

Declassified E.O. 12356 Section 3.3/NND No.

785015

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Declassified E.O. 12356 Section 3.3/NND No. _____

785015

10000/101/469

REQUISITION OF BENEVENTO & MOLFETTA
SEMINARIES & OTHER VATICAN PROPERTY
DEC. 1943 - AUG. 1944

Declass

Q. M. C. Form 357 (Old No. 400)
Revised July 20, 1918

LIST OF PAPERS

File under No. 386.8-2

REQ'N OF BENEVENTO & MOLFETTA
SEMINARIES & OTHER VATICAN PROPERTY.

SERIAL NUMBER	FROM	DATE	TO	SYNOPSIS
23) 56 386.8	MAJ. DOE	28 JULY 44	C. G. R.A.A.C.	ACT. RECEIPT # 22. YOU WILL BE INFORMED OF ACTION TAKEN.
24) 56 386.8	MAJ. DOE (SEC GEN)	28 JULY 44	C. A. BRANCH	RETURN OF MOLFETTA & BENEVENTO SEMINARIES BE INVESTIGATED & DRAFT LETTER SUBMITTED TO C.E.
25) 1174	HQ. A.C.C. (C.A.)	31 JULY 44	DISTNO FOR REG. II	MOLFETTA SEMINARY - REQUEST CALLED FOR URGENTLY REQUIRED.
26) 1175	HQ. ACC (C.A.)	31 JULY 44	PENBASE FOR REG. II	BENEVENTO SEMINARY - REPORT URGENTLY REQUIRED.
27) ACC 357	ACC REG. 103	-	ACC MAIN	BENEVENTO SEMINARY - REPORT SENT 28 JULY.
28) 4/CC 381.8	CAPT. STONE	2 AUG 44	C. G. R.A.A.C.	INS. 22. POSITION REGARDING SEMINARIES EXAMINED. IF FOUND NECESSARY, HQ. AAI WILL BE RECOMMENDED TO RETURN VATICAN PROPERTIES.
29) 4/CC 386.8	CAPT. STONE	10 AUG 44	C. G. R.A.A.C.	} HAVE RECEIVED REPORTS FROM RESIDUAL COMMISSIONERS. REQUEST AAI TO RECONSIDER NECESSITY OF RETURNING SEMINARIES TO VATICAN.
ACC 49/BP.	ADJ. COMM. (GEN. ADJ.)	27 JULY 44	HQ. REG. 1. A.C.C.	
HC/2/10	HQ. REG. II	30 JULY 44	R.COM. SECT. HQ. ACC.	
HC/2/103	HQ. ACC. REG. VI	1 AUG 44	A.C. 944 SECT. ACC.	
431/90/CA	BRIG. CUSH	8 AUG 44	HQ. AAI	
30) 81938	DEF VATICANO	11 JULY 44	-	} STATUS OF PARAL PROPERTY - VILLA MARIN IN. LIVING. APPROPRIATE OFFICES NOTIFIED.
1/CC 386.8-2	1154. CARROLL	5 AUG 44	CAPT. STONE	
	CAPT. STONE	17 AUG 44	MAJ. CARROLL	
1/CC 386.8-2	CAPT. STONE	17 AUG 44	R.COM. SECTION	
132/61/CA	RC. & MG SEC.		SEAD, 5 BRIT	
			REG. COMM. REG. 8	

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Q. M. C. Form 453 (Old No. 400)
Revised July 25, 1948

LIST OF PAPERS

File under No. 386.8-2

REQ'N. OF BENEVENTO + MOLFETTA SEMINARIES

+ OTHER VATICAN PROPERTY

B-7700

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
1) 15480	C. M. C.	18 DEC. 43	15 ARMY GP.	VIEWS OF ALLIED GOVTS REGARDING TREATMENT OF VATICAN PROPERTY
2) 42480	FREEDOM	24 JAN. 44	15 ARMY GROUP	LIST OF VATICAN PROPERTY INSIDE VATICAN CITY DEFINED IN LATERAL TREATY
3) 43057	FREEDOM	5 FEB. 44	FLANDS	USE OF VATICAN SEMINARIES FOR HOSPITALS
4) 51234	FREEDOM SGO. CINC.	13 FEB. 44	FATIMA	INQUIRY FROM HOLY SEE AS TO WHETHER INSTRUCTIONS TO ARCH. OF SANI WARD (MAKES) OUT
5) 125 (386.8)	GEN. MACFARLANE	7 MAR. 44	GEN. ROBERTSON	PARAL SEMINARIES AT MOLFETTA + BENEVENTO - 1ST DOWNS BY BEST AS YOUR HEAD - 2 MAR.
6) 54044	FREEDOM	14 MAR. 44	FATIMA	RE 04. NO ALTERNATIVE ACCOM. CAN BE FOUND. EMBASSY OFFICE NOT TO FORWARD REPLY UNTIL IN POSITION TO MAKE OWN COMMENT
7) FATIMA 2130	FATIMA (BRIG. LUSH)	15 MAR. 44	FREEDOM FOR MGS.	ALTERNATIVE ACCOM. FOR PONTIFICIAL SEMINARY OBTAINED BY R.C. REG. II, RE II
8) 2552	FATIMA (C.A.B.)	24 MAR. 44	FREEDOM FOR MGS.	SEMINARY MOLFETTA. EVACUATION CARRIED OUT SATISFACTORILY
9) 2615	FATIMA (C.A.B.)	26 MAR. 44	FREEDOM FOR MGS.	AMENDMENT TO WORDING OF #8
10) 133/57/CA	BRIG. LUSH	21 MAR. 44. 30 MAR. 44.	- CH. COMM.	MEMO. IN REGARD TO ACQUISITION OF SEMINARY OF MOLFETTA. SUGGESTS THAT I SEE MONSIGNOR CARMI. CARMI TRIES TO 'IRON THINGS OUT'
11) F. 28133	FREEDOM SGO. C.M.C.	5 APR. 44	C.C.	BRIGADIER MACFARLANE SEEKS ALTERNATIVE ACCOM. FOR SEMINARY BENEVENTO
12) 42/C40	GEN. ROBERTSON	9 APR. 44	GEN. MACFARLANE	MOLFETTA SEMINARY - MOST SATISFIED FOR ASSISTANCE GIVEN.
13) F. 3009	FREEDOM SGO. C.M.C.	12 APR. 44	GEN. MACFARLANE	BENEVENTO SEMINARY. VATICAN DESIRES INFORMATION RE ALTERN. ACCOMMODATION.
14) F. 41945	FREEDOM SGO. CINC.	5 MAY 44	ACC MAIN	COMBINED DIRECTIVES ON TREATMENT OF VATICAN PROPERTY.
15) Q. 2171	FLANDS	9 MAY. 44	A.C.C.	ARMY DESIRED TO PROCEED WITH REQUIS. OF BENEVENTO SEMINARY
16) F. 44127	FREEDOM	10 MAY. 44	ACC.	REPORT ON BENEVENTO SEMIN. IS AWAITED
17) G. 2191	FLANDS	12 MAY. 44	AFHQ INFO. ACC.	NEGOTIATING FOR POSSESSION OF BENEVENTO SEMINARY
18) F. 45650	FREEDOM	14 MAY. 44	ACC MAIN.	FULL REPORT ON REQUIS. OF BENEVENTO SEMIN. REQUIRED FOR CORPS. 3731
19) H. 5185	ACC MAIN	17 MAY. 44	AFHQ	REACTRE II IS FORWARDED. MR. GEN. TUNNEY VIEWING SITUATION.
20) V/10	MAJ. GEN. JOHNSON	9 JULY 44	C. COMM.	ENCL'S TWO ARTICLES RECEIVED FROM B.M. IS HOLY SEE RECEIVED FROM CARD. PIZZARDI. RE RELEASE OF MOLFETTA + BENEVENTO SEMINARIES.
21) 55. 386.8	SEEN. GEN.	12 JUL. 44	GEN. JOHNSON	ACC. RECEIVED RE 445 V/10. RE 15 20
22) V/20	GEN. JOHNSON	22 JUL. 44	C. COMM. ACC.	ENCL'S 2 COMMUNICATIONS FROM B.M. IS RE HOLY SEE.

INSTRUCTIONS.—When papers on a subject become numerous they will be numbered serially and brief entries made on this form.

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

one :
484034

Ref/133/61/CA.

SUBJECT : Villa Maria, Livorno

TO : SCAO Fifth Army
R.C. Region VIII.

1. I enclose copy of a short note dealing with the status of some Papal property in LIVORNO.
2. As with all other Vatican property throughout Italy, this property will be accorded the treatment of property of a neutral State in foreign territory.
3. Except in the case of urgent military necessity no Vatican property will be requisitioned or converted to military use without reference to this HQ.

NORMAN E. FISKE
Colonel,
Deputy Executive Commissioner.

Copy to : A/Chief Commissioner
Political Section.

3730

File A-13

386.8-2

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HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Acting Chief Commissioner

EWY/bd

WCO 386.8-2

17 August 1944

TO: RE A MI Section.
(For Civil Affairs Branch)

1. Reference is made to attached

a. Copy of letter 61838 of 5 August 44 from Major Carroll with inclosure dated 31 July 44 relative to the status of papal property in Livorno.

b. Copy WCO 386.8-2 of 17 August - acknowledgment of ref 1a.

2. Please take necessary action, notifying those who should be apprised of the facts.

ELMER W. STONE
Captain, USAR
Acting Chief Commissioner

cc: Political Section

386.8

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371243

Hq ACC	Sec'y Gen.
DISPATCHED	
Date-Time	17 Aug 11.00
Via	Reg.
Initials	DRR

files HYB

30

EXS/nd
1

A/CG 386.8-2

17 August 1944

My dear Monsignor Carroll:

Your letter 81838 of 5 August concerning the status of Villa Maria in Livorno reached me on 13 August. I have passed this to the proper section of the Allied Control Commission for their information and for forwarding to such other offices as may be appropriate.

Yours very truly,

ELLERY W. STONE
Captain, USAR
Acting Chief Commissioner

Monsignor Walter J. Carroll
Segretario di Stato di Sua Santita'

Vatican City.

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COPY

SPERANZA DI STATO
DI SUA SANTITA'

Dal Vaticano, 11 5 August 1944

81878

Captain Stone
Allied Control Commission
Rome, Italy

Dear Captain Stone:

I am enclosing a short note dealing with the status of
some papal property in Livorno and I should appreciate it very
much if you would forward it to the Allied Control Commission
authorities in Livorno.

With an expression of thanks and with every good wish,
I am

Sincerely yours,

(Sgt) Walter S. Carroll.

Majr. Walter S. Carroll.

enclosure 1.

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SPERIMENTIA DI STATO

DI SUA SCELTA

Dal Vaticano, 11 31 July 1944

02838

Villa Maria situated at Via Montenero 14 in Livorno, Italy is the property of the Holy See. This Villa, which was occupied by the Germans in October of 1943, formerly served as a summer home for the students of the Pontifical Neoscholastic College at Rome. In precise terms it is a property held in the name of His Holiness for the Catholic Bishops of Czechoslovakia.

3726

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EWS/rjp

A/CC 386.8

10 August 1944

SUBJECT: Pontifical Seminaries at Volfetta and Benevento

TO : Commanding General Rome Allied Area Command.
APO 794.

1. Further to my letter of 2 August, A/CC 386.8, I have now received reports from Regional Commissioners in regard to the above seminaries, copies of which are enclosed for your information.

2. I have written to Headquarters Allied Armies in Italy requesting them to consider the possibility of returning these seminaries to the Vatican and enclose a copy of my letter.

ELBERT W. STONE
Captain, USAR
Acting Chief Commissioner

4 Incls-

- Incl 1 - Ltr ACC/CO/HP, Prov.
Comm. Benevento, dtd 30 Jul.
- 2 - Ltr HQ/2/10, fr Hq Reg. II,
dtd 30 Jul.
- 3 - Ltr HQ/2/103, fr Hq Reg. II,
dtd 1 Aug.
- 4 - Ltr 431/90/CA, fr RC & HQ Sec.
dtd 8 Aug.

Hq ACC Sec'y Gen.
DISPATCHED
Date-Time 11 Aug 1100
Via Hq.
Priority AIRR.

3725

File in Hq/2/10

29

HEADQUARTERS
ALLIED CONTROL COMMISSION
BENAVENTE PROVINCE

Ref: 200/52/EP.

SUBJECT: Benavente Seminary.

TO: Headquarters Region I, ACC
(Att. Executive Officer).

1. Reference A.C.C. letter 131/73/CA of 21 Jul 44.

2. There are 670 patients in the ID# 1.A. (Gen) Hospital on this date at the Seminary.

3. It is not true that there are 100 ladies of the Salvation Army housed in the Seminary. There are in fact no ladies housed there except nurses.

Lt. Col.
F.J. ARMSTRONG,
Provincial Commissioner.

27 July 44
Benavente.

Encl #1

3724

785015

HEADQUARTERS
ALLIED CONTROL COMMISSION
RUBEN II

REF: RC/2/10

30 July 44

Subject: Mafetta Seminary.

To: R.S. & M.O. Section, HQ A.C.C. APO 394.

1. Reference your 432/32/CA dated 21 July 44.
2. Number of patients now approximately 400.
3. 1st New Zealand General Hospital is still in occupation.
4. I understand that the Hospital is not under orders to move, but that if such orders are received another Hospital Unit is already earmarked to take its place.
5. The students were originally evacuated to their own homes throughout Italy. I understand, however, that the 250 mentioned by Archbishop of Bari returned a short time ago to take some examination. They have been accommodated, I have been informed, in the local Seminary which was originally evacuated by troops in order to make room for them and the staff. These students will be leaving in the early part of August.

No more information can be obtained as the Archbishop is away and his available staff do not know any more.

JOHN T. ZILLARS
Colonel, Infantry
Regional Commissioner.

3723

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HEADQUARTERS
ALLIED CONTROL COMMISSION
SECTION 2

Ref : HC/2/103.

1 August 1944

SUBJECT : Melfetta Seminary.

TO : R.C. & M.S. Section
HQ A.C.C.A.P.O. 394

Reference AGC/2/CA of 21 July and further to this HQ memo numbered
as above of 30 July 1944 HQ. District report.

"The Melfetta Seminary continues to form an indispensable
part of the hospital accommodation in this District. In fact, it will shortly
be expanded to take 1200 bed patients, as against 600 at present.

It is regretted therefore that the release of the semi-
nary cannot be contemplated under present conditions."

ICM: D. ZILLARS
Col. Inf.
Regional Commissioner.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C.S. I.G. Section
APO 394

REF : 131/80/21

8 August 1944

SUBJECT : Benevento and Molfetta Seminaries.

TO : H.Q.A.A.I.

1. Strong representations have again been received from the Vatican in regard to the Seminaries at Benevento and Molfetta.
2. The Vatican state "A prolonged interruption of the activity of the Benevento Seminary would result in great harm to the religious life of the 26 Dioceses of the Beneventana and Campans regions" and again "the functioning of the Molfetta Seminary is indispensable to the Catholic life of all the Dioceses of the Apulian region."
3. The new scholastic year opens in the Autumn and the Vatican is very anxious to regain control of these seminaries before the opening. The hope is expressed that since the front has moved forward so fast the Seminaries might now be returned to the Vatican.
4. I shall be obliged if you will consider this question and inform me as early as possible of your decision.

H.C. LUM,
Brigadier,
Executive Commissioner,
for Acting Chief Commissioner.

Copy to: A.M.C. G-3
H.Q. A.A.I.
British Minister at the Vatican
Pol. Section
File 132.

Del to 4

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HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. SECTION
APO 394

PHONE : 511

REF : 431/91/CA

8 August 1944

SUBJECT : MGLPETA AND BENVENTO Seminars.

TO : Secretary General.

1. Draft letter (with enclosures) to C.C.FAAC. submitted for A/SG.'s approval.

HERMAN H. FISKE
Colonel
Deputy Executive Commissioner.

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Declassified E.O. 12356 Section 3.3/NND No. 785015

DWS/sjp

A/CG 386.8

2 August 1944

SUBJECT: Pontifical Seminaries at Molfetta and Benevento

TO : Commanding General, Rome Allied Area Command

1. With further reference to your letter of 22 July 1944, file V/25, subject as above, the Regional Commissioners concerned have been asked for a report on the present position in regard to these seminaries. They have been asked to expedite their reports in view of the urgency and importance of the matter.

2. The British Minister at the Vatican has been informed that if reports from Regional Commissioners indicate that the case is as stated in the correspondence forwarded with your letter in regard to the small use at present being made of the seminaries, this headquarters will recommend to Headquarters I. A. I. that the seminaries be returned to the Vatican authorities.

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

cc: British Minister at Vatican
Political Section
CA Branch

A Hq ACC - Sec'y Gen (B)
DISPATCHED
Date-Time 3 Aug 1030
Via AG M/C
100

Drafted by CA Branch.
See their file 432/CA

3719

File A(B)

28

785015

ALLIED CONTROL COMMISSION
INCOMING MESSAGE

TO : HOME AREA COMMAND FOR ACC MAIN

SIGNAL MESSAGE CENTER No. 21/02

FROM : ACC REGION 3

CLASSIFICATION : RESTRICTED

REFERENCE NO : ACC/57

PRECEDENCE : PRIORITY

DATE AND TIME OF ORIGIN AUG 011648D

OFFICE OF ORIGIN

SUBJECT REMOVED TO SUMMARY. REPLY SENT 20 JULY REFERENCE CAP R/2093.

DIST

ACTION - CA br 2

INFO - A/CC

File

File 2

8.735

37187(B)

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COPY

RESTRICTED

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PAGE 33

ACC HQ

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PRIORITY

31 July 44

DA FRANCH

IN VIEW OF FURTHER REPRESENTATIONS FROM VATICAN PD PAPER TO BEGRASS FOR
AND BELTON THREE FROM HQ PAPER THE REQUEST A KED FOR IN MY FOUR THREE
ONE ONLITNESS ONE ONLITNESS CHARLIE ABLE OF, TWO ONE JULY ON TWENTY
SEMINARY IS URGENTLY REQUIRED

7.1.1. A7(B)
 L. T. MONTAGNE,
 1st. LT. AGD
 Adjutant 3717

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COPY

RESTRICTED

DIST. NO

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ACC HQ

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PRIORITY

31 JULY 44

CA FRANK

IN VIEW OF FURTHER REPRESENTATIONS FROM VATICAN TO PAREN TO DISTWO FOR ACC
REUNION TWO FROM ACC HQ PAREN THE REQUEST ASKED FOR IN MY FOUR THREE TWO
1 5 2 1 C A
OBLIQUE FIVE TWO OBLIQUE CHAMBER ABLE OF TWO ONE JULY ON MOLLETTA SEMINARY IS
URGENTLY REQUIRED

L.T. MONTAG
1st Lt. AG. D.
Adjutant

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Declassified E.O. 12356 Section 3.3/NND No.

785015

HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Secretary General
APO 394

RED/ajp

SC-386.8

28 July 1944

MEMORANDUM TO: Civil Affairs Branch, Hq. ACC.

SUBJECT : Molfetta and Benevento Seminaries

1. The Acting Chief Commissioner directs that the attached correspondence concerning the return of the above seminaries be investigated and a draft letter be submitted to him as soon as possible.

2. The matter should be coordinated with the Political Section in view of the last paragraph of Sir D'Arcy Osborne's letter of 21 July 1944.

3. A previous communication from General Johnson, enclosing other letters from the British Minister to the Holy See was sent to you on the 17 July 1944.

ROBERT E. DOE
Major, A.C.D.
Secretary General

5 Incls:

- Incl 1 - Ltr fr RAAC, file V/25, dtd 22 July 44.
- 2 - Ltr fr Sir D'Arcy Osborne, dtd 21 July 44.
- 3 - Translation of note No. 4539/44 dtd 19 July 44 fr Secretariat of State of His Holiness to H. M. Legation to the Holy See.
- 4 - Ltr fr Sir D'Arcy Osborne dtd 19 July 44.
- 5 - Ltr enclosing translation of note No. 4424/44 of 17 July 44 fr Secretariat of State of the Holiness to H. M. Legation to the Holy See.

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File A 7 (B)

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Declassified E.O. 12356 Section 3.3/NND No.

785015

RMJ/ajp

SO-386.8

28 July 1944

SUBJECT: Pontifical Seminaries at Molfetta and Benevento
TO : Commanding General Rome Allied Area Command

- 22
1. I am directed by the Acting Chief Commissioner to acknowledge your letter of 22 July 1944, file V/25, subject as above, and its enclosures.
 2. The matter is under investigation by this headquarters, and you will be informed of the action taken as soon as possible.

ROBERT E. DON
Major, A.G.D.
Secretary General

386.8

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File AY (13)

23

FORNA ALLIED AREA COMMAND
A.P.C. 794 U.S. ARMY

V/25

22 July 1944

Subject : Pontifical Seminaries at Molfetta and Benevento.

4c : Chief Commissioner, Allied Control Commission,
Headquarters A.C.C. A.P.C. 394 U.S. Army.

1. In your letter of 17 July 1944, reference A.C. 386.B, you informed us that action would be taken by your Headquarters about Pontifical Seminaries at Molfetta and Benevento.

2. This information was transmitted by us to the British Minister to the Holy See in our letter of 17 July 1944.

3. We are sending you two attached two more communications which have been sent to this Headquarters by the British Minister to the Holy See on the subject of the seminaries at Molfetta and Benevento.

4. The first communication from the British Minister to the Holy See is one in which the Minister reviews the question briefly and is one in which he requests us to transmit note No. 4424-44 of 17 July 1944 from the Secretariat of State of His Holiness to the British Legation. This note reviews chronologically the representations which have been made by the Holy See for the seminaries.

5. Accordingly we are sending attached note No. 4424-44.

6. In his note of 21 July 1944 the British Minister again urges us to assist in having the seminaries restored and sends us note No. 439-44 of 19 July 1944 from the Secretariat of State of His Holiness to the British Minister which we transmit attached.

7. The letter of 19 July 1944 from the British Minister asks that this Headquarters transmit Vatican note No. 4424-44 to the "Supreme Allied Authorities in Italy" in order that they may consider it most carefully.

8. In view of the fact that you have informed us that action is being taken by your Headquarters we are transmitting for your information all the documents sent to us.

9. It would be much appreciated, in view of the many representations about these seminaries that have been made to us and because of the gravity of the situation as it explained, if we could be informed as promptly as possible of the action taken by your Headquarters.

HARRY B. JOHNSON
Major General, U. S. Army,
Commanding.

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Declassified E.O. 12356 Section 3.3/NND No.

785015

MAJOR GENERAL JOHNSON.

21 July
for [illegible]

With reference to my Note of July 19th about Molfetta Seminary, I now transmit translation of a further Note received from the Secretariat of State, this time about the Seminary at Benevento.

You will observe that according to his Note, the Archbishop of Benevento made representations, which were not however, with to the occupation of only a part of the Seminary; that as a result of the closing of the Seminary all the students had to return to their homes; and that the Holy See urgently request that, in order to avoid grave harm to the religious life of 26 Dioceses, the Seminary be restored to its normal uses before the opening of the new scholastic year.

I would recall in this connexion the information given by the Archbishop of Benevento to Cardinal Pizzardo, which I reported in the P.S. to a letter which I sent you on July 7th (2/37/44), viz that some weeks after the evacuation of the students, the College was occupied only by ten patients and by 100 ladies of the Salvation Army. You will see too that the A.C.C. seem to have encouraged the hope that the Seminary may be evacuated by the autumn.

In view of the speedy northward drive of the Allied armies and the presumed need that hospitals should not be too far removed from the line, I hope that it may soon be possible to comply with the Vatican request and perhaps you will be so good, in transmitting the enclosed document to the Higher Command, to inform them what importance I attach, in the interests of good relations between the Allies and the Vatican, to compliance with the latter's request as soon as military exigences render it possible.

British Legation to the Holy See,

Vatican City.

July 21st 1944

INCL 2

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TRANSMISSION OF NOTE No. 439/44 of July 19th 1944

FROM THE SECRETARIAT OF STATE OF HIS HOLINESS, TO

H.B.M. LEGATION TO THE HOLY SEE.

1. As is known to His Britannic Majesty's Legation, the Secretariat of State of His Holiness, welcoming the desire expressed by the Legation, hastened to give on March 31st the necessary instructions to H.B. the most Rev. Monsignor Agostino Mancinelli, Archbishop of Benevento, with a view to the cession of that Pontifical Regional Seminary which the Allied Command had asked to be able to use for some months as a military hospital.

By means of the said instructions Monsignor the Archbishop of Benevento was authorized to agree to the demand of the Allied Military Authorities, provided that the Seminary were able to be conveniently lodged elsewhere.

2. H.B. Monsignor Mancinelli, not having succeeded in making suitable arrangements for the Seminarists, made strong representations to the Allied Command in order that they might limit themselves to occupying only a part of the seminary. The Allied Command, however, considered that they could not do without the whole building, which on June 1st was accordingly transformed into a hospital; thus the course of studies of the students was cut short and these indeed were courteously taken to their own homes in Allied motor-cars.

3. A prolonged interruption of the activity of the above-mentioned Pontifical Seminary would result in grave harm to the religious life of the 26 dioceses of the beneventana and Campania regions, which send their own students to that seminary in order there to complete the superior courses of ecclesiastical studies; accordingly the Holy See urgently request H.B. Legation to be as good as to make use of its authoritative good offices with the competent authorities in order that at the beginning of the new scholastic year the seminary in question may be able to start functioning regularly again.

Since war-like operations are now taking place at a very considerable distance, the Secretariat of State trusts that its request will be favourably received all the more so since the Vice President of the Allied Control Commission, Mr. Samuel Ober, on May 27th wrote as follows to Monsignor the Archbishop of Benevento:-

"It is the hope of the Allied authorities that the use of the Seminary will not be required for too long a period, and that, subject to military exigencies, it may be released prior to the re-opening of the new scholastic year

The Secretariat of State takes advantage of this occasion to express to H.B.M. Legation the sense of high distinguished consideration.

MAJOR GENERAL JOHNSON

19 July

ff. See B'Gory 02/10/44

I transmit herewith translation of an extremely lengthy note which I have received from the Secretariat of State, containing a chronological account of events in connection with the requisitioning of the Molitetta Seminary.

I shall be grateful if you will be so good as to transmit this document to the Supreme Allied Authorities in Italy and will request them to consider it most carefully. It seems to me that some of the facts given, if correctly stated are in need of explanation, particularly the fact that the Archbishop of Bari was not enabled to communicate freely with the Vatican about the Seminary and that the difficulty of the Archbishop's situation, due to the fact that the Seminary was not his to dispose of, never seems to have been fully appreciated.

It seems clear that the occupation of the Seminary has in fact gravely inconvenienced the Church authorities in Puglia and that if the building continues to be occupied the whole system for the training of the clergy in that province will be put out of gear. In view of this fact and also of the probability that the continued occupation by force of the Papal Seminary will have an unfortunate effect on relations between His Majesty's Government and the Holy See, I strongly recommend that most careful consideration be given to the Vatican plea that the building be restored to its proper use by next autumn. I imagine that in view of the northward drive of the Allied forces in Italy, it should not be difficult to meet Vatican wishes in this respect.

I am sending a translation of the Note to the Foreign Office with comments in the same as the above.

/s/ D.C. Osborne

British Legation to the Holy See
Vatican City

July 19th 1944.

TRANSLATION OF THE NOTE No. 4424/44 OF JULY 17,
1944, FROM THE SECRETARIAT OF STATE OF HIS
HOLINESS TO H. M. LEGATION TO THE HOLY SEE.

1) With a Memorandum dated November 17th 1943 H.M. Legation informed the Secretariat of State of His Holiness that the Allied Authorities proposed to occupy the Molfetta Regional Seminary (Bari), after its requisition by the Italian Government, in order to make use of it as a military convalescent home.

The said Legation added: "His Majesty's Government desire to inform the Holy See, as a matter of courtesy, of the action proposed and they suggest that, in view of the possibility of similar cases in future, it might be helpful if the authorities in charge of ecclesiastical property were directed to cooperate fully with the Allied Authorities in such matters".

2) In reply it was pointed out in a note from the Secretariat of State of November 19th 1943:-

a) that the Molfetta Regional Seminary, being the property of the Holy See "it was necessary not only on grounds of courtesy but also on legal grounds, to obtain the previous consent of the Holy See before using the building for other objects even of charitable nature";

b) that the Italian Government as recently as June 24th 1940 had assured the Holy See in writing that in so far as the Molfetta Seminary was concerned, it had given "instructions that orders for its requisition would be suspended and that no such orders should be given for the future;

c) That President Roosevelt, on July 10th 1943, declared in a public message: "During the period of operations Pontifical possessions in Italy will be respected."

In view of the above, the communication from the Secretariat of State added that the Holy See gave its consent to the use of the building in question as a convalescent home and could find elsewhere convenient premises. This condition was indispensable because the Molfetta Regional Seminary - the only one in the whole region of Apulia - accommodates all the candidates for the priesthood who are engaged in philosophical and theological studies, and is therefore absolutely necessary to the normal life of the Catholic Church.

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To the above mentioned note were added the requisite instructions, which H.B.M. Legation were begged to send through the mediation and good offices of their own Government to the Most Rev. Monsignor Miané, Archbishop of Bari. The latter was moreover authorized by the Holy See to negotiate with the Allied Authorities about other similar cases which might present themselves in the future.

3) The said instructions - as the Holy See has only just now learned - were communicated to H.E. the Archbishop of Bari on December 22nd 1943 by means of a letter from Brigadier Maxwell Taylor.

In the meantime, however, Their Excellencies the Bishops of Apulia had received orders to evacuate within three days the Molfetta Regional Seminary. This may be deduced from a letter which the said Bishops addressed on December 12th 1943 to the Allied Command and which has only recently come to the knowledge of the Secretariat of State. It reads as follows:-

"On the 10th instant we came to know that General Taylor of this Command ordered for the 13th instant the evacuation of the Pius XI Pontifical Regional Seminary of Molfetta. This communication has caused us deep sorrow. It is the only philosophical and theological seminary which we possess in the whole of Apulia which is being closed. The Apulian Episcopate are well aware of and render homage to the attitude of noble and generous respect which the Allied Military Command have constantly shown for the Holy See and the Catholic Church, and it is for this reason that the undersigned, as representatives of the Holy See, to which the Institute belongs and in the name of all the Apulian Episcopate, venture to formulate the wish expressed recently by the afore-mentioned Episcopate and to beg the same command to be so good as to refrain from requisitioning the Molfetta Regional Seminary. The undersigned state at the same time that this request has also been forwarded to Mr. Winston Churchill, head of H.B.M. Government, and to Mr. F.D. Roosevelt, President of the United States".

4) The absence of any reply from H.E. Monsignor the Archbishop of Bari could not but cause anxiety to the Holy See, all the more that on December 29th 1943, the following telegram was received from the Charge d'Affaires of the Apostolic Delegation of Cairo:

"We informed Allied Authorities proposed requisition Pontifical Seminary Molfetta as hospital. Representations made to authorities have resulted in postponement till January 5th, but requisition order is maintained".

To this telegram the Holy See replied on the following day informing Father Hughes of the position and of the instructions already given by the Holy See.

5) As in the meantime the Apostolic Delegation at Washington had also received news about the threatened requisition, the Secretariat of State on December 31st 1943, thus sums up for the information and guidance of the Apostolic representative in question, the desires of the Holy See:-

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- a) That the assurance given publicly should be faithfully respected,
- b) That H.E. the Archbishop of Bari should be enabled to make known to the Holy See whether he had received and carried out the instructions given to him, it being extremely painful for the Holy See to have received not even one direct message from the whole Episcopate in the regions of Italy occupied by the Allies.

6) Still influenced by the natural desire to know something about the state of the Molfetta Pontifical Seminary, the Secretariat of State on January 18th 1944 sent a telegram to H.E. Monsignor Mimmi asking him if he had carried out their instructions of November 19th. A similar telegram was sent on January 21st, through the intermediary of Monsignor Carroll, who was then at Algiers.

7) On January 22nd 1944 H.E.M. Minister verbally informed His Eminence the Cardinal Secretary of State that the Rector of the Molfetta Seminary, in agreement with His Excellency the Bishop, had refused to give up the building, not having found other premises suitable for the proper functioning of the Seminary. The military authorities - added H.E. the Minister - had then been constrained to requisition the Seminary.

His Eminence the Cardinal Secretary of State replied that the Holy See was still awaiting an answer from H.E. the Archbishop of Bari and therefore prayed H.E. the Minister to be so good as to telegraph to the Government in London asking them to hold matters up and to invite His Excellency the Archbishop of Bari to make known his reasons to the Holy See, which would then pass judgement. H.E. the Minister declared himself ready to telegraph in the desired sense.

8) On the same day, January 22nd, the Apostolic Delegate in London made known to the Secretariat of State that the Bishops of Apulia - according to a letter which he had received from H.E. the Archbishop of Bari - had requested his intervention with a view to preventing the requisitioning of the Molfetta Pontifical Seminary. Naturally H.E. Monsignor Godfrey did not fail to take up the matter with zeal and for his guidance the relevant information and instructions were sent to him on January 24th.

9) Not satisfied with this the Secretariat of State continued to make use of every means in order to obtain information about this grave matter. On January 26th 1944, the Charge d'Affaires of the Apostolic Delegation of Cairo was asked by telegram if he had received further information regarding the Molfetta Seminary. On the 11th February H.E. the Cardinal Secretary of State telegraphed as follows to the Archbishop of Bari: "I am still waiting answer to my instructions concerning Molfetta Seminary." At the same time, His Eminence, by means of another telegraphic message, requested Monsignor Carroll at Algiers to look into the question and to hasten to H.E. Monsignor Mimmi. A similar request was made anew on February 16th 1944 to the Charge d'Affaires of the Apostolic Delegation at Cairo.

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10) The Rev. Father Hughes, on March 7th 1944, sent to the Secretariat of State the following telegram: "Happy communicate information of fourteenth February stating Seminary Molfetta not taken. Authorities courteously consider Bishop's representations."

11) This communication made the Holy See hope that the Molfetta Seminary had been left free. However, on April 18th 1944, the Charge d'Affaires of the United States of America wrote as follows in a letter directed to H.E. Monsignor the Secretary of the Sacred Congregation of Extraordinary Ecclesiastical Affairs: - "I have now received a communication from Washington which may be of interest to the Holy See. The communication states that according to information received from Algiers, the Molfetta Seminary was evacuated on March 15, and is left with the consent of the Archbishop of Bari and that the students were moved elsewhere to the satisfaction of the Archbishop. It appears further from the communication in question that the Allied military and medical authorities planned to occupy the Seminary during the first week of April."

12) With a view to knowing with greater fullness and exactitude what had happened, His Eminence the Cardinal Secretary of State on April 19th 1944 sent the two following telegrams: -

"Archbishop Minnai - Bari

"American Charge d'Affaires here has been notified by his government that Your Excellency has consented to grant use Molfetta Seminary as convalescent home stop I beg Your Excellency to send me direct information as soon as possible about details of agreement and execution of instructions I gave Your Excellency on this matter."

"Monsignor Carroll - Algiers,

"American Charge d'Affaires here has been notified by his government that Archbishop Bari has consented to grant use of Molfetta Seminary as convalescent home stop It is however regretted that said Archbishop has been so far unable to correspond directly with Holy See even though official assurances were repeatedly given that such communications had been granted South Italian Bishops."

13) On May 27th 1944, the Holy See not having yet received any reply from H.E. Monsignor Minnai or from Monsignor Carroll, His Excellency the Apostolic Delegate in London sent to the Secretariat of State the following telegram: -

"Letter dated March 25th just reached here addressed to Your Eminence by Archbishop Bari communicates: a) Molfetta Seminary taken over by Allied Authorities; b) premises offered exchange namely diocesan seminary formerly Italian military hospital but considered inadequate; c) Having received no reply from Holy See to wireless message Archbishop Bari considered himself unable authorise requisition of Pontifical Seminary which consequently remains in exclusive responsibility Allied Authorities; d) Episcopate Apulia urgently begs intervention Holy See safeguard education clerical students."

- 5 -

14) Such news naturally caused surprise and pain both on account of the matter at issue and also because of the procedure adopted. Accordingly, on June 1st 1944, His Eminence Cardinal Maglione sent to His Excellency the Apostolic Delegate in London the following telegram:

"I thank Your Excellency for informations concerning Molfetta Pontifical Seminary. Holy See never received telegraphic message Archbishop Bari. I beg Your Excellency cooperation for obtaining that regional seminary necessary ecclesiastical education may continue function properly and no forced requisition be made of church institutions."

To this telegram M.E. Monsignor Godfrey replied as follows on June 6th:-

"We are doing all possible for Molfetta and ecclesiastical property generally."

15th) Meanwhile, on June 4th 1944, Rome had been occupied by the Allies. It was then possible for the Holy See to have direct, precise and complete news from their Excellencies the Bishops of Apulia about the vicissitudes of the Molfetta Pontifical Seminary. According to the information received matters took the following course. Towards the end of February the Allied military authorities informed M.E. the Archbishop of Bari that they insisted on the building being given up. M.E. Monsignor Mistral seeing no possibility of finding, in accordance with the conditions laid down by the Holy See, other convenient premises for the students of this college, asked that the following telegraphic message might be sent to the Secretariat of State of His Holiness: "No premises have been found. I await instructions." While this telegram was not transmitted to the Holy See, on the 9th of March the Allied authorities imposed upon M.E. the Archbishop of Bari the evacuation of the Pontifical Seminary for the 16th of March. The students would have to be transferred to the premises of the Diocesan Seminary of Molfetta. The Apulian Episcopate at once pointed out: a) that they had not the power to hand over the building and property of the Holy See without first receiving the instructions already requested; b) that there were in the province of Bari other buildings capable of use as hospitals which had been placed at the disposal of the Allied authorities by the Italian Government or by the Prefect of the Bari Province; c) that the measures taken had produced a painful impression both on the Holy See and on the Apulian Episcopate as also on all the faithful, on account of the considerable harm to the priestly vocation which would result from it; d) that the personnel of the Pontifical Seminary could not be lodged in the premises of the Diocesan Seminary of Molfetta because it was insufficient in size, in bad condition and in need of disinfection as it had been used for tubercular patients.

16) In reply the Allied authorities declared on the same day, March 9th, verbally and in writing, that if the Regional Seminary were not handed over, it would be occupied by force. This in fact took place on the morning of March 16th. The Bishops therefore had to send back to their families the 350 seminarians who occupied the building, these being thus forced to interrupt their courses of studies, to their considerable detriment. In the meantime, thirty British soldiers entered the regional seminary and it was only after about two months that the first wounded began to arrive. According to what is stated structural operations were also undertaken on the initiative of the occupants which were not always carried out with the necessary regard to the stability of the building.

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17) On April 17th 1944, Their Excellencies the Bishops of Apulia, assembled at Lecce, decided to address a letter to H.E. the Head of the Italian Government deploring what had occurred, re-calling the public promise made by the President of the United States to respect all Pontifical property in Italy, and asking for the restitution of the Seminary as being an absolute necessity for the life of the Church.

18) As a result of the decision reached by the above-mentioned Bishops at their meeting at Lecce, the necessary steps were taken to disinfect the premises of the Diocesan Seminary of Molfetta, other urgent works were also carried out and it was thus possible, but only on June the 4th, to bring back part of the Seminarists (scarcely two-thirds) in order to finish their annual course and to undergo examinations, thus avoiding the enormous harm that would have been caused to them by the loss of a year of studies. The experiment has also confirmed the fact that it is impossible to lodge the Seminarists in this building.

19) When communications were finally reestablished with the Holy See, Their Excellencies the Bishops of Apulia drew attention to the necessity of having back the Molfetta Regional Seminary, and the Sacred Congregation of Seminarians and of Universities has already raised the question with H.E. the British Minister. Therefore the Secretariat of State of His Holiness earnestly begs H.E.M. Legation to make use of their influential good offices with the Allied authorities with a view to the Regional Seminary in question being left free as soon as possible.

Many and grave are the reasons justifying this request;

a) The Molfetta Pontifical Regional Seminary was requisitioned contrary to the assurances given to the Holy See and to the instructions imparted to the said Holy See to H.E. Monsignor the Archbishop of Bari.

b) The premises of the Molfetta Diocesan Seminary are insufficient and unsuitable. Indeed, whereas the students are, as has already been said some 350 in number, these premises can only contain a much reduced number; actually of the 210 students there accommodated, twenty have to sleep in a corridor. It may be added that the rooms destined to the Professors are damp and almost uninhabitable; an infirmary is lacking so that two students were ill with paratyphus had to be left in the dormitory with their companions. There is also no laundry; the hygienic arrangements and water supplies are defective nor are there any baths; lecture halls are lacking: laboratories etc. also are lacking.

c) The functioning of the Molfetta Regional Seminary is indispensable to the Catholic life of all the Apulian region (20 dioceses) and it is necessary that next September the Seminary may re-open and take in afresh all the students.

The Secretariat of State of His Holiness trusts that it will not be difficult for the Allied Command - above all now that war-like operations have been advanced some hundreds of kilometers towards the north and that in

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Apulia there are several other hospitals with a reduced number of wounded - to make other convenient arrangements for the military hospital.

The Secretariat of State takes advantage of the occasion to express to H.B.M. legation the sense of his high and distinguished consideration.

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Files A (B)

50-529
17 JUL 1944

17 July 1944

SG 386.8

SUBJECT: The Pontifical Seminaries at Molfetta and Benevento.

TO : Commanding General, Rome Allied Area Command, APO 794, U.S. Army

I am directed by the Acting Chief Commissioner to acknowledge your letter of 9 July 1944, file V/10, subject as above, and its inclosures. Action will be taken by this headquarters.

ROBERT E. ROE
Major, A.G.D.
Secretary General

3702

21

C O P Y

ROME ALLIED AREA COMMAND
APO #794, US ARMY

9 July 1944

V/10

Subject: The Pontifical Seminaries at Molfetta and Benevento.

To: Chief Commissioner
Allied Control Commission
Headquarters A.C.C.
A.P.C. 394.

1. The British Minister to the Holy See has sent us a letter in which he asks us for information about and help for the Seminaries at Molfetta and Benevento.

2. We have informed the British Minister that these Seminaries are in a territory not administrated by this command but by the Allied Control Commission, and that we were forwarding his correspondence and that of Cardinal Pizzardo to him, for your consideration.

/s/ Harry H. Johnson

HARRY H. JOHNSON
Major General, U.S. Army
Commanding.

3701

C O P Y

for action see

SG 356.8 of 17 July
to Gen. Johnson

original of V/10 to CA Br
for action

File A7(B)

C O P Y

British Legation to the Holy See,
Vatican City.

July 7th 1944.

Dear General Johnson,

I received yesterday a visit from Cardinal Pizzardo, the Head of the Congregation of Seminaries and Universities; he wanted to discuss the requisitioning of the Molfetta and Benevento Seminaries as hospitals by the Allied Military Authorities. I attach copy of the letter he subsequently wrote to me on the subject.

The main points are that he hopes that, now that the front line has moved north, these hospitals in the south may no longer be needed. He adds that there are very few patients at Molfetta and that no use has yet been made of the Benevento Seminary. On the other hand he insists on the necessity of uninterrupted study by the students.

Perhaps I could send him an answer saying that the requisition will not be maintained a day longer than is essential and that the advance northwards may be expected to shorten the period; but that it is regretted that no undertaking can at present be given as to the release of the two buildings?

Yours sincerely, 3700

/s/ D. G. Osborn

Major General Harry H. Johnson,
Commanding Allied Forces,
Rome Area.

C O P Y

C O P Y

P.S. I have now received a further letter from Cardinal Pizzardo. He sends two letters from the Archbishop of Bari about Molfetta. The Archbishop says that the place to which the students from Molfetta Seminary have been sent is absolutely inadequate to contain all the students and that the 240 who are now there are living in crowded, insanitary and uncomfortable conditions. In a subsequent letter the Archbishop states that in the afore-mentioned conditions it will be impossible to open the new scholastic year. He adds that the New Zealand Hospital Unit which occupied the Seminary has received orders of transfer and he therefore urgently begs Cardinal Pizzardo to secure the return of the Molfetta Seminary. The Cardinal strongly supports this request.

His Eminence also informs me that he has just heard from the Archbishop of Benevento that there are only about ten patients in the hospital established in the building of the Benevento Seminary; on the other hand there are, he states, about 100 ladies belonging to the Salvation Army. This, of course, must be very distressing to the ecclesiastical authorities and to the Vatican.

D.G.O.

C O P Y

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C O P Y

C O P YSACRA CONGREGATIO DE SEMINARIIS
ET STUDIORUM UNIVERSITATIBUS

Rome, July 2nd, 1944

Your Excellency,

After the conversation which I had with Your Excellency on June 29th concerning the Pontifical Regional Seminaries of Molfetta and Benevento, I have the honour of writing to you to explain the position in which we find ourselves with regard to these two Seminaries.

As Your Excellency knows, the Regional Seminaries were built by the Holy See in view of the extreme poverty of the Dioceses in Southern Italy which cannot provide in an adequate fashion for the education of their ecclesiastical students. If the level of priestly culture is to be improved - and this is the first step towards the betterment of general education - it is absolutely indispensable that the Regional Seminaries shall continue their work without interruption.

This is particularly true of the Regional Seminaries in Molfetta and Benevento, which house the ecclesiastical students of twenty and eighteen dioceses respectively.

The occupation of these Seminaries has placed us in an embarrassing position as it is not possible to find alternative accommodation for the 400 and 350 students who within two months time should return to these Institutes. If it had been possible we would have preferred to keep them in the Seminary even during the summer months to avoid the many difficulties which a long stay at home, in miserable surroundings, must necessarily cause.

So far as we know, the present situation of these two Seminaries is as follows:-

The Secretariat of State of His Holiness, in reply to requests made, informed the British Legation to the Holy See that the Holy See was prepared to allow the Regional Seminaries of Molfetta and Benevento to be used as a convalescent home and hospital respectively, on condition that another suitable building could be found for the Seminaries.

The Holy See was moved to make this concession especially in view of the fact that at that time the Allied Military Authorities were in need of Hospitals near to the war zone where the wounded could receive the necessary attention without delay.

Now that the battle has moved far to the north of Rome and the Military

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Authorities have been able to open large hospitals in Rome and in other centres the former necessity of occupying the Regional Seminaries no longer exists.

In fact it would seem that the Regional Seminary of Molfetta ~~at~~ has actually very few patients and the Regional Seminary at Benevento, if our information is correct, has not yet been used as a hospital.

On the other hand it has not been possible to find even moderately suitable accommodation for the students of these Seminaries.

In view of these facts I beg Your Excellency to make known the situation to the competent authorities.

I am deeply grateful to Your Excellency for the great help which you have given us in the past and for the interest which you have shown in the present difficult question.

With every good wish to Your Excellency, I remain, with sentiments of deep and affectionate esteem,

Yours faithfully,

(Sgd.) J. Card. Pizzardo.

P.S. I have just received a letter from His Excellency Monsignor Ninni, Archbishop of Bari, dated 16th June. He writes as follows: "If the messages that have been sent have reached their destination, Your Eminence will already know that the Pontifical Regional Seminary of Molfetta has been requisitioned, without the authorisation either of the Holy See or of myself, by the Allied Forces for use as a hospital. The students, after two months stay at home, are at present in the Diocesan Seminary of Molfetta in order to complete their studies and sit for their examinations. The situation however is impossible. The Apulian Episcopate is very preoccupied regarding the fate of the Clergy and trusts that the Holy See will approach the Allied Authorities in order that the Seminaries may be released."

With every good wish, I remain,

Yours devotedly,

(Sgd.) J. Card. Pizzardo.

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ACC MAIN

MAY 17, 1944

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PRIORITY

REBER

AFHQ REPEATED AAI HQ MAAF (18)
 FOX FOUR FIVE SIX FIVE ZERO MAY ONE FOUR IS REFERENCE PARA PRESENT STATUS
 NEGOTIATIONS UTILIZATION BENEVENTO SEMINARY PARA PAREN TO AFHQ FOR MIKE
 GEORGE SUGAR CMA UNCLE SUGAR POLITICAL ADVISOR AND BRITISH RESIDENT MINISTER
 FROM ACC MAIN FROM MACFARIANE REPEATED TO AAI AND HEADQUARTERS MAAF PAREN
 PARA MESSAGE FROM HOLY SEE TO ARCHBISHOP BENEVENTO SENT HIM BY REGIONAL
 COMMISSIONER APRIL TWO TWO PD SUBSEQUENT CONFERENCES WITH THE ARCHBISHOP HAVE
 GIVEN RISE TO THE FORMAL OFFER ON HIS PART, DATED MAY ONE ONE OF APPROXIMATELY
 ONE HALF OF THE REGIONAL SEMINARY AT BENEVENTO FOR USE AS A MILITARY HOSPITAL
 PD IN MAKING THIS DECISION THE ARCHBISHOP STATED THAT HE MUST INSIST THAT CMA
 IN ACCORDANCE WITH THE INSTRUCTIONS OF THE CARDINAL SECRETARY OF STATE CMA THE
 SEMINARY BE PERMITTED TO FUNCTION EFFICIENTLY AND CONSIDERS THAT AS FIVE
 SEMINARIES IN THE PROVINCE OF BENEVENTO HAVE ALREADY BEEN CEDED TO THE ALLIED
 AUTHORITIES FOR USE AS MILITARY HOSPITALS CMA HIS PROPOSAL TO GIVE HALF THE
 SEMINARY REPRESENTS THE MAXIMUM CONCESSION POSSIBLE PD UPON THE RECEIPT OF A
 COMMUNICATION FROM MONSIGNOR GARROTT MAKING THIS OFFER IN THE NAME OF THE
 ARCHBISHOP IT WAS ARRANGED THAT MAJOR GENERAL SUTTON CMA CHIEF MEDICAL OFFICER
 CMA ALLIED ARMIES IN ITALY CMA SHOULD VISIT BENEVENTO ON MAY ONE FIVE TO
 DETERMINE WHETHER THE SEMINARY WAS REQUIRED FOR US AS A MILITARY HOSPITAL AND
 IF SO CMA HOW MUCH AND WHETHER THE ARCHBISHOP'S OFFER COULD BE ACCEPTED PD IF
 IT IS NOT POSSIBLE TO ACCEPT THE OFFER CMA SUBSTITUTE ACCOMMODATIONS FOR THE
 SEMINARY WILL BE OFFERED IN BENEVENTO WHICH CMA WHILE ADEQUATE TO HOUSE THE

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Cg of 18 May

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SECRET

1 ACC MAIN 5185 cont'd

SEMINARY IF DIVIDED CMA ARE NOT SUITABLE FOR HOSPITAL PURPOSES PD PARA AS
SOON AS ALLIED CONTROL COMMISSION IS INFORMED OF GENERAL SUTTON'S DECISION
CMA NEGOTIATIONS WILL CONTINUE AND ALLIED FORCE HEADQUARTERS WILL BE INFORMED

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LT. MONTANT, JR
2nd Lt, AGD
Adjutant

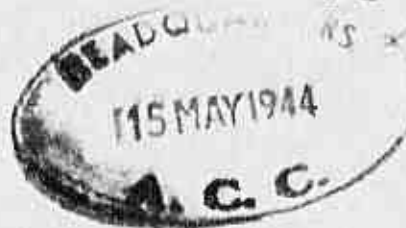
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Declassified E.O. 12356 Section 3.3/NND No. 785015

SECRET
ALLIED CONTROL COMMISSION
INCOMING MESSAGE

MSG Center No : 57/14
 Classification : **SECRET**
 Precedence : **PRIORITY**
 From : **FREEDOM SIGNED CINC**
 To : **ACC MAIN REPEATEDAAI AND HQ MAAF**



Date Time Rec'd : **MAY 14/1759**
 Date Time Sent : **MAY 14/1340**
 Reference NR : **F 45650**
 Cite : **FHDS**

CONSIDER CCS DIRECTIVE IN PARA THREE (OF OUR F 41945 OF 5 MAY; ALSO FILPOT MESSAGES Q 2171 OF 9 MAY AND 2191 OF 13 MAY) ALSO REQUEST FOR REPORT IN OUR F 44127 OF 10 MAY. PARA . WE ARE INFORMED THAT STATEMENT IN YOUR 2552 OF 24 MARCH OK MOEFETTA, AS CORRECTED BY 2615 OF 26 MARCH, IS NOW CONTESTED. IMPORTANT TO AVOID ANY MISUNDERSTANDING ON BENEVENTO. REQUEST THEREFORE COMPLETE REPORT SOONEST TO ENABLE AFHQ TO SUBMIT CASE TO COMBINED CHIEFS OF STAFF AS REQUIRED. YOUR REPORT SHOULD COVER NOT ONLY QUESTIONS IN OUR F 31009 OF 12 APRIL, BUT ALSO EXPLAIN ABSENCE TO DATE OF REPLY BY ARCHBISHOP TO HOLY SEE, INVITED IN OUR F 28133 OF 5 APRIL. IS ACC CONDUCTING THE NEGOTIATIONS REFERRED TO IN Q 2191. STATE PRESENT SITUATION FULLY

HC 31009 APC-301
 Sec. Gen.
 15 May 1130
 By *[Signature]*

ACC DUST

INFO - *[Signature]*
 Info - **3694**

Action - *[Signature]*
 CAB - *[Signature]*

Adm Sec
 Pol Sec
 File
 Float

SECRET

9380

N54/12

MAY 121148B

NONE

"

NONE

Q 2191

FILPOT

NONE

AFHQ INFO ACC

REF YOUR FHMGs F41945 of 5 May. In order to obtain accommodation urgently required for hospitals are proceeding with negotiations to obtain possession of Benevento Seminary.

ACC Dist

INFO: CA HR 2
DCC
File
Float

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22/11
SECRET
ROUTINE

FREEDOM SIGNED CINC

ACC REPEATED HQ MAI AND HQ MAIF

MAY 110325

MAY 101941

F 44127

FMAGE

REPORT ON BENEVENTO SEMINARY PROMISED IN YOUR 3763 OF 4 APRIL IS AWAITED. REQUEST
YOU EXPEDITE IN VIEW OF FILPOTS MESSAGE Q2171 OF 9 MAY

ACC DIST

ACTION CA BR (2)
INFO DCC
FILE
FLOLT

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SECRET

[Handwritten signature]
16

Dec

9102

Sec Gen

N 82/09
~~EXEMPT~~
PRIORITY
FILED
ACTION ACC INFO AFHQ

HEADQUARTERS
10 MAY 1944
A. C. C.

MAY 9/1909
MAY 9/1650
Q 2171
NONE

10 May 1035
B.H.

REF AFHQ F 41945 DATED 5 PARA 3 D. CONFIRMED IT IS DESIRED TO PROCEED WITH REQUISITION OF BENEFIT TO SEMINARY ON OPERATIONAL GROUNDS

346.4 -

ACC DIST

Action - CA Br 2
Enfs - Sec Gen
PCC
Alm 3691
File
Hout

(Signature)

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THE ASSAULT ON ROME. PARA. 500001. MESSAGE 42408 IS IN CONFLICT WITH
 MTTED IN PARAGRAPH 5122. IN PARAS 1, 3, AND 4 IT REFLECTS THE DATE OF
 VATICAN PROPERTIES WHICH ARE TO BE RELATED IN THE SAME WAY AS VATICAN
 CITY. PARA 5 GAVE DIRECTIVE AS TO TREATMENT OF OTHER VATICAN PROPERTIES,
 AND PARA 6 SUMMARIZED A LETTER FROM PRESIDENT TO BISHOP WHENIN APPROVED
 PHRASE "NEUTRAL STATUS". PARA. THIRD. IN RESPONSE TO REQUEST FOR CLARIFI-
 CATION, ACH HAVE NOW SENT PAR 357, WHICH HELD THAT COMMUNICATED FOR YOUR
 INFORMATION AND GUIDANCE. (A) VATICAN PROPERTIES LISTED IN PAR 322 PARAS
 PARAS 1, 3 AND 4 OF MESSAGE 42488 PARAS ARE TO BE ACCORDED STATUS OF
 NEUTRAL TERRITORY, ALTHOUGH AS POINTED OUT IN MESSAGE 15980 THE "IMMUNITY
 OF VATICAN PROPERTIES LOCATED IN ROME SHOULD NOT BE ALLOWED TO INTERFERE
 WITH MILITARY OPERATIONS, BOMBING, ARTILLERY FIRE, ETC., DURING THE ASSAULT".
 (B) OTHER VATICAN PROPERTIES THROUGHOUT ITALY IS TO BE ACCORDED "TREATMENT
 OF PROPERTY OF A NEUTRAL STATE IN FOREIGN TERRITORY". IT IS NO BEHOLDEN
 FROM OCCUPATION AND DAMAGE HOWEVER IT IS FOR US TO DO SO WITHOUT
 INJURY TO OUR ALLIED WAR EFFORT." (C) WHEN THE OCCUPATION OF NEUTRAL
 PROPERTY, AS DISTINGUISHED FROM VATICAN PROPERTY, IS EXEMPTED FOR
 MILITARY OPERATIONS IT MAY BE OCCUPIED. (D) ANY QUESTION OF NEUTRAL-
 TIONING OR OCCUPYING VATICAN OR OTHER NEUTRAL PROPERTY IN ITALY WILL
 IN EVERY CASE BE REFERRED TO ACHQ WITH A VIEW TO FURTHER AGREEMENT TO
 COMBINED CHIEF OF STAFF, EXCEPT IN CASES OF OVERHUNG OPERATIONAL
 NECESSITY WHEN AN IMMEDIATE REPORT WILL BE SUBMITTED TO ACH. WHICH IS
 REQUIRED TO SUBMIT REPORT TO THE COMBINED CHIEF OF STAFF. PARA. FOURTH.
 OUR 2TH AOM 48057 OF 6 FEBRUARY 1944 TO FLAMP, FALLA (REAR) AND PARCO
 IS HEREBY REVOKED.

3690

AND DISTRIBUTION:
 Action: Sec Gen (2)
 Info : Dep C.S.
 C.S. Br (2)
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PRIORITY

FREDDA SIGNED CINC

FATIM. FOR MACFARLANE

APRIL 12/1455

APRIL 12/1132

F31009

FIMGS

VATICAN DESIRES INFORMATION FIRST THERE IS ALTERNATIVE ACCOMMODATION SUGGESTED FOR BENEVENTO SEMINARISTS; SECOND DOES LOCAL BISHOP APPROVE ALLOCATION OF ALTERNATIVE PREMISES; THIRD PRESENT TOTAL OF STUDENTS, PROFESSORS AND SUPERIORS AT BENEVENTO SEMINARY; FOURTH SIMILAR TOTALS FOR OTHER SEMINARY PROPOSED FOR THEIR USE. ANSWERS REQUESTED SOONEST

ACC DIST.

ACTION CA BR (2)
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Major-General Sir Brian H. Robertson Bt.,
Chief Administrative Officer,

PERSONAL

HQ ALB AND 394

H O

ALLIED ARMIES IN ITALY

ADM. ECHELON, C.M.F.

Recd 12 Apr 44

by after being noted
by C.C.

42/CAO.

9 Apr. 44.

My Dear General,

NF
only

File

The Archbishop of BARI, having agreed to vacate the
MOLSETTA Seminary, the advance party No.1 New Zealand General
Hospital is already in occupation.

I am most grateful to you for all your assistance
and the trouble you have taken in arranging a satisfactory
solution to this problem. Thank you very much indeed.

I am hoping to get similar good news from BENEVENTO!

Yours ever,

Brian

Lieutenant-General F.N. Mason MacParlane,
K.C.B., D.S.O., M.C.,
Chief Commissioner,
Allied Control Commission.

HRH/emb.

3688
W. H. H. H.
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3861-

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CONFIDENTIAL

0742

ALLIED CONTROL COMMISSION
INCOMING MESSAGE7 Apr 44
DTE.

MSG CENTER NO : 13/06 *lan* DATE/TIME REC'D : 060223Z
 CLASSIFICATION : CONFIDENTIAL DATE/TIME SENT : 052033Z
 PRECEDENCE : ROUTINE REFERENCE NR : F20133
 FROM : FREEDOM SOD CINC FROM OFTE : FMINC
 COMMUNICATIONS CENSORSHIP BRANCH INC AFHQ

Following message received from Cardinal Maglione, Vatican, for Archbishop Mancinelli, Benevento. British Minister in the name of His Government has asked for use Regional Seminary Benevento for some months as hospital for wounded for whom accommodation is urgently needed and who cannot be suitably accommodated elsewhere. As your excellency knows Holy See in fulfillment its charitable mission is always ready to grant such requests whenever possible. I shall therefore be glad if you will see how it is possible to provide otherwise for accommodation of Seminary and will notify me urgently so as to enable me to reply to British Ministers. In case of cession Your Excellency should arrange for proper act of delivery with full inventory and a guarantee of restitution.

ACC DISF

Action - CA Br (2)

Info + Secy Gen
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 File
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CONFIDENTIAL

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Declassified E.O. 12356 Section 3.3/NND No. 785015

HQ ACC, APO 304
Sec. Gen.
Rec'd 1 April 44-1230
By HL

Chief Commissioner

I saw Mons. Carroll this morning.

He would not budge from the attitude that the decision of the Archbishop Molfetta was final and that we should not have done anything contrary thereto.

He will however visit both Berrevento (about which he is quite happy) & Bari & try to "iron things out". He was helpful.

MS 1/4/44

To B...
↑

Good. very many thanks. 3686

ham 1/4 of

(5)
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785015

Ref: 153/57/CA.

30th March 1944.

SUBJECT: Requisitioning of Seminary at MOLFETTA.

To : Chief Commissioner.

1. I refer to Monsignor Carroll's letter regarding the requisitioning of the Regional Seminary at Molfetta.
2. Up to the end of para. 4 the memorandum is basically correct. It does not, of course, bring out the fact that alternative accommodation at LECCE in the Diocesan Seminary had been found but refused by the Archbishop.
3. The telegram referred to was received in London but according to Sir Anthony Rumbold of the Resident Minister's office, was not forwarded to the Vatican as the Foreign Office thought it would be wiser to refrain from passing it on until they had some further information about the possibility of finding alternative accommodation."
4. On 7th March Colonel Vining called on the Bishop of Molfetta who proposed alternative accommodation in the Italian Ospedale Militare Territoriale for the whole of the Pontifical Seminary. Alternative accommodation for the hospital was found. It is true that the Bishop on the next day retracted his offer of the accommodation on instructions from the Archbishop who also wrote to the Italian O.C. of the hospital telling him not to move, and told the Provincial Commissioner that if the Allied authorities insisted on occupying the Seminary he would have to distribute the student amongst their homes.
5. I am satisfied that the hospital would, in fact, have contained the whole of the Diocesan Seminary but that the Archbishop did not wish to move into it.
6. The archbishop on 11th March wrote to the Provincial Commissioner stating that he, even without legitimate authorisation from the Holy See, wished to assume the responsibility of requisitioning the Pontifical Seminary, he was requested to make available the necessary means and to make the corresponding arrangements with the Bishop of Molfetta and the Rector of the Seminary.
7. The Provincial Commissioner pointed out that the Seminary had already been requisitioned as far back as January 1944 and that in accordance with the Archbishop's request he was making available the required transport, etc.
8. The move was carried out in a perfectly peaceful and friendly manner and I do not think that there could have been any question of force being used. After the move, the Vice-Rector of the Pontifical Seminary, the

-2-

Bishop of Molfetta and the Rector of the Seminary, all presented their thanks to the Provincial Commissioner for the way in which the move was carried out.

9. The facts are, as it seems to me, that the Archbishop resisted the move. Alternative accommodation was found by the Allied authorities and was rejected. Alternative accommodation was proposed by his own Bishop and was rejected. The Archbishop then, seeing that he had no alternative, submitted to pressure and adopted the course most liable to cause trouble, i.e., by dispersing the students amongst their homes. This was in fact unnecessary.

10. I should like to add that Sir Anthony Rumbold has noted in his memorandum "that the Allied authorities need hardly wait for positive instructions from the Vatican to the Archbishop before proceeding to evict the Archbishop". He adds "although the requisitioning of Papal property is to be avoided it is authorised in the case of military necessity and that this is a case of military necessity".

11. I think the Provincial Commissioner used pressure in a diplomatic manner. I do not think that he could be accused of using force.

12. I had suggested asking Colonel MacCaffrey or Brigadier Dunlop to enquire into the matter further but having read the correspondence which has been sent to me under cover by Col. MacCaffrey, himself a Roman Catholic, who states that the matter appears to have been settled "in a manner satisfactory to the Armies and without causing too much resentment on the part of the Ecclesiastics", I submit that there is no necessity to enquire further.

13. I will, however, see Monsignor Carroll if you so wish and try to explain the matter to him personally.

MSH/JC

MSL
Brigadier,
Executive Commissioner.

Discussed. Dom. Carroll
will visit Bari & Benevento. No plans.
best solution.

M/14/44

much

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Wm 24

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0 57
Bing. Last

Attended was handed to me
 yesterday by Monsignor Carroll.
 He was very disturbed and
 contended that he had acquired
 the Holy See Seminary by an
 intent & purpose by force.

I promised him I would
 inform Rife & let him know.

I don't know how accurate
 the attached report is but as
 you know we can't be too careful
 over this Vatican stuff and I
 rather fear we may have
 started an awkward
 incident in spite of what our
 instructions.

Wm. J. [unclear]

3683

MEMORANDUM

in regard to requisition of the Regional Seminary of Molfetta.

1. On 13 December 1943, the British Command, through the Italian Government, issued a requisitioning Decree for the Seminary. Through prompt intervention of the Bishops' Control Committee, an extension up to 5 January last was obtained.
2. In the meantime, the Puglia Episcopal Conference sends a message to Roosevelt and Churchill, requesting that the Regional Seminary of Molfetta, property of the Holy See, and the only Higher Institution of religious and cultural learning for the Clergy of the Puglia Region, be not requisitioned. On the other hand, General Taylor writes to the H. Father regarding the same problem and the H. Father replies that there would be no difficulty in giving up the premises of said Seminary, providing a suitable building, where the Seminary might duly continue its life, could be found. This communication was forwarded to H.E. Mons. Marcello Mimmi, Archbishop of Bari, whom the H. Father appointed as his representative for the necessary negotiations.
3. The 5th of January approaching, the British Command makes another attempt at requisition. The Bishops' Commission, in various direct meetings with the competent English Authorities, demonstrates the impossibility of finding in the region a Seat suitable and sufficient to be host to the entire Regional Seminary of 400 persons, it being absolutely impossible to divide either the directing and teaching personnel, nor the alumni; a matter instead possible for a Hospital and for that purpose various suitable buildings were pointed out.
4. At the end of February the Control Commission, presided over by the same Colonel Wining, exercises strong and insistent pressure on the Most Excellent Archbishop of Bari for requisitioning of the Seminary, advising that about 3000 wounded must at once be hospitalized. H.E. Mons. Mimmi attempts an extreme step, addressing himself with a message to the H. Father, as follows: "No place has been found - Allies insist. Awaiting instructions". This message is handed to the Commission to be forwarded to the H. Father.
5. Before even receiving a reply from the H. Father, on March 8th, the Control Commission, without further negotiations with Mons. Mimmi, who was expressly authorized by the H. Father for this, even pretending to have already arrived at an agreement with the Archbishop of Bari, proceeds to the Bishop of Molfetta, informs him that on the 16th the Regional must absolutely be evacuated and that it may move into the premises of the Bishop's Seminary of the city, which is already the seat of an Italian military hospital. On March 13th the Commission calls on H.E. Mons. Mimmi and hands him the requisitioning Decree of the Allied Command, signed by Colonel Wining. The Archbishop, on his part, delivers a protest note in which he declares to give way merely to force and that immediately afterwards he would start a diplomatic action.
6. In four days the Seminary is evacuated; the Seminarists are transported KMAX to the distributing places by English motor vehicles; some furnishings of the Regional Seminary are transported by the English to the premises of the bishop's Seminary, already evacuated by the Italian Hospital, but in no way suited to receive the personnel of the Regional. F.S. The premises of the Bishop's Seminary were from 1910 to 1925 the seat of the Puglia Regional Seminary; but in that period the

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7. On March 16th, in place of the pre-announced columns of wounded, about twenty New Zealand soldiers occupy the Seminary. It has then been learned that the New Zealand Hospital is to be transferred from Cairo to Molfetta within a few months.
- Molfetta, 21 March 1944.

10 01

PROMEMORIA

circa la requisizione del Seminario regionale di Molfetta.

1. Il 13 dicembre 1943 il Comando Inglese, tramite il Governo Italiano, emette il decreto di requisizione del Seminario. Il pronto intervento della Commissione Vescovile di Vigilanza ottiene una proroga fino al 5 gennaio u.s.
2. Nel frattempo la Conferenza Episcopale pugliese invia un messaggio a Roosevelt e a Churchill, con cui chiede che non venga requisito il Seminario Regionale di Molfetta, proprietà della S. Sede, e un Istituito Superiore di formazione religiosa e culturale per il Clero della Regione pugliese. D'altra parte il generale Taylor scrive al S. Padre circa la stessa questione e il S. Padre risponde che non avrebbe difficoltà a cedere il locale del detto Seminario, purché si trovasse un edificio adatto, dove il Seminario potesse continuare regolarmente la sua vita. Tale comunicazione veniva notificata a S. E. Mons. Marcello Mimmi, Arcivescovo di Bari, che il S. Padre nominava suo rappresentante per le trattative necessarie.
3. Approssimandosi il 5 gennaio, il Comando Inglese compie un altro tentativo per la requisizione. La Commissione Vescovile direttamente in diversi incontri con le competenti autorità inglesi, dimostra la impossibilità di trovare nella regione una sede adatta e sufficiente ad ospitare tutto il Seminario regionale di 400 persone, non potendosi assolutamente spezzettare né il personale dirigente ed insegnante, né gli alunni; cosa possibile invece per un ospedale e all'uopo furono segnalati diversi locali adatti.
4. Alla fine di febbraio la Commissione di Controllo, presieduta dallo stesso Colonelo Wining, esercita forte ed insistente pressione presso l'Ecc. mo Arcivescovo di Bari per requisire il Seminario, facendo presente di dovere immediatamente ricoverare circa 3000 feriti. S. E. Mons. Mimmi tenta un passo estremo indirizzandosi con un messaggio al S. Padre, così concepito: "Nessun locale è stato trovato - alleati insistono. Attendo istruzioni". Tale messaggio è consegnato alla Commissione per essere inoltrato al S. Padre.
5. Prima ancora di ricevere risposta dal S. Padre, il giorno 8 marzo la medesima Commissione di Controllo, senza ulteriori trattative con Mons. Mimmi, dal S. Padre appositamente autorizzato per questo, anzi facendo credere di essersi già intesa con l'Arcivescovo di Bari, si reca dal Vescovo di Molfetta gli comunica che per il 16 seguente il Regionale dovrà assolutamente essere sgombrato e che potrà trasferirsi nei locali del Seminario vescovile della Città. Già sede di un ospedale militare italiano. Il giorno 13 marzo la stessa Commissione si presenta a S. E. Mons. Mimmi e gli consegna il decreto di requisizione da parte del Comando Alleato e firmato dal Colonnello Wining. L'Arcivescovo consegna a sua volta una nota di protesta in cui dichiara di cedere solo alla forza e che subito dopo avrebbe iniziato un'azione diplomatica.
6. In 4 giorni si sgombra il Seminario; i seminaristi vengono trasportati nei cetri di smistamento con automezzi inglesi: alcuni mobili del Seminario Regionale vengono trasportati dagli inglesi nei locali del Seminario Vescovile, già sgombrato.

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7. Il 16 marzo invece delle preannunziate colonne di feriti, una ventina di soldati di truppa neozelandese occupa il Seminario. Si è poi saputo che l'ospedale neozelandese si dovrà trasferire dal Cairo a Molfetta fra qualche mese.

Molfetta, 21 marzo 1944.

COPY

FATIMA 2615

FATIMA (Civil Affairs Branch)

26 March 1944

SECRET

VAFOR 16t- Fiske

PRIORITY

•FREEDOM

REFERENCE OUR TWO FIVE FIVE TWO OF TWO FOUR MARCH PD PAREN TO AFIQ FOR MOS FROM
FATIMA SIGNED MACFARLANE PAREN PD LAST SENTENCE SHOULD READ STUDENTS MOVED UNDER
SUPERVISION AND TO SATISFACTION OF BISHOP MOLFETA.

L.T. MCNDANT
2/Lt. AGD
Adjutant

SECRET

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FATEA (Civil Affairs Branch)

24 MARCH 1944

SECRET

Vapor 165-FISKE

PRIORITY

FREEDOM FOR MGS

(7)
SUBJECT IS SEMINARY MOLFETTA. PD FURTHER BY 2130 OF 15 MARCH PD ARCHBISHOP
HAS GIVEN GRUDGING ASSENT TO EVACUATION OF SEMINARY PD PARIN TO FREEDOM
FOR MGS FROM FATEA SIGNED MACFARLANE PD STUDENTS WERE MOVED BY M.T. TO BRINDISI
LECCE TARANTO BARI BARLETA 15 AND 16 MARCH PD MEDICAL ARE COMPLETELY
SATISFIED AND READY TO MOVE IN FIRST WEEK APRIL PD STUDENTS MOVED UNDER SUPER-
VISION AND TO SATISFACTION OF ARCHBISHOP

L.T. MONTANT Jr
2nd Lt. AGD
Adjutant

SECRET

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[Handwritten signature]

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785015

CONFIDENTIAL

18 MAR 1945
DFE

PATIMA 2430

PATIMA (IRIG. LUSH, R.C. & R.C. SEC).

15 March 1944

CONFIDENTIAL

Vapor 3 - 10050 LUSH

PRIORITY

FREEDOM (ACTION) FLAMBO (INFO) DISTWO (INFO)

6 4 5 4 4
YOUR SIX FOUR SIX FOUR FOUR OF ONE FOUR MARCH REFERS TO PAPER TO FREEDOM
FOR MISTAKE IN ACTION CMA TO FLAMBO AND DISTWO FOR ACC REGION TWO
FOR INFO FROM PATIMA SIGNED MACFARLANE PAPER TO PROVINCIAL COMMISSIONER CMA
HARI OBTAINED ALTERNATIVE ACCOMMODATION FOR PROVISIONAL SEMINARY IN THE
DIOCESEAN SEMINARY AT BILIRITA WITH COMPLETE AGREEMENT BISHOP WHO ASSURED
PROVINCIAL COMMISSIONER THAT LATTER WOULD ACCOMMODATE PERSONNEL OF BOTH
SEMINARIES TO ARCHBISHOP HOWEVER REQUESTS TO MOVE ON PLEA THAT ACCOMMODATION
IS NEITHER APPROPRIATE NOR SATISFACTORY TO HIM IS CLEARLY NOW BEING MERELY OBSTRUCTIVE
AND I MUST ASK THAT ORDERS IN THE CLAREST POSSIBLE TERMS BE SENT TO HIM BY
VATICAN

Copy to: Sec Gen ✓

See folio (21)
D. T. 3678, Jr.
2nd Lt. Adjutant.

185015

ACTION COPY

SECRET

ALLIED MILITARY MISSION...INCOMING MESSAGE

15 Mar 1945
NFE

SECRET

PRIORITY

FROM.....FREEDOM

TO.....FATIMA



M/C NO...N52/14

REF NO...64644

FILED...142038A AMMCH

RECD....142312

FOREIGN OFFICE ADVISE THEY HAVE MESSAGE OF 29 FEBRUARY FROM ARCHBISHOP OF BARI TO VATICAN, RELATIVE MOLFETTA SEMINARY, STATING NO ALTERNATIVE ACCOMMODATION CAN BE FOUND. (TO FATIMA FOR MACFARLANE SIGNED CINC PHNGS) FOREIGN OFFICE DO NOT PROPOSE TO FORWARD THIS MESSAGE UNTIL THEY ARE IN POSITION TO MAKE THEIR OWN COMMENT FROM ALLIED POINT OF VIEW. REQUEST YOUR LATEST INFORMATION TO SUPPLY BASIS FOR ANSWER

ACC DISTRIBUTION:

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INFO-Rep. CC
" - CAB - (2)
- File
- Plot

ACTION COPY

3677

SECRET

15 MARCH 44
0810

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*Capt. Gove says
he will answer this
in the General's absence*

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CONFIDENTIAL

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FMS/rj

7th. March, 1944.

Reference your letter of 3rd. March regarding the Papal Seminaries at Molfetta and Benevento.

2. I am doing my best and hope to let you know the answer very shortly.
3. The Italian Government do not come into the picture very closely. It is a question in which we have to deal direct with the Church. We are forbidden to use force but short of that I am having everything possible done.
4. I am hopeful in the case of Molfetta where I think we can find alternative accommodation for the Seminary in the Lecce area. I will know more about Benevento in a day or two. This again is largely a question of finding alternative accommodation.
5. Am doing my best as urgently as possible.

NOEL MASON MACFARLANE,
Lieutenant-General,
Chief Commissioner.

Maj-Gen. Sir Brian H. Robertson, Bt.,
A.C.M.F. Administrative Echelon,

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Declassified E.O. 12356 Section 3.3/NND No.

785015

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PRIORITY

PRELIMINARY SIGNED CINC CITY FRINGS

VATIMA FOR MACFARLANE RITE FARGO FOR MACFARLANE

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Following telegraphic message dated 11 February from Vatican received here.
On 19 November through British Government Archbishop of Bari was given special instructions regarding Gelfette Regional Seminary. Archbishop was authorized to grant use of building for home for convalescents, provided seminarians could be accommodated conveniently elsewhere and a regular act of transfer with formal pledge of restitution was duly executed. No answer has reached Holy See to date. Please inquire and inform me whether Archbishop has been able to carry out instructions. This ends paraphrase of message from Cardinal Maglione to Monsignor Miani, Archbishop of Bari.

Look at our message 45323 of 31 January and your 2270 of 5 February in connection with above.

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- 2 - Deputy Sec. Gen.
- 1 - Deputy Chief Commissioner
- 1 - Legal Sub-Commission

U.S. SECRET

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U. S. SECRET
Signal British SECRET

INCOMING

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19 FEB 1944
9/6

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FEB 061042A

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PRIORITY

FREEDOM

FLAMBO FOR D/CAS RETD FATIMA REAR, FARGO STREET

Reference SCAS 8800 of 12 Jan.

1. You will have seen our 42202 of 24 Jan regarding the use of Papal seminaries for hospitals.

2. The following general considerations are operative:

(A) In virtue of our military occupation of all south Italy we are entitled to requisition any property required for military or similar purposes. This right is independent of our rights under the Armistice and is not affected by the fact that an Italian Civil Administration may be functioning in the district concerned. It is also in no way affected by the Lateran Treaty.

(B) For political reasons it is desirable that in districts administered by the Italian Government any requisition of Papal property should be effected by the Italian authorities on our behalf.

(C) It is also desirable that the Vatican should be informed that a requisition of their property in Southern Italy is being carried out. It is not however necessary to obtain the Vatican's consent in advance.

(D) In view of the President's message of July 10, which amounts to an undertaking that the Allied authorities will treat Vatican property throughout Italy as having extra territorial character, it is essential that force should not be used either by the Allied Military authorities or by the Italian authorities on their behalf to eject the occupants from requisitioned premises which are the property of the Vatican.

U. S. SECRET
Signal British SECRET

U.S. SECRET
Equivalent British SECRET

INCOMING MESSAGE 9/6 REF NO. 48057 FROM FREEDOM REC'D FEB 061620A

3. In the case of the Molfetta seminary, premises have been duly requisitioned by Italian Government (see Fatima 1958 of Jan 15), and Vatican have been notified by British Minister. Only obstacle is difficulty in finding alternative accommodation for occupants which is possibly increased by their unco-operative attitude. Instructions from the Vatican to the Archbishop of Bari to co-operate with the Allied Military authorities in arranging for the handover of the seminary were contained in letter to Allied Control Commission 443-386. 2 of 18 Dec. If further instructions to the Archbishop are to be sent it is essential that a reply from him to the Vatican's communication should first be obtained (see Freedom cable to Fatima rear 45323 of 31 Jan)

4. As regards Benevento seminary, there is no reason why requisition should not be imposed forthwith. This Headquarters should be informed by cable of action being taken in order that arrangements may be made for British Minister to notify the Vatican. Alternative accommodation will have to be found for the inmates. If any message or instructions from the Vatican are required, this Headquarters will endeavour to obtain them through the British Minister.

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JAN 242230A

15 ARMY GROUP, AIR CP, FLAMBO, RPTD NO. 2 DIST., FATIMA,
PES, FARGO

JAN 250753A

1. Message from CCS (EAN 322) contains following list of Vatican property in Rome outside Vatican City as defined in Lateran Treaty, Articles 13-16 and Annexes 2 and 3.

ARTICLE 13. 1. Basilica of Saint John Lateran (San Giovanni Laterano).

2. Basilica of Saint Mary Major (Santa Maria Maggiore).

3. Basilica of Saint Paul without the walls (San Paolo Fuori la Mura) including the Monastery.

4. Palace of Saint Callixtus (San Calisto) in Trastevere D

ARTICLE 14. 1. Property on the north side of Janiculum Hill overlooking Vatican City between Viale Aurelio and Passeggiata sul Gianicolo and including that belonging to the Sacred College of Propaganda 5.

2. Palace of the Holy (Roman) 12 Apostles attached to the Basilica of the Holy Apostles (Santi Apostoli).

3. Palace attached to the church of San'Andrea della Vello.

4. Palace attached to the Church of San Carlo al Catinari

ARTICLE 15. 1. Palace of the Dataria, near the Quirinal Palace.

2. Palace of the Cancelleria between the Corso Vittorio Emanuele and the Campa dei Fiori.

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42486 fr Freedom, dtd 24 Jan 44, cont'd

3. palace of the propaganda 5 on the Piazza di Spagna.
4. palace of the Holy Office (Sant'Offizio) adjacent to the Piazza San Pietro at Porta Camalleggeri.
5. Congregation of the Oriental Church, formerly Palace of the Converendi in Piazza Scossacavalli.
6. palace of Vicariato in Via della Pigna of the Corso Vittorio Emanuele near the piazza del Gesua'

ARTICLE 16. 1. Gregorian University 10 Via del Seminario near the church of Sant' Ignazio.

2. Gregorian University alla pillotta facing on Piazza di pillotta.
3. Port D Biblical Institute in Piazza di pillotta.
4. Archeological Institute, Oriental Institute, Lombard College and the Russian Cisvego on Piazza Santa Maria Maggiore.
5. The two palaces of Sant'Appylinare between the palzza Sant' Appolinare and Via Bella Scrofa.
6. The House of Retreat for the Clergy of the Church of Saints John and Paul, including the Rympheum of Nero, on the Caclian Hill.

2. Guidance from CCS for treatment of this property is given in our 15980 of 18 December, para C.

3. Outside of Rome Villa Barberini in town of Castel Gandolfo, Province of Rome, should be accorded same treatment.

4. A special attempt should be made to spare the following Vatican properties from damage in view of their religious and historical significance:

1. The Basilica of the Holy House (Santa Casa) at Loreto, Province of Ancona. They should be added to the list of message G-3 6285 of 4 November and

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42486 from Freedom dated 24 Jan 44, cont'd.

25722 of 8 January as the following serials; Holy House 8; Saint Francis 9; 10 Saint Anthony.

2. The Basilica of Saint Francis at Assisi, Province of Perugia.

3. The Basilica of Saint Anthony at Padua, Province of Padua.

5. You should avoid requisitioning or converting to your use other Vatican property throughout Italy which existing occupants claim to be property of Holy See. If urgent operational needs require occupation report should be made earliest to this Headquarters.

6. In letter of 10 July to Pope, President stated churches and religious institutions will be spared devastation of war to extent within our power and Vatican City and Papal domains will have neutral status respected.

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ACTION AND ACKNOWLEDGE 15 ARMY GROUP, AIR CP, FLAMBO, PBS RPTD
NO. 2 DISTRICT FOR INFORMATION, FATIMA.

Following paraphrase of message (F 311) from OCS is forwarded for your information and guidance; CINC MED and MAC also being informed.

"Transmitted for your guidance are the following views of the Governments of the United States and United Kingdom, as to the treatment to be accorded the Vatican City state and vatican property.

a. The Vatican City state will be accorded the normal rights of a neutral and treated as an independent neutral state.

b. Every precaution to avoid violating the territory of the Vatican City must be taken by the Allied Forces. Article III, Annex 1 of the Lateran Treaty of the 11th February 1921, defines the territory of the Vatican City.

c. A number of other churches and buildings in Rome outside the boundaries of the Holy City, but which are on the property of the Holy See, as defined in Articles XIII - XVI and Annexes 2 and 3 of Lateran Treaty, also must be avoided by Allied Troops. Many buildings are not a part of the Vatican City, and, strictly speaking, have no international status as neutral territory. However these properties are entitled to full diplomatic immunity under the Lateran Treaty, and therefore must be treated in exactly the same way as the Vatican City itself after the assault on Rome. Although during the assault on Rome every precaution to avoid violating the territory of the

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Continuing cable 15980 of 19 Dec 43 from Freedom to 15 Army Group:

Vatican City must be taken, the diplomatic immunity of Vatican properties located in Rome should not be allowed to interfere with military operations, bombing, artillery fire, etc., during the assault. A complete list of these properties will be transmitted to you.

d. Pickets should be posted at the boundaries of the Vatican City State, to insure that its neutrality is respected. This should be done by agreement with the Vatican authorities. The buildings described in "c" above also should have pickets posted at their entrances, and troops should be warned that these properties, although lying outside the Vatican City, belong to the Holy See and are to be accorded the same immunities as the Vatican City itself after the period of the assault. Through arrangements with the Vatican these buildings should be clearly marked so that Allied Troops can easily identify them."

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