at me. 'The respondent lawyers and the respondents are paid from the Central Fund to make constitutional laws, my lord, I have paid taxes all of my working life, my money was taken from me because they have made unconstitutional laws and now you want me to pay again... I respectfully say that you can award them what you like' 'Costs to the state'

I received a letter from the sheriff saying he was coming to eject me from my home. I initiated judicial review proceedings on the circuit court judge and secured an injunction preventing the sheriff from carrying out the eviction.

Appeal to Supreme Court first case, I filed a comprehensive *book of authorities* emulating Doctor Hogan's method of presentation I put the basis of my rationale fully into my written submissions as I was concerned

⁴ *THE IRISH CONSTITUTION*. J.M. KELLY 3RD. EDITION BUTTERWORTHS

that I may not have the ability to put my case orally, I felt I had my claim proven with it, anyway the court had said they believed that the legal aid system was inadequate and I had a comprehensive submission on that pointing out, among other things, that the legal aid board was appointed by the minister for justice. I also asked the court to look at the ratio decidendi of the two high court judgements in tandem as they contradicted each other.

Three o'clock, Friday, I sensed something was amiss when only three judges came out. The court would not allow me to speak on the court fees orders the Chief Justice said I was trying to revisit the question.

'They are different fees, my lord, the circumstances of this case happened years before the other one...the constitution is a vibrant living document something could be constitutional today and unconstitutional in a couple of months' 'It's the same thing you cannot speak on the court fees orders' 'Are you telling me, my lord that crime was committed on me and reported to the proper authorities...evidence of the crime was gleaned by the Gardai and there is no person or authority in this land to vindicate my rights' 'Yes' he said implying he was ready to move on, straightening the pile of papers in front of him.

Counsel rose to speak 'Don't bother mister Whelehan...there's no need to say anything'

He set a date for the hearing on costs...

Costs to the state.

Article 40:3:2

The State shall in particular, by its laws protect as best it may from unjust attack and, in the case of injustice done, vindicate the life, person, good name, and property rights of every citizen

'This is not malicious'

'My son is in court, will you have a look at the charges' a friend asked 'Yea sure tell him to come to the house' The garda was Ronan Lafferty of Sundrive Road I advised my friend's son on how best to defend himself, I gave him a written account of the circumstances and the law relating to it and went to court with him, the charge was dismissed.

I accompanied Gillian to court forty-six, she was wheelchair bound I pushed her into the dock, Garda Ronan Lafferty was prosecuting 'He keeps himself busy' I said to her 'He's a bastard' John Woods from Hanahoes office represented her. 'Who are you' Garda Lafferty asked at the termination of the hearing 'Peter Murphy is my name' 'are you with her' he nodded toward Gillian 'I'm helping her to get about' later he said to Gillian that I was in for a *big fall*.

At eleven o'clock in the night of twenty-seventh of June two thousand Garda Comiskey and other Gardai came to my residence at Mourne Road. They removed a number of items saying they believed them to be stolen. They arrested my son John who was in the house and took him to the station where he was questioned. I was out socializing as this occurred I was informed that my son was under arrest and being held at Sundrive Road Station by the Gardai, on my mobile phone.

I went there and claimed that most of the property was mine, some was borrowed and the items of jewellery were my son's, garda Comiskey and sergeant Fox listened to me and then asked me to leave. I left. They showed John a list of the items that they had taken John signed it and his signature was witnessed by garda Comiskey and another garda. They gave John a copy of the list and released him at about three o'clock.

On the nineteenth of July I made an application under the Police Property Act. I appeared in court on the thirty-first I had some receipts with me. Garda Comiskey did not appear Sergeant Fox asked for an adjournment. It was adjourned until January twenty-second to court fifty Sergeant Fox asked me for a loan of my pen 'All that stuff is hot' he said while handing it back 'All that the property is mine'

August sixteenth Garda Comiskey and Sergeant Fox came to my house and arrested me they brought me to the station they questioned me for some hours I told them I had had a fire in my residence and most of the property was to repair the house and to replace some of the contents they asked me if I had any receipts for the property. I told them I had some for evidence in the police property application they said if I showed it to them they would give me back the property. They signed me out of the station and brought me home. They took two receipts out of the file and we went back to the station. I made a statement and signed it. They told me they had permission to hold me for a further six hours I then requested a solicitor I spoke to a solicitor on the phone. They produced the property and began placing it in two piles they said they were giving back everything in one of the piles the rest they were keeping they constantly changed items from one pile to the other they then charged me five times with handling stolen property two of the charges being for the items I had given them the receipts for as being contrary to Section 33 of the Larceny Act 1916 as amended by Section 3 of the Larceny Act 1990. I was put on *Station Bail* of a hundred pounds to appear before Court forty-six in September.

They brought me home in a car and gave me some of the property including all of the jewellery. They did not give me back my receipts. I ticked off the items they gave me on the list that they had given John and a list I had compiled of the items not recorded on the original list

Fourth of September the criminal charges were put forward to November, I was granted Legal Aid *Mr. Staines office*.

Ninth of November I was driving on Mourne road, Harry Storey was in the passenger seat. Garda Lafferty was behind me in an unmarked car he put on his siren and his flashing blue light... I pulled in at the kerb.

'How are you mister Murphy' he asked smirking 'Not the better of seeing you' 'Will you produce your insurance and driving license' 'Fuck off you arsehole' 'Don't call me a bollox' 'I didn't call you a bollox... I called you an arsehole' 'Gimme the keys' 'Here Harry' I threw the keys to him, the garda called on his radio for reinforcements a Garda came in a patrol car 'Get in' 'This is mister Murphy' he said to the driver 'Oh you're the fella with the computer' 'It's no big deal having a computer, I would have

thought almost everyone has a PC nowadays' They brought me to the station while the M-I-C was taking details Garda Lafferty stood pulling blue rubber gloves on and off his hands in a menacing fashion. 'I want a solicitor' 'Who do you want' 'Michael Staines office' he locked me in a cell. I spoke to a solicitor on the phone. I was charged me with an offence under section 6 of the Criminal Justice (Public Order) Act 1994. I received a charge sheet and was released on two hundred pounds bail.

In court forty-six on the thirteenth Fiona Brennan represented me, the state withdrew the Garda Lafferty charge. I elected to be tried by judge and jury on the possession charges the case was adjourned for ten weeks for the *Book of Evidence* to be served.

The property application in court fifty on twenty-second of January two thousand and one nobody but myself appeared it was ordered that all the property be restored to take immediate affect. I paid for an attested copy of the Order and sent a letter to Cathal Comiskey requesting the restoration of my property.

Court forty-six in the criminal proceedings there was no appearance by Garda Comiskey it was adjourned peremptory for six weeks.

Garda Comiskey gave me Notice of Appeal in the property application on the first February on the second he and two men and a woman in everyday clothing followed me in an unmarked car they stopped me as I pulled in to park at my house. I asked him if he was going to try another malicious prosecution like his comrade Garda Lafferty he said he just stopped for a chat the woman walked away. One of the men asked, in a hostile manner, if I would produce my license and insurance for him, I asked him who he was he said he was Garda Ryan I showed him an expired license and an insurance policy that covered me to drive the vehicle. He said he would not accept these and asked me to produce. I then had doubts that he was in fact a Garda. I said that I would produce in Mullingar.

March sixth Garda Comiskey was not in court, Fiona told me that the state was withdrawing the charges. A young lady beside me her face marred by tattoos said 'Jaysus aren't you lucky, I wish they'd do the same to me' she looked as though she could do with a break, I instructed Fiona to ask for a dismissal. 'is the withdrawal tactical' Judge Finn asked, Fiona shrugged her shoulders 'if the Gardai charge again come back to me...I will injunct Cathal Comiskey, if necessary, to explain his actions...Mister Murphy,

you can walk out of here with your head held high, there is nothing against you' *That's the way I came in.*

I went to check progress of the appeal in the property application on the twentieth.

The Chief Clerks' Office and the Custody Office said that they have nothing in relation to the appeal. The Custody Office took a further application for an attested copy of the order and they took my mobile phone number. The Appeals Office had nothing filed in relation to the appeal they said that they should have heard within fourteen days of the date of the notice. I received an attested copy of the order for restoration. I tried several times to get my property by writing to Garda Comiskey and leaving copies of the order at Sundrive Road to no avail.

A person who identified himself as an officer at the station contacted me on my mobile phone. I told him that Garda Comiskey is in contempt of court he said that Garda Comiskey has appealed and as far as they were concerned I must make up my own mind what to do about it.

I employed Ms. Catherine Staines Barrister-at-Law she phoned the Appeals offices and was told they have no record of an Appeal. I paid her to write to the Appeals Office and the Custody Office to have the position verified in writing.

Three weeks later I spoke to Ms. Staines on the phone 'I have received written confirmation from the Appeals Office and the Custody Office that there are no appeal papers filed...I shall write to Garda Comiskey.

In my application regarding my mother's will I was awarded twenty percent of the estate before costs provided I vacate the house by the end of September.

I phoned Ms. Staines in July she said that the Garda has appealed, the Custody Office said they have found the appeal papers it will probably be heard in November.

Early September Ms. Staines phoned she said that she has received written confirmation from the Custody Office that there are no appeal papers filed and she wrote to the Garda a couple of days ago saying if he does not give the property back within two weeks she will take further legal action, she said I should hear something presently 'What further action will we take' 'We can apply to the high court for an order of mandamus, or we can take

it back to the judge' 'I would prefer to bring him back to Judge Scally'
'Right, if that's what you want to do'

Mid September Ms. Staines phoned she said that she met Garda Comiskey, he said he was on holidays and insists he put in the appeal he will be going into the Custody Office on Saturday and she will meet him there.

The corporation said I had no chance of a house I took my sons off the application, and settled for senior citizen accommodation in Drimnagh.

October I moved in to number twenty Lissadel Court, Michael Staines called in answer to a call from me he said he would send one last letter to Cathal Comiskey requesting the restoration of the property.

The Custody Office sent a letter to Staines Office confirming that 'appeal papers were signed by Judge Haughton and lodged with ourselves on the second of February two thousand and one. Mr. Derek Mills is looking after them'

The end of October a plainclothes Garda parked his vehicle beside mine in the car park of Crumlin Shopping Center Eddie Kershaw was with me the Garda appeared to be trying to listen to our conversation. We finished speaking and Eddie went off. When Eddie reached Thomas Street a plainclothes Garda got out of a car and pulled Eddie. 'What's wrong' 'I stopped you because one of your brake lights is not working' a plainclothes got out of another car and searched Eddie's van a Ban Garda in plainclothes stood watching. 'Why are you searching my van when I was stopped for a defective brake light' Eddie asked him 'I am searching for drugs'.

'Will you produce insurance and your license at a Garda Station' the first Garda asked

'Pearse Street' 'I'm Garda Comiskey what were you talking about with Peter Murphy in the car park' the one searching the van raised his head 'The conversation is private... how do you know I was talking to Peter' 'I had you followed, I know you, maybe it's through Peter...that property is ropey, I have owners for it...I cannot understand the DPP's decision not to prosecute. I gave evidence to the Chief State Solicitor that I have owners and I cannot understand why he does not do something... do you have any dealings with Peter' 'I mostly talk with him about law ...he is interested in law and I am doing a law degree in Trinity College' 'Was there a deal

made with the Chief State Solicitor for Peter'. 'I think I remember discussing the property case with him, I know the nub of why he won ...it's a matter of pure law'. 'What is it' 'I wont tell you that I was told in confidence and I will not betray his confidence, I'm sure that the Chief State Solicitor will let you know in due course' 'where does Peter live now' 'you must find that out yourself'. Garda Comiskey put his hand out 'You can go' Eddie turned to leave 'I wont be bothering or stopping you anymore'

I had a summons to appear in Richmond Court in October Garda Collier from Crumlin Station was prosecuting me for having no license or insurance for my car. I produced them in court. Garda Collier said it was not me that he stopped I asked Judge Windle to deal with the summons 'if it has nothing to do with you' he said '*leave the court*' I left.

December I informed the Summons office of my change of address and looked at the file the appeal is being processed on copies I was informed that the appeal is for hearing in court twenty-six on January the twenty-second two thousand and two.

Eight of January I was awakened by a knock on the door of my flat at about a quarter past eleven in the morning. I wrapped a bath-towel around myself and opened the door. 'Package for Kinsella' the leather-clad man said and thrust a package towards me 'are you Vincent Kinsella' he asked holding the invoice out 'No, but I'll see that he gets it' I said signing my name. I put the package on the floor of the hall and returned to the bed-sitting room.

I dressed and left the flat I drove outside the complex, turned right and stopped. An unmarked garda car pulled in beside me. Two men in ordinary clothing began to search the car 'I have a warrant to search your house' Sergeant Fox said 'do you want to see it' 'Yes, I will need my glasses' I said pointing to the storage space of the door panel one of the searchers handed them to me. The warrant was issued by Superintendent John Manley to search 20 Lissadel Court for 'cocaine'. 'Give that car a good search' he said 'will you come to the flat with me'

I unlocked the door and allowed him, a lady and four other men into the house. 'Sit down there' he pointed to the armchair. Two of them searched the bed-sitting room and I spoke to them as they worked. Sergeant Fox

and the others concentrated on the Hall/Kitchen/Toilet area they spoke amongst themselves. I perused some law books.

‘What’s this’ Sergeant Fox said loudly with mock surprise he came in holding the package in front of him ‘That has just arrived’ ‘Look it’s open’ he said pressing two corners together, the small perpendicular edge opened like a mouth, strips of cello-tape lining both lips ‘I am going to open this package and examine the contents in front of you’ ‘Ok’ I replied nodding ‘Anybody got a knife’ he shouted ‘There’s a scissors on a hook on the press in the kitchen’. He left the room muttering. He returned, flicked open the blade of a knife and proceeded to cut and tear at the package which was made of corrugated cardboard. He placed the contents on the table. ‘Fifteen...this container’ he pointed to a round tin container ‘it’s leaking, I believe to contain liquid cocaine’ he took some small large-necked bottles out of a box ‘I will have to have these analysed but I believe them to contain cocaine... I want you to accompany me to the station’ I got up to leave, one of them took a wonderfully aromatic plant that was sitting on the window board ‘Right lads, let’s go’ he said with gusto and walked out the door in a swashbuckling manner followed by the rest carrying the spoils. ‘Look’ he said drawing my attention toward the key, he locked the door and gave it to me. We went to the station. It was twenty-five minutes past twelve, the member-in-charge introduced himself I was given a sheet explaining my position and locked in a cell.

Will you consent to fingerprinting and photographs’ Cathal Comiskey asked ‘if you don’t I will go to the Super and get them anyway’ ‘Okay’ Garda Comiskey took the prints and a Bangarda took the photographs. I was put back in the cell and given a cup of tea.

Sergeant Fox and a woman took me to a room ‘We are going to record the interview on video, do you consent’ ‘Yes’ They had trouble with the machine and put a second set of three tapes in. ‘You’ll be famous you’re the first person to be interviewed in that way... in this station, that is’ he said ‘ready’ The bangarda started the tape. He asked the questions and as I answered them he put his hand up with his fingers half-opened and intimated I should speak slowly to allow his assistant time to record the interview in writing ‘a lady asked me if I would hold any post for Mister Kinsella when I moved into the flat’ ‘did you hold any’ ‘one or two letters’ ‘did the lady call back’ ‘No’ ‘can you describe her’ ‘average height

long black hair that's all I can remember of her' I felt inhibited by the conditions 'that plant has a lovely aroma...it's well cultivated' said the woman 'Cultivated is hardly the way to describe it...I just throw water on it now and then' I signed and initialled all the pages 'Thank you for your honesty and your help' He led me back to the cell...

'Your six hours are up ... the super must like you, he has agreed to a further eighteen' said the M-I-C holding the door ajar 'I want a solicitor' 'Who do you want' 'Michael Staines office' I spoke to Emer O'Sullivan on the phone 'I have explained my position' 'You have done more than your duty say no more' 'Right'

The man who delivered the post and a Bangarda brought me for interview he said he was a Garda and he had delivered the package to my door this morning. He said the package was closed when he gave it to me and described the words he spoke at the door. I disagreed with him and he wrote down his version of the dialogue. I said I could not sign it as it was too difficult for me, at the end of that interview I gave my version of the dialogue that had occurred and initialled and signed the written pages.

'It is the first time liquid cocaine was found in this country' Sergeant Fox said as we walked with the Bangarda to the interview room 'With all these firsts I'll surely be famous' I replied they both laughed 'Would it surprise you to know that Mr. Kinsella is dead' he asked 'I have no knowledge of that...but somebody told me, while speaking about my flat, that he lives in some other part of Drimnagh' He sealed the master tapes 'What do you think of the video recordings' he asked as the three of us walked the short corridor 'bit of a hassle, eh' 'If it helps to get to the truth, I suppose its alright'

Garda McNulty and a Bangarda interviewed me 'Did you get any post before the package' 'Two letters' 'What did you do with them' 'Left them lying in the house' 'We didn't find them...did you get any other packages' 'No' 'I have spoken to mister Kinsella and he said he never meet you or spoke to you and he made other arrangements for his post' 'That is correct' '*What* is correct' 'What he said... that he never meet me or spoke to me'

Emer came during the interview 'they delivered the package to me' 'did they say that...hello Fitz' she greeted the Garda who had delivered the package.

'He delivered it, he said it on the video recording' 'He's alright ...'

I was brought back to the interview room. 'I have spoken to the postman' Garda McNulty said 'and he assures me he stopped delivering letters to that address for Mr. Kinsella some time ago, what do you say to that' 'I say that you should talk with the temporary postman who delivered over the Christmas period' 'Is that your explanation' 'it is not my explanation, all I am saying is I received two letters for Mr. Kinsella and if people want to prove I didn't they should check out everybody that delivers post to the house...one of them was from Dail Eireann, Ruari McGinly I think it was from' I initialled and signed the record of the interview insofar as it was accurate. 'That's the most self-serving statement I have ever heard in my life' Garda McNulty said 'Maybe, but it's the truth' I was put in the cell.

The door was opened noisily Garda Ronan Lafferty stood in the gap of light the M-I-C behind him 'Happy to see you here' he said beaming 'If you're getting some kind of perverted pleasure from this you are a sad case' 'Delighted to see you-' 'another malicious prosecution, is it' '*This is not malicious*' the M-I-C closed the door 'What goes round comes round' garda Lafferty repeated between bursts of laughter in ever descending volume until the welcome silence. I slept soundly.

Garda McNulty and a Bangarda brought me outside the station to release me from the Section and charge me under Section 3 and Section 15 of the Misuse of Drugs Act 1977 and the amending acts, they re-arrested me and said that they were bringing me to court forty-six in the afternoon. I spoke to Emer on the phone 'There will be a solicitor in court'

'Do you think I could have my prescribed medication' 'Where is it' asked Sergeant Fox. 'In a basket in the kitchen' 'Yea I saw them...I'll get them from your flat' I gave him the key and he walked away. 'I have decided not to go near your house Peter' he said on entering the room 'you know... evidence and all that, I'll get the doctor for you' 'I understand' the doctor came 'Well, how can I help you' 'I have high blood pressure and a touch of gout I was prescribed Lipitor for the cholesterol, Aceomel to thin the blood and Difene for the Gout, I haven't had any since Monday, sir'. 'Do you know the strengths and frequency' 'Yes...Lipitor, twenty

milligrams' one a day, Aceomel, twelve point five milligrams, one tablet twice daily and Difene, seventy-five milligrams, twice daily as required' 'I have no drugs with me the best thing that can be done is to send a letter along with you to Mountjoy, I will do that, good luck' 'Thank you doctor'

Sergeant Fox, McNulty and a Bangarda took me in an unmarked car 'You really have Cathal shaking' he said 'he's really scared of you'. As we pulled into the courthouse a photographer snapped some pictures, I was stunned 'You could have told me about that' I said to him as I got out of the car. He did not reply he was staring intently at the photographer outside the gate about twelve yards distant. We went into the Bridewell via the back door. Emer came to the holding cell 'They have two warrants one for Garda Collier and one for four months...Garda Ryan, they want a remand in custody 'Ok...could I just tell you about them' 'Right but I'm in a hurry' ' I was in court for the Collier one I had the insurance policy with me, Garda Collier said I was not the person he stopped, I tried to speak to Judge Windle, if it has nothing to do with you he said *leave the court*, which I did...when Cathal Comiskey stopped me Garda Ryan asked me for Insurance and a license, I showed him a cert. that covered me and an expired license and told him that I had a current license he said he would not accept these, I told him I would produce in Mullingar, I never received a summons, I was sentenced to four months in my absence, I was insured to drive the vehicle...I filed an affidavit in the Circuit Court office last Monday explaining what happened on the twenty-first of February last year, the day I was stopped... they have deliberately abused the system in order to have me incarcerated' 'I advise that we consent' 'Ok'

The case was called Garda McNulty asked for a remand in custody. 'We consent' Emer said 'Remand in custody' Judge Miriam Malone said ' to appear here on the sixteenth' I was put in the holding cell. After some hours we were brought to the desk 'You three...Cloverhill' the warder said we were put in the van. The van stopped at St Patricks, Mountjoy and finally at Cloverhill. In the reception a prisoner gave me a newspaper to read:

Drug raid

man held

by PAUL CLARKSON

A MAN is being quizzed by
Gardai after E 40,000 of liq-
Uid cocaine was seized in
A joint operation with
Customs.
The haul came after a
Raid on a house in Drim-
nagh, Dublin just after
noon yesterday.
The man who is in his
50s was arrested at the
premises.
A Garda spokeswoman
Said: 'This was part of a
joint ongoing operation
involving the National
Drugs Unit and Customs.
'It is rare to find co-
caine in liquid form in this
country and we are inter-
ested to know where it
originated from'.

My status was remand prisoner I was given a shower and shown to a cell. The first day plays havoc with your imagination. I saw the doctor and went to the medic she gave me Difene and Capotan which is used for the same purpose as Aceomel 'What about the Lipitor' I asked 'you get that at night' she said 'I can take it in the daytime' 'Look! I'm fifteen years a pharmacist and you take Lipitor at night, I'll give it to you tonight' John visited me I asked him to bring me in some law books he said he would come tomorrow.

At about eight thirty the following night I was taken to Mountjoy prison and domiciled on 'B' wing. I put in an appeal against the four-month conviction and saw the doctor. I was locked up most of the time, a prisoner who was sentenced to life gave me a copy of his book of evidence to read, a little late but it was interesting reading, another person completing a lengthy sentence gave me a copy of his communications with the united nations court. A prisoner with whom I was exercising told me they spoke of the affair on the radio and they gave my name. John visited I asked him to chase up the solicitor. He brought some soft-backed law-books only hardbacks are allowed he will bring them tomorrow.

I was shifted to ‘C’ wing ‘You’re a trustee now’ the warder said handing me a well used green plastic coat.

The cell door was left open from half past six in the morning until after ten at night. I learnt the regime and received all my medication from the medic each morning before I went to work. The work was easy emptying waste paper containers into bags in the offices and putting them out for collection. I was given vouchers for the tuck-shop I bought chocolate and gave most of it to other prisoners. The other green-coat and myself unloaded a lorry for which we were given *forty major* each as I do not smoke I gave a twenty pack to two different prisoners.

Garda McNulty appeared in court on the sixteenth the state withdrew the Collier warrant.

‘The accused is appealing the remaining warrant could the court fix bail in the matter at hand’ Ms Fiona Brennan asked ‘What is the value of the drugs’ Miriam Malone J asked ‘Thirty thousand euros’ answered Garda McNulty ‘I want him to sign on daily at the station’ ‘On sheet numbers twenty-eight four eighty-one and two, three hundred euros personal recognizance and nine hundred euros independent surety, to sign once a day at Sundrive Road, Garda Station, to appear here on the thirtieth of January two thousand and two at ten thirty ...for the book of evidence’

‘Can you get the term that I sign at the station removed’ I asked Fiona ‘On what grounds’ ‘On the grounds that I am innocent of this offence’ ‘that’s not grounds’ she turned to the judge ‘will you remove the signing condition, judge’ ‘No! No!’ I was taken downstairs. Emer came in ‘I will look after the bail tomorrow’.

I spent the next day doing my green-coat duties. I requested to see the governor and saw his deputy he arranged my phone facility. John said he would visit but I was now on sentence and was allowed but one visit a week. *I hope he leaves in the books.* I filled out a victim impact statement for an inmate who asked me to, he said it was urgent and he did not understand it. John told me on the phone that he left in one law book *Criminal Liability*⁵. The priest came over to me ‘Tom is my name’ he said holding out his hand ‘Hello father...I have an appearance as a litigant – in

⁵ Round Hall Sweet & Maxwell Finbarr McAuley and J. Paul McCutcheon

– person in court on Tuesday could you speak to the governor and ask him if I could appear’ ‘I will have a word with him’

‘We have to lock your door for a while Peter’ the screw said. In the stillness of the evening I could hear some warders putting an inmate into a secure cell at the end of the wing the transference was not peaceful...

‘What was that ruckus about last night’ I asked a hall cleaner ‘the “kickers” puttin’ yer man in the punishment cell’

‘What did he do’ ‘The scumbag raped a young fellow in the kitchen, he held a knife at his throat...the poor kid is in bits, they’ll be in trouble over this’

I requested to see the governor the next morning ‘I have a court appearance as a litigant-in-person in the Circuit Court on Tuesday at eleven, could it be arranged that I appear’ ‘Give the details to the Assistant Chief Officer and he will contact the Garda about a production order’ ‘Court twenty-six sir-twenty second-Garda Cathal Comiskey-Sundrive road’ I turned towards the deputy ‘I have a law book in my property can I get it’ ‘I will look after that myself’ he said ‘Thank you sir’ Later the ACO said he could not contact the Garda but he left a message with Garda Aidan Leonard ‘Can you give me your name sir’ ‘Aye, see, ooh Barry and to-day is the eighteenth’ ‘Thank you’ I logged it.

John said on the phone that they were going into court today at two to get bail the solicitor assured him it wont be a problem.

About six-thirty ‘Right Peter’ the ACO shouted ‘you’re going out, come with me’ he led me across to the office that I had been cleaning earlier. Michael was there as he was the independent surety. On sheet number 51392, the Garda Ryan charge, three hundred euros independent surety and ninety euros personal recognizance of which one hundred and thirty euros needed to be lodged. A thousand euros was required for the other one. The money lodged totalled eleven hundred and thirty euros practically emptying my bank account, we signed the papers and John, Michael and I walked out the large blue steel gates. I consider the signing condition to be in breach of my *Presumption of Innocence* as it is imposed for an offence that I have not been convicted of and it infringes on my personal liberty. Cathal appeared in the property matter Eddie did not attend. Counsel for the State sought an adjournment.

I asked the court to direct the appellant to produce the property or get some form of assurance that the appellant does in fact have the property. Counsel for the state said this was a matter for the hearing. Judge hesitated and agreed.

It was adjourned for two months

On the thirtieth Garda McNulty requested an adjournment for six weeks to produce the book we consented to the time allowed by statute. A male judge adjourned for five weeks Fiona asked about the signing condition.

‘You must go to the judge that set the conditions’ It was varied to twice weekly by judge Malone in court forty-four. Garda McNulty asked me to produce Insurance and License for the car I was driving on the eight of January. I produced them as I signed.

I wrote to Michael Staines asking for a copy of the file and received a copy relating to the criminal prosecution and the police property act early January in a letter dated seventeenth December.

February the twenty-seventh the book was not ready Garda McNulty asked for a further adjournment Fiona said she wanted the terms of the act complied with, we waited in court until the list was finished Garda McNulty said it was an extensive file with many witnesses, they were waiting for word from Interpol in London ‘How many witnesses are there’ the Judge asked ‘About twenty Garda’ Fiona put it to the court that the Act allowed for extra time in specific circumstances and that the offence would stand or fall on the circumstances pertaining, all the witnesses were Gardai they should have had their evidence ready his reasons were not good enough J Malone read and construed the Act she said that she was not satisfied that his reasons were good enough she struck out the case. ‘I will run it again’ Garda McNulty said as he brushed angrily past me. Fiona said she will send a letter to them explaining that Mr. Staines Office are my solicitors and if the Gardai want to charge again an arrangement should be made through them, this will avoid the Gardai executing a warrant at my home.

‘I feel a bit sorry for you’ my son said ‘Why’ ‘your reputation, especially the way you feel about drugs, some people will actually think you are involved in drugs’ ‘Don’t worry, the truth will win out’.

I hadn't seen my sister Breda since before the drug incident I went to her house 'I wasn't going to speak to you again' she said 'Trisha heard it on radio FM Lite at around one o'clock on the ninth of January ...she almost had a crash...Eamon said he will not speak to you again' 'He could have asked me if it was true' I said 'well it was in the papers ...the others have made a meal of it. My hairdresser told me that there was a fifty-nine year old man in Drimnagh caught with a load of drugs, I didn't know where to put me head'

The corporation sent me a letter saying that it was the beginning of a process that would culminate in my ejection from my flat. A friend I have known for forty-five years used to call for me on Tuesdays to play snooker and go for a drink has not called since.

On Tuesday twelfth a Garda came to my flat and informed me that Cathal Comiskey is looking for an adjournment in the Police Property Appeal on Friday.

The sixteenth Cathal appeared on his own he asked for adjournment I gave in a written submission saying his actions throughout the proceedings were vexatious and it was of essential importance to determine if the property was available, the judge gave the shortest possible adjournment and directed the appellant to produce the property in court on Wednesday April tenth at two o'clock.

I prepared detailed lists to assist the court and to check the property.

Tenth I met Cathal in the foyer he said that they were withdrawing the appeal he had a list of the property in his possession there were some items missing among them was a jacket I had purchased for two hundred pounds he said he did not take them from me. I agreed to accept what he had.

Judge Linnane made an order dismissing the appeal, affirming the District Court Order with leave to re-enter and gave me costs to be taxed by the court in the event of disagreement 'When will you drop up the property' 'As soon as I can get a car' 'You have no bother getting a car when your chasing people' 'You're an awful man' About five o'clock Cathal and two Detectives came with the property there was forty pounds call credit on the list that he had not got, he said he would bring it later.

I got an attested copy of the order in May and sent a letter to Cathal asking for a thousand and ninety-five euros costs. He said he agreed with the

amount but '*The Super*' said I should apply to the county registrar for costs...

I wrote to the Chief State Solicitors office asking for the costs, they were slow in replying and evasive in their answers, I eventually asked them if they had any intention of paying the costs pursuant to the court order.

First November at tea-time I opened the front door in response to the bang on my bathroom window Garda McNulty suddenly stepped into view 'What do you want...would you like to come in' 'they are not going ahead with the cocaine charge' he said 'you have money in the court you might want it' 'I got that months ago

'Did you not receive the summonses for the hash plants' he asked scanning my law books 'maybe they went to your house on Mourne Road' 'Plant! I said 'there was only one' 'My solicitor told me that she informed the state lawyers that mister Staines office is acting for me and if you want to continue with this it should be through them' '...I asked for summonses to be served for Monday' 'It's a free country, anyway you know where I am...I'm going nowhere' 'Yes' he said as he stepped out into the damp blustery night...

I received notice of the appeal in December two thousand and two, I went into the circuit court office to look at the file on the fourth January, Judge Windle had convicted and sentenced me to four months imprisonment, banned me from driving for one year and fined me sixty five euros with the convictions to be endorsed on my license, my appeal was for hearing on June the fourth, Judge Linnane told Garda Ryan to warn the appellant at the two addresses and adjourned to the first July. The court obviously was not convinced that I was notified of the appeal for it was written into the record that the Garda was again told to warn the appellant at the two addresses. It was adjourned to the fourteenth January 2003. I asked Michael Hanahoe to represent me at the appeal.

In court 26 Garda Ryan did not appear it was adjourned to the afternoon. My solicitor gave my license and a copy of my Insurance Certificate to him before the hearing. Garda Ryan requested an adjournment to check out the insurance, it was adjourned to the eleventh of February at twelve o'clock. The Garda did not show up it was adjourned till the nineteenth. The court said I would not have to appear if the Garda verifies the

insurance, he made no contact. I meet my solicitor in court, the Garda did not appear, however, he sent apologies via the public prosecutor, we left we did not have to wait until the case was called...

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Thoughts:

On choosing to fight

When one encounters a wrong or wrongs in ones environment or in oneself he must choose to right them or run away, the magnitude and the number a person decides to take on simultaneously, is an indication of his courage, or his foolhardiness.

On the other option.

One cannot run from oneself. The world is not a very big place nowadays with computerization and communications being so good. The countries to the fore of developing civilisation have practically everybody and everything on record. I am not saying that a person could not get lost on earth or change his identity successfully. Why should I leave my native land or change my identity; why should I hide for that in itself is a punishment a deprivation of the dignity and rights of citizenship. I done nothing illegal in this matter if I must suffer the people who perpetrated the wrong must in some way be above the laws of this state and worse they have discretion over which of us should suffer even in the face of evidence to the alternative. And who knows they may think they are superior to God because the things they do are so devastating to us mortals.

On the comparative nature of wealth

Wealth has a comparative quality, if everybody in a group had the same amount this comparative quality would disappear in that group. It follows from this that there are at least two ways to be looked upon as being relatively wealthy: by rising above your peers or by pulling your peers down. Unfortunately it is easier to do the latter.

My rationalisation for making a profit on other people in the pub was simple. There are prices set by the government and recommended by the Vintners Associations. I felt if I operated within these parameters and gave the punters a good pint, a good service and threw in a bit of entertainment, I was giving them better value than they could get in other

pubs in the area. It is after all a monetary system we live in and anybody that thinks he does not need money is a fool. Come to think of it any lunatics and idiots, and I use the terms respectfully, that I have come in contact with in my life, express more of a desire and a need for money, than the normal healthy people I have known. *You cannot buy bread with beer mats.*

I was fully aware that when one tries to help the disadvantaged, one conflicts with the interests of certain financially strong and undesirable people who thrive on the poor, the same people that inform the proper authorities to make it difficult for their enemies. The organisations that store information on people in permanent form do not ask why the information is given. This, combined with the fact that the subject may never be able to refute the data, would distort the judgement of a saint, let alone the judgement of the authorities and the institutions of which we are all customers.

On the truth

‘The truth has nothing to do with the law, a lie becomes the truth in law’ Joe Finnegan said, I understand this too mean that a legal proceeding must come to a finish and if we were to stop the process to analyse each word it would never reach a conclusion therefore as it reaches different stages it is not retractable. So in court actions we may have to pass over the lies and in that sense they become the truth. But you cannot alter that what has occurred, history may be rewritten but it cannot be changed.

I believe people should live by the rule of law. As a matter of fact I believe if men are to be treated as equals it will be in a state with a written constitution such as ours, that is based on Natural Law, Gods law and common sense, I realise that when we have a written laws some men say: we have to tell white lies for the greater good. I see this, as men not having the intrinsic ability required to carry out their tasks of office and sometimes the lies are not so white. This method of rationalising is dangerous the truth should be the dominant factor in deciding a verdict. Indeed, my interpretation of the word verdict is spoken truth or truth spoken. The first syllable *Ver* comes from *Verus* the Latin noun for truth and the second syllable *Dict* comes from the verb *Dicere* to speak.

On recording in permanent form.

A witness to the oppressive actions of those with power has a duty to record them as accurately as he can, if he can, it is incumbent on the ones that receive the report to learn from the account, stop the behaviour, call the tyrant to task and repair the damage...if they can.

The Bible is peppered with references to writers, written words and writing. Although his words endure the test of time far better than all the words written since men first began to etch in mud and scratch on rock, Jesus himself never wrote anything down. This seems to be an argument against the power of the written word to me it is the contrary. I know he knew how indelible the written word is. I know he did not write down his own words because this would have limited his gift of free will to mankind. I know that Gods words can be looked at from a myriad of differing viewpoints and they will still remain intrinsically true.

When God spoke in Rev. 21.5 he said "Write that down for it is trustworthy and true". I know he was referring to this indelible nature. I know also, he knew, this nature of the written word if misused, by writing untruths, would come into conflict with the indestructible nature of the truth. When he said, write that down for it is trustworthy and true, to me he was saying also "Look how careful I am not to write untruths, for it is a grievous harm. When he said in Heb. 8.10 "I will put my laws into their minds and write them on their hearts" and in Heb 10.16 "I will put my law on their hearts and write them into their minds" to me he was referring also to other natures of the written word, one of them being its power of persuasion, another being its power to stand unaffected by, and unaware of, any attack on it, by the spoken word.

On the equality guarantee contained in the Constitution
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On the Gardai's respect for the Constitutional Equality Guarantee

That, and because the people of this state have a right to know of occurrences within the state from every perspective possible is why I have written an account of what happened.

On the Liffey

Troubled river
why do you rush so to the sea
you seem to run away from me
are the things you've seen so sad
that when you get there you'll be glad
you left that troubled city
what a pity
you can get lost in the ocean
with little commotion
but whose was the sin
that made you rush from Dubh-linn