

Declassified E.O. 12356 Section 3.3/NND No. 785016

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Declassified E.O. 12356 Section 3.3/NND No. 785016

7
DO LETTERS, PERSONAL
SEPT. 1944 - JULY 1945

Declassified E.O. 12356 Section 3.3/NND No. 735016

HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

6 July 1945

- 6 LUG 1945

Dear Gerald,

I have your letter of 5 July with regard to Lt. Col. De Wald's rating. I understand from inquiry that this rating information was asked for by MTOUSA and that the rating is a compounded average of the entire period of service that De Wald has served in this theater. The rating was not made by Colonel Parkin but represents a series of ratings made by officers under whom De Wald has served.

I agree with you that De Wald has done an outstanding job and shall see to it that he is given full recognition for the work he has done in the new reports, which will be made as of 30 June 1945.

Sincerely,

Wm

Brig. G. R. Upjohn
Civil Affairs Section
Allied Commission

Dear Ernest,

By this satisfactory?

grh

2514

9/193

J H 4 4

Declassified E.O. 12356 Section 3.3/NND No. 735016

COPY

From: Brig. G.R. UPTON,
VP CA Section, HQ AC.

APC 394

Ref: D.O. 9/3.1A/CA.

6 July 1945

Dear

Thank you for your letter dated the 18th of June.

As you said in your letter, there seems to have been a little misunderstanding with regard to the selection of the three officers for promotion. Thank you very much for clearing up that point. I have sent the information on to the officers concerned.

I am very glad we shall be able to count on the excellent work of these officers until the 31 July 45 as the Commission is very short of Public Safety Officers now that so many have had to be put across to work in Venezia Giulia.

Yours

Sir Harold Scott, K.C.B., K.B.E.,
Commissioner of Police,
New Scotland Yard,
London, S.W. 1.

2513

Declassified E.O. 12356 Section 3.3/NND No. 725016

From: Brig. G.R. URJOHN
VP CA Section HQ/AD

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DO/9/3.1/CA

6 July 45

Dear

I have had a word with the Admiral about AFHQ signal PX 14403 of 29 June. This, you will remember, is the signal to 13 Corps which reached you from IC Udine and which relates to possible Yugoslav claims at the Peace Conference.

The Admiral wants you to write an official letter to this HQ on the matter. His idea is that you write to the effect that your IC has received the signal and has asked for your advice, and that you wish to be instructed.

Will you kindly do this.

Yours

2512

Brigadier J.K. DUNLOP OBE. MC. TD
RC Venezia Region

DMC

MEMO FROM P.C. Vigne. O.

Subject

Date 2 June 45

The Regional Commissioner
Venezia Region

Ref attached

I am not replying to this until you have
seen it, as I know you have written to
H.Q., A.C. on the subject.
Would you therefore please let me have
your views as represented to Rome.

H.R. Bright
Lt. Col.
P.C. Udine

Appl. Petition by P.C. Venezia

*P.C. understands that there is to be a conference
at XIV Corps HQ with CAO ARHQ present.*

11 Oct. 6 July

Ref. Poppo & rep. No. 1. Dist.

2511

File on military Vela,

Declassified E.O. 12356 Section 3.3/NND No. 735016

C O P Y

Tel. Ext. 93

S E C R E T.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
UDINE PROVINCE

Subject : VENEZIA GIULIA

OA/V.G.

P.C. AMG. UDINE PROVINCE -

29 Jun 45.

Copy to : SCAO AMG 13 Corps.

1. Attached is a copy of A.F.H.Q. Signal PX
1440b dated 28 Jun 45.

2. As this concerns parts of your Province will
you send your views on the matter in due course
to SCAO, 13 Corps.

Sign. 7222
Major,
for Air Commodore,
H.Q. A.M.G. EIGHT ARMY.-

2510

C O P Y

4032

CIPHER SECRET

TO : action 13 CORPS

info 15 ARMY OF EIGHTH ARMY

FROM : AFHQ signed SACRED cite PHOCT PY 14403 28

1. At the Peace Conference it is likely that YUGOSLAVS will claim territory generally up to a line running NORTH and SOUTH between UDINE and GORIZIA to the AUSTRIAN frontier.

2. In order to provide data for the BRITISH and US representatives at the Conference you will examine the area generally between the MORGAN LINE and the line in para 1 with a view to providing full and accurate information on the following:

- (a) ETHNOLOGICAL details
- (b) local feeling in regard to final disposal of area
- (c) Economic considerations
- (d) Considerations particularly affecting TRIESTE and POLA
- (e) Communication problems
- (f) possible demarcation line

3. A report on the above will be submitted as soon as the necessary data is available unless called for earlier.

4. In view of probable early move of HQ EIGHTH ARMY to

AUSTRIA this instruction is addressed direct to 13 CORPS.

Distr : action C (OPS)

Infm. MA for GOC C of S COL GS BGS (I) CSI (I) C(P)

2509

(a) ETHNOLOGICAL details

- (b) local feeling in regard to final disposal of area
- (c) Economic considerations
- (d) Considerations particularly affecting TRIESTE and PULA
- (e) Communication problems
- (f) possible demarcation line

3. A report on the above will be submitted as soon as the necessary data is available unless called for earlier.

4. In view of probable early move of HQ EIGHTH ARMY to **2509**

AUSTRIA this instruction is addressed direct to 13 CORPS.

Distrn : action C (OPS)

infrm. MA FOR GOC C of S COL CS BGS (I) GSI (1) G(F)

POLITICAL ADV BA/Q AMO.

TOO 261916 THI..... TOR..... SMC 290535.

Declassified E.O. 12356 Section 3.3/NND No. 785016

PERSONAL

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION

3 July 1945

TO : Vice President,
Civil Affairs Section ✓
Chief Legal Officer

You may be interested to see the following extract from
a letter addressed to me by an officer of Finance Sub-Commission
now visiting Venezia Giulia:

" Regarding the enclosed letter, you may be
surprised at the "it is requested" tone. The reason
is that this outfit does NOT recognize itself as
under AC orders; and the legal officer is a type
who, on receipt of anything purporting to be an
order, is quite capable of recommending the reverse."

als.
Brigadier,
Joint Director,
Finance Sub-Commission

2508

Declassified E.O. 12356 Section 3.3/NND No. 73506

From: Brig. H.R. Upjohn.
VP CA Section, HQ AC.105A

APO 394

Ref: D.O. 9/3.1A/CA.

2 July 1945

Dear

I have received your important letter of the 1 July 45 by the hand of your Public Works Officer. I have not yet had an opportunity of digesting it fully but in view of the opportunity which has presented itself of sending this forward by the hand of an officer going North I thought you should have an interim reply.

Before the receipt of your letter, the general question of Bolzano had been considered by the Chief Commissioner at his Political Advisers' Conference this morning. I attach a copy of the Memorandum prepared by me for the Conference and of some draft Minutes of the decisions made by the Chief Commissioner thereon after seeking the advice of Mr. Ambassador Kirk, Mr. Hopkinson and myself. You will, of course, receive official instructions and directives in due course and these documents are sent to you solely for your confidential information.

This Commission heard, unofficially, this morning for the first time of the intention of the C.A.O., AMHQ, to hold a meeting on the 6 July 45 to consider the western boundary of Venezia Giulia. Your letter throws an interesting light on the situation and indicates that much larger issues may come under discussion at this conference.

I cannot, of course, make any official statement at this stage but after the discussions with the Chief Commissioner and his Political Advisers this morning I may confidentially inform you that the Chief Commissioner

- 2507
- (a) feels most strongly opposed to any variation in the 1939 Venezia Giulia boundary;
 - (b) that at the present the Chief Commissioner does not contemplate the retention under Allied Military Government beyond the 1 Sept 45 of any part of Northern Italy beyond Venezia Giulia.
 - (c) If and when the Chief Commissioner officially hears of any proposal to combine Udine with AMO XIII Corps, it will meet with the strongest possible resistance.
 - (d) Generally speaking, the policy of this Commission is against the

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- 2 -

creation of any further enclaves both on grounds of general policy and the difficulty of administration.

Yours

Brigadier J.K. Dunlop. OBE, MC, TD.
Regional Commissioner,
VENEZIA Region.

2506

TOP SECRET

HEADQUARTERS
VENETIAN REGION

Allied Military Government
APO 394

1 July, 1945

SUBJECT : Udine Province: Future Administration.

TO : H.Q., Allied Commission
Attention: Executive Commissioner.

1. On the occasion of the Chief Commissioner's conference held on the morning of Wednesday last, 27 June, I submitted a proposal that, whereas the seven southerly provinces of Venetian Region could be returned to Italian Government control by September 1st, the frontier provinces of Udine, Belluno and Bolzano should remain under A.M.G. control for a considerably longer period.

2. Since Wednesday morning certain important developments have taken place.

3. On Thursday morning a statement made by General McHarney in the United States was widely reported in the Allied and Italian press. The statement was to the effect that by September 1st, the whole of Northern Italy would be returned to Italian Government control except possibly for Bolzano and Venetian Giulia. By implication therefore the province of Udine would pass to Italian control at the same time as the rest of Northern Italy.

4. This morning at A.M.G. 8th Army it was learnt as a result of a telephone conversation Lt. Col. Barretti, G-5 A.F.P., with Major Wynors, A.M.G. 8th Army, that A.M.G. were studying a plan whereby, on September 1st, the province of Udine should remain under A.M.G. control, but should be linked with Venetian Giulia under 13 Corps.

2. Since Wednesday morning certain important developments have taken place.

3. On Thursday morning a statement made by General Scherzer in the United States was widely reported in the Allied and Italian press. The statement was to the effect that by September 1st, the whole of Northern Italy would be returned to Italian Government control except possibly for Bolzano and Venezia Giulia. By implication therefore the province of Udine would pass to Italian control at the same time as the rest of Northern Italy.

4. This morning at A.S.G. 8th Army it was learnt as a result of a telephone conversation Lt. Col. Barnett, G-5 A.S.G. with Major Synore, A.S.G. 8th Army, that A.S.G. were studying a plan whereby, on September 1st, the province of Udine should remain under A.S.G. control, but should be linked with Venezia Giulia under 13 Corps.

5. It was also learnt at the same time that there is, under consideration a plan for the immediate future whereby the rear boundary of 13 Corps should lie west of the western boundary of Venezia Giulia. This would presumably take effect when 8th Army moved into Austria. According to this plan, whereas most of the province of Udine would be within 101 Sub Area, some easterly communes would come within the territory of 13 Corps.

6. In view of these developments, it appears desirable to submit to you certain considerations in regard to the special position of Udine province. The arguments are illustrated by the attached marked up of the Frontier District.

7. The province of Udine became part of Italy in 1866 and, except for two small territorial gains at the close of the last war, referred to below, its frontiers have remained unchanged for nearly eighty years.

8. After the last war a small group of communes in the neighborhood of Tervizio were taken from Austria and added to Italy. The local population was a mixture of Austrian, Italian, and Slovene.

In the southeast corner of the province a piece of land round Carvignano, formerly Austrian, was incorporated in Udine, instead of being allowed to remain with the new Italian province of Trieste. The population of this territory is almost wholly Italian.

These frontier rectifications are shown on the attached map.

9. It is submitted that the present special position of Udine in the international political world depends on two main factors,

(1) Its importance as the line of communication for the British Army in Austria,

(2) the fact that Jugoslavs have stated their intention to make a claim at the peace treaty for the inclusion of a portion of Udine within Jugoslavia.

10. It is understood that, seeing that the port of Venice is now open, Trieste, in the future, will in the main be used for the local maintenance of Allied Troops in Venezia Giulia. The principal maintenance route for the British Army in Austria will be through the port of Venice, and then by road or rail via, Mestre, Treviso, Udine, Tarvisio. Part of this route runs close to the frontier of Venezia Giulia, much of it runs through territory claimed by Jugoslav nationalists.

11. Jugoslav aspirations may be said to take two forms, the first an extremist claim to include all the province up to the river Tagliamento, the second a much more strongly pressed claim to include all the eastern portion of the province up to the line Cividale-Farago-Cernigo. These lines are shown on the attached map.

12. It is to be expected that the Jugoslavs will

2504

10. It is understood that, seeing that the port of Venice is now open, Trieste, in the future, will in the main be used for the local maintenance of Allied Troops in Venezia Giulia. The principal maintenance route for the British Army in Austria will be through the port of Venice, and then by road or rail via, Mestre, Treviso, Udine, Tarvisio. Part of this route runs close to the frontier of Venezia Giulia, such as it was through territory claimed by Jugoslav nationalists.

11. Jugoslav aspirations may be said to take two forms, the first an extremist claim to include all the province up to the river Tagliamento, the second a much more strongly pressed claim to include all the eastern portion of the province up to the line Cividale-Margento-Monfalcone. These lines are shown on the attached map.

12. It is to be expected that the Jugoslavs will support their claims to this territory by all possible means, propaganda, infiltration of agents, threats of reprisals, etc. It is submitted that such pressure might easily be too strong for a recently reconstituted Italian administration, that, in fact, a state of serious unrest might develop across the lines of communication to Austria unless order were maintained by an adequate team of Allied Military Government.

13. It appears from the A.I.M.I. report already mentioned, that attention is already being paid to the need for A.I.M.I. in Udine in spite of its apparent divergence from the McNamara declaration. The plan is at present being considered that, presumably after September 1st, the province should be linked with Venezia Giulia under S.C.A.O. 11 Corps.

14. Such a linking appears to have many defects.

In the field of international politics it would undoubtedly give power and impetus to Jugoslavia No. 1 of securing territory in Udine. At the same time it would be a serious embarrassment to the new Italian Government.

As a matter of A.M.G. administration it would appear to reintroduce all the complications that were avoided when A.M.G. Venezia Giulia was divorced from A.M.G. Venezia Region. S.C.A.O. 13 Corps would have to administer two different systems of courts, two different police systems, two different financial systems, and to possess two localities. Moreover it would introduce a change after months of A.M.G. work during which A.M.G. Udine had been part of Venezia Region.

15. There are similar, and so nearly less grave, disadvantages in the suggestion that the rear boundary of 13 Corps should lie within the confines of Udine Province.

16. It is submitted that in this case the simplest solution is really the best. It has already been made clear that Bolzano will remain under A.M.G. control as part of the newly reconstituted Allied Mission. There should not be grave difficulty in announcing, at the earliest possible date, that in addition to Bolzano and Venezia Giulia, the province of Udine will remain under normal A.M.G. control. From evidence recently gained I am of the opinion that such a pronouncement would be welcomed by the majority of Italians in Udine.

17. Until the "link" plan referred to above was mentioned it was anticipated that No. 1 District with its headquarters at Padova would be the military formation responsible for the whole of Venezia, but not Venezia Giulia.

18. Inasmuch as for legal and financial reasons it appears desirable to have a regional echelon in Allied Military Government, it would appear most logical that A.M.G. in the province of Udine, Bolzano, and possibly Belluno, should be coordinated from a regional headquarters at Padova in close touch with headquarters, No. 1 District.

It would probably be desirable to have A.M.G. control

that Bolzano will remain under A.S.C. control as part of the newly reconstituted Allied mission. There should not be grave difficulty in announcing, at the earliest possible date, that in addition to Bolzano and Venetia Giulia, the province of Udine will remain under A.S.C. control. From evidence recently gained I am of the opinion that such a pronouncement would be welcomed by the majority of Italians in Udine.

17. Until the "link" plan referred to above was mentioned it was anticipated that No. 1 District with its headquarters at Padova would be the military formation responsible for the whole of Venetia, but not Venetia Giulia.

18. It is worth noting for legal and financial reasons it appears desirable to have a regional echelon in Allied military Government, it could appear most logical that A.S.C. in the province of Udine, Bolzano, and possibly Belluno, should be coordinated from a regional headquarters at Padova in close touch with headquarters, No. 1 District.

It would probably be desirable to have A.S.C. control over the commune of Verice, and to have liaison office at Treviso and Verona.

19. It is submitted that, in present circumstances, it is permissible to ask military administration to take into consideration political factors. It therefore is proposed that when H.Q. 5th Army moves to Austria in the near future, then H.Q. 201 Sub Area come under No. 1 District, and the territory of 201 Sub Area be co-terminous with the province of Udine. The rear boundary of 13 Corps would then be the present boundary between the province of Udine on one hand and the province of Trieste and Gorizia on the other. There would appear to be little administrative difficulty in allowing 13 Corps to retain local control over any of its technical administrations that have to be left behind in Udine provinces. There are plenty of precedents for such an action.

- 4 -

20. The scheme set forth in para. 19 above, to which the code name, "Scheme San Marco" could be given, would clearly be merged into the larger scheme set forth in the Chief Commissioner's memorandum to SACMEX.

21. It is submitted that scheme San Marco does provide a simple plan which can develop straight out of the present position with the minimum change of personnel or lines of command.

22. As it is believed that SAC, A.F.H.C. proposes to proceed to H.M. 6th Army on July 6th to discuss these plans, it appears desirable that the above recommendations should reach you as soon as possible. I am therefore sending a staff officer to your H.M. with these papers tomorrow.

Encl. (1 cap)

JMD/lsc


Regional Commissioner

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2502

Encl. (1 copy)

JKD/lge

Declassified E.O. 12356 Section 3.3/NND No. 75016

C O P Y

SECRET

EX 15370
JUN 301830B

E/7560
JUL 010930B
PRIORITY

AFHQ SIGNED SIGNED CITE PAGES AND FOR BENSON
ACTION 8TH ARMY, ALCOM ROME FOR LUSA.

SECRET

CAO will hold conference XIII Corps HQ probably 6 July at 1100 hrs.
to discuss final area of responsibility of XIII Corps. Suggest BENSON and
representative ALCOM and/or XII Region attend. Date to be confirmed later.
For ALCOM. Conversation BENN.LUSA 30 June refers.

DIST.

INFO ACTION: Ex. Commissioner 2
INFO : Chief Commissioner
File 2
Float.

2501

Declassified E.O. 12356 Section 3.3/NND No. 725016

From: Brig. G.R. UPJOHN
VP CA Section HQ/AC

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

1034

Ref DQ/9/3.1/CA ✓

30 June 45

Dear

Thank you for your letter of 27 June. I was very much interested by what you had to say.

It might be helpful to know that, at this week's meeting, some Regional Commissioners expressed the view that changes of Questori would be very much easier now that the new Government is in office.

Yours

Lt Colonel P.H. McLeary
IC VENEZIA Province

2500

7808

Declassified E.O. 12356 Section 3.3/NND No. 75016

From: Liaison, Colonel F. H. McGilvery
VENEZIA PROVINCE
(ENEZIE REGION)
ALLIED MILITARY GOVERNMENT
A P O 304

Miss H
D O
1036

27 June 1945
29 JUN 1945

My dear Brigadier

You may remember that the question of the
Question was discussed during your recent visit to Venice.

Things were rather beating up as it were
during your very short stay here; since then they have been
coming to a head, and I have thought it best to accept
the resignation of Dr. Angelo Basso Battistello, the
original nominee of the Committee here, and to give
approval for the action appointment of Dr. Cesare
Palmaneri.

Attached herewith EXHIBIT/VER/30 of today's
date shows what has been done.

I trust I am not out of order in writing
to you direct but as you were good enough to take an
interest in this matter I thought I would take the liberty
of bringing it to your notice by means of this D.C.
letter.

Yours sincerely

F. H. McGilvery

To: Brigadier G. R. Upjohn
Headquarters Allied Commission
C.E.F.

VP

Attached.

In my view the C.E.F. attitude was that they
have got a new Government as about

2499

(8955)

J H A 4

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1056

To: Headquarters, A.M.G., Venezia Region

Subject: Questura, Venice

File: RXII/VEN/30

Reference my memo numbered as above of the 11th June 1945.

The position in the Questura is still unsatisfactory and is, in fact, deteriorating.

From a conversation with Brigadier C.R. Upjohn I gather that, even if a Questore is chosen by the Rome Government, it is more than likely that some considerable time will elapse before he arrives in Venice.

The Committee, both Regional and Provincial, are set in their minds that in no circumstances will they accept anyone nominated by the Government in Rome.

For A.M.G. to insist in the face of this opposition (as of course in theory it can) upon the acceptance of a nominee from Rome would, I submit, be unfortunate. In my opinion it is better to adopt (if I may coin a phrase) an AC rather than an AMG attitude; we have not sufficient staff for the latter and the former may take place at any time.

I have therefore issued instructions that the resignation of Dr. Angelo Guido Battistello (which was tendered some time ago) be accepted, and that in ^{its place} Dr. Cesare Palmanteri be appointed acting Questore.

./.

8955

Declassified E.O. 12356 Section 3.3/NND No. 75016

-2-

I would be grateful if steps be taken for formal approval to be given.

Tru-clearing

Lieut. Colonel

Provincial Commissioner

27 June 1945.

Venania Province

Copy to: Brigadier C.R. Upjohn
Legal Officer
Public Safety Officer

1355
2497

Declassified E.O. 12356 Section 3.3/NND No. 735016

From: Brig. G.R. Upjohn.
VP CA Section, HQ AC.

102A.

APD 394

Ref: D.O. 9/3.1A/CA.

26th June 1945

Dear

Thank you for your letter re the city of Chioggia Proletaria.

A Commune has the legal right to accept a charitable gift for the benefit of its inhabitants and I suggest that the best course is to hand the three golden ornaments which were given to you over to the Prefect or Sindaco and ask them to sell the goods at the nearest Auction Mart for this type of goods and give the proceeds to the Sindaco for the benefit of the inhabitants.

Perhaps you would like to discuss this with me during the conference.

Yours

Brig. J.K. Dunlop, OBE, MC, TD,
Regional Commissioner, VENETIE Region,
c/o Headquarters, Allied Commission.

2496

102 b

Padova, 18 June 1945

Brigadier General

D U N L O P

Commandant of the Port of

P A D O V A

Your Excellency,

I am honoured to send you, through Prof. Avigliano, three objects of gold to be sold at an auction sale for the benefit of the unfortunate city of Chioggia Proletaria.

I am of low birth and have in the past known the bitterness of true misery; I know therefore what the words suffering, hunger and pain really mean.

I should like that these objects, as an expression of the ties which unite the true Italian people with the Allied Liberators, be given to persons who have had no connection, either direct or indirect, with fascism in such form as you may consider best.

With the money obtained I shall complete a welfare institute (the old fisherman's home), located in Chioggia, for which I have been working for years.

You may be sure that this gesture of understanding and humanity will be considered by me and by the people of Chioggia with gratitude and thanks.

Please accept my sincere and humble respects

/s/ Alfredo Bordin

VP Reply to Brig Dunlop (see attached)

Declassified E.O. 12356 Section 3.3/NND No. *75016*

JKD/day

102 c

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

My dear General

Not read

Will you please help me in a rather unusual situation. I attach herewith a letter which was brought into my office this morning. The bearer of the letter also brought 3 golden ornaments which appear to be quite valuable and were those referred to in the letter. I have ^{also} been asked if I would accept jewelry for sale on behalf of local charities.

I have steadfastly refused to be drawn into anything of this nature. There are obvious pitfalls and complications involved. At the same time I do not wish to appear to stand in the way of a very worthy cause and I wonder whether Mr. Myron Taylor's organization or some similar semi-governmental body would be prepared to accept such gifts and to dispose of them for the benefit of local or national charities.

Any advice you can give would be greatly appreciated.

Yours very truly

Headquarters Allied Commission,
Attention: Brigadier G. Upjohn

[Signature]

102A

C O P Y

Padova 18 Giugno 1945

Onorevole Brigadiere Generale

D U N I O P

Comandante la Piazza Forte di

P A D O V A

Eccellenza,

mi onoro mandarLe, a mezzo del Prof. Avigliano, tre oggetti d'oro da vendersi in una asta pubblica a favore della povera e sfortunata città di Chioggia Proletaria.

Sono un figlio del popolo che per il passato ebbe a conoscere la durezza della vera miseria, perciò so cosa vuol dire la parola sofferenza, fame, dolore.

Desidero che questi oggetti, a Suo mezzo, come espressione dei legami che uniscono il vero popolo italiano agli Alleati liberatori, siano in quella forma che Ella riterrà migliore, ceduti a persone che non abbiano avuto nessun legame, diretto o indiretto, con quel fenomeno d'infamia che si chiamò fascismo.

Con il denaro ricavato io penserò ad ultimare una opera benefica (la casa del vecchio pescatore) che sorgerà nella città di Chioggia e per cui, da anni, sto lavorando.

Sia certa, Eccellenza, che questo gesto di comprensione e di umanità, sarà da me e dal popolo chioggiotto, tenuto nella debita considerazione e già fin d'ora le esterno il mio devoto e sincero ringraziamento.

Pregandola di gradire il mio deferente ossequio,
la prego di credermi

Suo devotissimo

con devozione ALFREDO BORDIN

2493

Letter sent by Air Mail on 10 June 1945.

Addressed to: Sir Philip Game,
Chief Commissioner, Metropolitan Police, London.

Stated that it was understood that Sir Philip Game had written to

Lt. Col. Rowlerson,
Lt. Col. Briggs,
Lt. Col. Francis
and Major Gould

stating that if they could not be in England by 31 July 1945, their chances of future promotion might be endangered.

Owing to the very urgent need of Senior Public Safety officers and the very good job done by these particular police officers, and also to the delicate situation in the north, it was desired to retain these officers until 31 Jul 45, providing that it would not seriously endanger their chances of future promotion.

Brig. Upjohn felt sure that the difference in their leaving their stations on 31 Jul 45 and of their being in England on that date - a difference of at most 3 or 4 weeks - would not seriously prejudice their chances but that he would be grateful if Sir Philip Game could give him definite information on the point. Allied Commission was in a position to guarantee their release from their stations on 31 July.

The letter ended with a couple of paragraphs on the good work of the police officers and the good reputation which they had won not only among their British colleagues but also among their American Allies.

It was signed by Brig. Upjohn.

COPY OF CABLE.

SIGNAL TO TROOPERS FOR CHIEF COMMISSIONER METROPOLITAN POLICE, LONDON.

Dated: 10 June 1945.

FROM: ALCON CITE ACCAS SIGNED UPJOHN.

- 1 It would be much appreciated if the personal letter addressed to Sir Philip Game of today's date, subject Release of Lt. Col. Rowlerson, Francis, Briggs and Major Gould, could have your early attention and reply by fastest means available.

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From: Brig. G.R. Upjohn,
VP CA Section, HQ AC.

1802

Ref: D.O. 9/3.1A/CA.

25 June 1945.

Dear

I have been informed that Hilary Jenkinson arrived in Rome yesterday and I understood he is intent on making a study of modern archives in Italy.

Neither the Monuments, Fine Arts & Archives Sub-Commission nor myself had any prior warning of his arrival nor were our views on his proposed visit asked. I feel strongly, and M.F.A. & A. concur, that to allow Jenkinson to interfere, at this stage, in the modern archives of the Italian Government would be disastrous.

As you know, they are at the moment scattered over Northern Italy in dumps guarded partly by police appointed by the CINA and partly by 5 Army. Delicate and difficult negotiations are going on with a view to securing the return of these archives to Rome at an early date and I am very anxious that Jenkinson, who does not know the background and feeling in this delicate matter should not be permitted to interfere. Furthermore, a number of archives are under the personal guard of 5 Army and if he visits them he is bound to get their backs up.

I am satisfied with the way in which M.F.A. & A. are handling this matter and I propose, with your permission, to instruct M.F.A. & A. to inform Jenkinson that he cannot go into AMG territory for the purpose of inspecting these archives.

The matter is very urgent. Will you please let me have your decision as soon as possible.

Yours

Brigadier M.S. Lush, CB, CBE, MC,
Executive Commissioner,
Headquarters Allied Commission,
APO 394

2490

Declassified E.O. 12356 Section 3.3/NND No. 785016

FROM: Brig. G.R. Upjohn,
VP CA Section, HQ AC.

996

Ref: D.O. 9/3.1A/CA.

25th June 1945

Dear

Thank you very much for sending me that extremely nice album of photographs taken during Field Marshal Alexander's review of the Carabinieri Parade in Rome. The Parade was an excellent one and your album will be kept among my treasured souvenirs of pleasant interludes in Italy.

I do hope that the Parade helped to inspire the Carabinieri with an even greater sense of duty and responsibility which they will need in the future to help them rebuild their country.

Again with many thanks for your very kind gift.

Yours

General Brunetti,
Commanding General,
Headquarters, Carabinieri Reali,
R O M E.

2489

Declassified E.O. 12356 Section 3.3/NND No. 735016

TRANSLATION NO. 792

R. CARABINIERI REGALI

ROME, 10 June 1945

13

Dear General,

Thinking it might interest you, I am sending you the album of photographs taken during Marshal Alexander's review of Carabinieri units in Rome. I regret that owing to present circumstances I am unable to present it to you in a more worthy form, as I should have desired.

My best regards.

s/ Brunetti

BRIGADIER G. R. UPJOHN
ALLIED COMMISSION
ROME

2488

4419



COMANDO GENERALE DELL'ARMA
DEI CARABINIERI REALI

IL COMANDANTE GENERALE

Roma, li 10 giugno 1945

99a

1945

Mio caro Generale,

nella lusinga che vorrà gradirlo, le invio l'unito album
di fotografie relative alla rivista passata dal Mare-
sciallo ALEXANDER ai reparti dell'Arma della Capitale,
spiacente solo che la situazione attuale non mi abbia con-
sentito di presentarlo - come sarebbe stato mio vivissimo
desiderio - in forma più degna.

Con i migliori saluti,

Offiz.
Gen. *Prinetti*

Per il Brig.

G. R. U P J O H N

Commissione Alleata

R O M A

2487

4419

Declassified E.O. 12356 Section 3.3/NND No. 73506

23 GIU. 1945

98

HEADQUARTERS ALLIED COMMISSION
 APC 394
 FINANCE SUB-COMMISSION.

23 June 1945.

TO : The Executive Commissioner.

You may be interested in the following extract from a letter dated 20 June addressed to me by Colonel H. G. Crossman who is now in London:-

"The main trouble is that no one is the least interested in Italy, either Speed, Key or Wade. It is with the greatest difficulty they can be persuaded to devote five minutes to it and they adopt the attitude that the whole thing doesn't really matter a damn. Wade seemed quite surprised to hear that the Finance Sub-Commission still had any work to do. I gather that the new directive will be out very soon and that it should go a long way towards putting us out of business. Also the Allied Commission is to pull right out of anything to do with imports and TUI 456 is to be abolished. My lower level contacts in the War Office inform me that they are going to take a strong line over closing down the Allied Commission, which they hope to do with the minimum delay."

als
 2486
 Brigadier,
 Joint Director,
 FINANCE SUB-COMMISSION.

Copy : Brigadier Anderson ✓

APCS/ht.

Declassified E.O. 12356 Section 3.3/NND No. 735016

From: Brig. G.R. Upjohn.
VP CA Section, HQ AC.

96

Ref: D.O. 9/3.LA/CA.

23 Jun 45

My dear

Many thanks to you for your very kind hospitality when I visited Bolzano last week.

I enjoyed myself immensely. Thank you so much for making my stay so comfortable.

Yours

Colonel H.E. Fiske,
Deputy Executive Commissioner,
MILAN.

2485

Declassified E.O. 12356 Section 3.3/NND No. 7506

From: Brig. G.R. Upjohn,
VP CA Section, HQ AC.

94.

Ref: D.O. 9/3.1A/CA.

29 Jun 45

Dear

Many thanks for your hospitality when J/Cdr. Harvey and I visited Venice this week.

We enjoyed ourselves immensely and thank you very much for conducting us round some of your area at that very late hour! It was most enjoyable.

I do hope your sister managed to get her passage on the aeroplane satisfactorily.

Again, many thanks.

Yours

Lt. Colonel F.H. McCleary,
Provincial Commissioner,
VENICE.

2484

Declassified E.O. 12356 Section 3.3/NND No. 785016

From: Brig. G.R. Upjohn,
VP CA Section, HQ AC.

93

Ref: D.O. 9/3.1A/CA.

23 June 1945

My dear

Many thanks for your hospitality when J/Cdr. Harvey and I visited Padova this week.

I had a very good trip back to Rome, leaving your mess at 6.15 a.m. and arriving here at 1730 hrs in spite of a puncture and petrol trouble!

Again, many thanks.

Yours

Brigadier J.F. Dunlop, O.B.E., M.C., T.D.,
Regional Commissioner,
VENETIE Region.

2483

Declassified E.O. 12356 Section 3.3/NND No. *725016*

From: Brig. G.R. Upjohn.
VP CA Section, HQ. AC.

92

Ref: D.O. 9/3.1A/CA.

29 June 1945

Dear

Thank you very much for your kind invitation to a cocktail party on Wednesday, June 27th at 6 p.m.

Junior Commander Harvey and I have much pleasure in accepting your invitation.

Yours

General de Sevin,
Commission de Controle Alliee en Italie.
11, Via San Valentino,
R O M E.

2482

HEADQUARTER 3
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

91

To : Brigadier G.R. Upjohn,
VP CA Section, HQ. AC.
Subject : Release of Officer personnel.
File No: R XII /FS/1.1.

Date 13 June 1945.

Dear Sir,

I thank you for your letter of 9 June respecting my release from AMG.

I have had a further letter from Sir Philip Game regarding the matter and it now seems they have changed their method of selecting Senior officers for promotion in the police.

As the thing is now nowhere so definite as Sir Philip's first letter inferred, I have replied that I think the most sensible thing I can do is to remain here until I am definitely required at home and that I relinquish my claim to automatic release under Group 1 until this point is cleared and I know I am to be promoted.

Personally I am in no hurry to go home, but I naturally do not want to miss the chance of promotion if it comes my way.

I have already forwarded copies of this latest correspondence to my chief in Rome, Col. J.W. Chapman and to Sir Philip Game.

Sincerely yours,

W. Lawrence

It. Col.

Regional Public Safety Officer,
Venezie Region.

2481

Declassified E.O. 12356 Section 3.3/NND No. 735016

From: Lt. Col. A.D. Bonham-Carter.
CSO CA Section, HQ AC.

90

11 June 1945

Dear

Brigadier Upjohn has been called away suddenly as he is taking a prominent part in a conference on the settlement in Trieste. He went at very short notice and having failed to get you on the telephone on two occasions, asked me to write and pay his respects.

He regretted very much that he was unable to see you last night as he had intended but was sent for by the Ambassador with whom he remained till a very late hour.

He and I both hope very much that you have accomplished what you set out to do and that the arrangements were satisfactory to you. I need hardly add that we here are all most grateful to you for coming.

With very best wishes.

Lady Baden-Powell,
Grand Hotel,
R O M E.

2480

From: Brigadier J.K. Dunlop, OBE, MC, TD

89

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

8 June, 1945

Dear General.

12 JUN 1945

82

Your letter enclosing the letter from General Brownjohn arrived just before I went over to Cervinagno. I therefore left the letter in the hands of Harold Cookson at that place and I think that he should be able to find the answer required. *He gave me all the information I required.*

Yours faithfully

G.R. Upjohn

Brigadier G.R. Upjohn
Vice President Civil Affairs Section
Headquarters
Allied Commission

DO/JKD/lgc

21/6/45

Declassified E.O. 12356 Section 3.3/NND No. 75016

88

Ref: D.O. 9/3.1A/CA.

6 June 1945

Dear

Thank you for Major Fielder's report, now received.

I am sorry you and he should have been troubled with an investigation of so obviously worthless a person.

Yours

Lt. Col. C.T. Francis,
Regional Public Safety Officer,
Lombardia Region.

2470

Declassified E.O. 12356 Section 3.3/NND No. 73506

87a

Ref: D.O. 9/3.1A/CA.

4 June 45

Dear

Thank you for your letter dated 2nd June and for sending Major Wielders to Como to make the enquiries with regard to Doctor Antonio de Vito.

You state in your letter that you enclosed his report but I am afraid no report was enclosed.

Yours

Lt. Col. C.T. Francis,
Regional Public Safety Officer,
Lombardia Region.

2477

876

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
Regional Public Safety Office

2 June 1945.

Dear Brigadier

Upon receipt of your letter of 30 May, ref. D.O. 9/3. IA/CA, I sent Major Fielders to Como to make the inquiry regarding Doctor Antonio de Vito and I enclose his report.

It is something to know that the Doctor is alive and well. I did not pursue the enquiry as Modena is outside my Region.

Yours sincerely

W. H. H. H.

Brigadier G.R. Upjohn
HQ. AC.
Civil Affairs Section.

2470

Declassified E.O. 12356 Section 3.3/NND No. 7506

PERSONAL AND CONFIDENTIAL.

86

Ref: 1DC/EG.

2 June 1945.

My dear Sir Frank:

We shall be losing amongst the first batch of our officers entitled to depart on the release scheme two of our best Public Safety officers, Lieut.Colonel C.T. FRANCIS, OBE and Lieut.Colonel ROWLERSON, both of whom have applied to return to the Metropolitan Police Force.

Francis has been Regional Public Safety Officer in Lombardy centred on MILAN and Rowlerson has had the same appointment in VENICE Region. Both have done particularly well. You can imagine that in the aftermath of the war in Northern Italy and the control, before our entry, by the partisans, public security was very shaky and the Public Safety Officers had an extremely difficult task in getting the matter under control. Their chief trouble, of course, was the indiscriminate killings by the partisans, and later by hoodlums, of Fascists or so-called Fascists. It must have been most distasteful to a British trained policeman to find such lawlessness and such brutality. But to their great credit both these officers tackled the matter with determination with great vigour and fearlessness. The result has been that the situation is now nearly normal and unless we get, as we may well do, a critical political situation it should continue on normal lines.

Francis, I think, probably had the harder task and has acquitted himself in outstanding manner. He well deserves his OBE for work in NAPLES and elsewhere and deserves more now. Rowlerson has also done extremely well.

I hope that these two officers by their service abroad which has added immeasurably to the facility and success of AUC will not lose in any way in their own force by their service with the Allied Commission but rather will gain not only in experience but in the more tangible manner of promotion.

I remember with pleasure your visit to Italy and I hope that we shall see you again when perhaps you have toured the more uneasy territories of Germany and Austria.

Yours sincerely

(Signed) Maurice Lush.

Sir Frank Brook, K.B.E.,
H.M. Inspector of Constabulary,
HOME OFFICE,
London.

Copy to: VP, CA Section.

2475

Declassified E.O. 12356 Section 3.3/NND No. 725016

85.

Ref: D.O. 9/3.1A/CA.

1 June 45

Dear

I have spoken to our Establishment Section and confirm that this Headquarters is willing to carry you on its strength for a period of 3 months from the 1 June 45 to enable you to wind up your work in Rome on behalf of the Liaison Section. AFHQ.

Yours

J. H. H.

Lt. Colonel Count J. de Salis.
Advance Liaison Officer,
Allied Force Headquarters.

Copy to: G-1 (B)
(Attn. Col. Ritchie.)

2474

Declassified E.O. 12356 Section 3.3/NND No. 725016

84

Ref: D.O. 9/3.1A/CA.

30th May 1945

Dear

Thank you very much for your letter and for the particulars regarding Conte Giovanni Tonnetti.

I have sent Major Harris' letter on to Tonnetti's cousin, Guido Branca.

Yours

Lt. Colonel A.W. ROWLSON,
R.P.S.O.,
VENETIAN Region.

2473

Declassified E.O. 12356 Section 3.3/NND No. 785016

83

Ref: D.O. 9/3.LA/CA.

30th May 1945.

Dear

Further to our conversation this morning, the attached letter may interest you as it contains information about your cousin - Count Giovanni Tonnetti.

Yours

Mr. G. Brance,
Grand Hotel,
R O M E.

2472

HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

Date 28. 5. 45

To :

Subject :

File No: R XII

Dear Sir.

I forward you a
report from Major Harris
R.A.S. Venice in regard
to the Tonetti family. You
asked about them when you
were in Padua.

Sincerely yours
W. Lawrence.
R.A.S.

VENEZIA PROVINCE
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
A P O 394

Public Safety
24. V. 1945

SUBJECT : Conte Giovanni Tognetti
TO : R.P.S.O., Venezia Region, A.M.G.

(through P.C.)

1. Reference attached.

2. I have personally seen Conte Giovanni Tognetti. He and his family are well, and living at the Hotel Cavalletto, Venice. (Not at the address mentioned in the letter.)

3. He is actually Regional Commissioner for Justice and Military Affairs under C.I.N. He is therefore a member of C.N.I. for this Region.

He has been, during German occupation, detained for 7 months in S/S/ Prison, and was released only 2 days after liberation.

L. X Bologna



M. Harris
H.S.HARRIS, Major
R.P.S.O., Venice Province

x Perhaps Brig. Tognetti would be good
for this case

Biadetto, Venice. (Not at the address mentioned in the letter.)

3. He is actually Regional Commissioner for Justice and Military Affairs under C.I.N. He is therefore a member of C.N.I. for this Region.

He has been, during German occupation, detained for 7 months in S/C/ Prison, and was released only 2 days after liberation.

Lat Bologna



M. Harris

H.S. HARRIS, Major
P.P.S.O., Venice Province

*x Perhaps Brig. D'Almeida would be good
example to inform Corsetti's career
Guido Branca of Potenza as above.*

REGION

247U

*SAFETY 21.5.45
100 No. 10/12
init. Wm*

100. VENEZIA REGION
9795
Date Rec'd MAY 26 1945

Declassified E.O. 12356 Section 3.3/NND No. 735016

82

Ref: D.O. 9/3.1A/CA.

30 May 1965

Dear

I have received your letter asking if I can find out any information with regard to the whereabouts of Rosetta ZOLI. As you know, we are not yet in Trieste, but I have forwarded your letter to the appropriate AMB Officer, who will, I hope, have some success in tracing Rosetta ZOLI.

Yours

Maj-Gen. N.C.D. Brownjohn, CB, DFC, MC,
General Headquarters,
Middle East Forces.

2469

Declassified E.O. 12356 Section 3.3/NND No. 735016

8/a

Ref: D.O. 9/3.1A/CA.

30 May 45

Dear

I have received the attached letter from Maj-Gen Brownjohn, M.E.F. which I am forwarding to you for appropriate action when ASD is in Trieste. Sorry to bother you with this but I cannot very well ignore his letter!

Yours

Brigadier J.K. DUNLOP, DSS, MC, TC.,
Regional Commissioner,
YENKIE Region.

*Reply on 24 Aug 45
in Vol. II*

2460

Declassified E.O. 12356 Section 3.3/NND No. 785016

C O P Y

816

Major-Gen. N.C.B. Brownjohn,
CB, DFC, MC,
GENERAL HEADQUARTERS,

MIDDLE EAST FORCES.

13 May 45.

Dear Upjohn,

I am most anxious to find out, if possible, the whereabouts of an Italian girl, and Tom McCarthy suggested that I should write to you and ask if you would be kind enough to have enquiries made. Her name and last known address are:

Rosetta ZOLL,
Via Cologne 11/12
TRIESTE.

She is the sister of a Mrs. Willis, the widow of a RAF officer, who is now working in Cairo for the RAF at their transit station at the Helwan Palace Hotel. Mrs. Willis has not had news of her sister for some months and is naturally very anxious.

I should be most grateful if you could let us have any information and I hope that you will not mind my troubling you on this personal matter at a time when I know that you must be extremely busy.

Yours sincerely,

(Sgt) NCB Brownjohn.

Brig. Upjohn, FC,
Civil Affairs Directorate,
ASHQ.

2467

Declassified E.O. 12356 Section 3.3/NND No. 785016

80 A

Ref: D.O. 9/3.LA/CA.

30 May 45

Dear

Principessa di Pessiano is a personal friend of mine (American by birth). She has sent me the enclosed particulars (translation attached) of Doctor Antonio de Vito. I should be most grateful if you would let me have any information as to the exact whereabouts and position of Dr. de Vito, who was last heard of in Como.

I hope you will not mind my troubling you on this matter at a time when I know you must be extremely busy.

Yours

Lt. Col. C.T. FRANCIS.
Public Safety Officer,
LOMBARDIA Region.

2466

0 8 9 8

Declassified E.O. 12356 Section 3.3/NND No. 735016

C O P Y

808

TRANSLATION

From: Principessa di Bassiano.

Doctor Antonio de Vito, son of the late Giacomo and of Emilia del Giudice, born in Bari, on August, 12th 1901.

Deputy Director of the Ortofloriculturist Economics Branch of the Agriculturist Confederation at Erbe (province of Como).

At one time on the strength of the Agricultural Confederation of Rome, in October 1943 he was ordered to transfer to the Enterprise's HQ in Northern Italy.

The father of five children between the ages of three and fourteen and in a financial position that could not be considered as flourishing, he was forced to move to the North in order to be able to provide his family with the necessary income.

Educated in accordance with the most healthy and moral principles, he is incapable of violent sentiments or gestures. In politics he has always been of the most genuine good faith.

According to indirect news received from the North, Director de Vito appears to have been arrested at Erbe and taken to Como where he has been delivered to the local prison or concentration camp for political reasons.

Bearing in mind Doctor de Vito's seriousness and his character, not given to abuse or violence, it is to be believed that his arrest has been the result of false accusations made by irresponsible elements moved by a desire for revenge or evil-doing.

(Sgt.) de VITO,
Via Montevideo 10.

Tel: 862512 ROMY.

F.M.De J./O.D.

, 2465

TRANSLATION

FROM: Principessa di Bassiano

Doctor Antonio de Vito son of the late Giacomo and of Emilia del Giudice, born in Bari on August 12th. 1901.

Deputy Director of the Ortofloriculturist Economics branch of the Agriculturist Confederation at Erba (province of Como).

At one time on the strength of the Agricultural Confederation of Rome, in October 1943 he was ordered to transfer to the Enterprise's HQ in Northern Italy.

The father of five children between the ages of three and fourteen and in a financial position which could not be considered as flourishing he was forced to move to the North in order to be able to provide his family with the necessary income.

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According to indirect news received from the North, Doctor de Vito appears to have been arrested at Erba and taken to Como where he has been delivered to the local prison or concentration camp for political reasons.

Bearing in mind Doctor de Vito's seriousness and his character not given to abuse or violence it is to be believed that his arrest has been the result of false accusations made by irresponsible elements moved by a desire for revenge or evil-doing.

Sgd. DE VITO

F.M. De J./O.D.

Via MONTEVIDEO 10
TEL. 862512 ROMA

80c

PRO-MEMORIA (da parte PRINCIPESSA DI BASSIANO)

Dott. ANTONIO DE VITO fu Giacomo e Emilia Del Giudice, nato a Bari
il 12 Agosto 1901.

Vice direttore dell'Ente Economico Ortofrutticoltura della Confederazione Agricoltori - ad Erba (prov. Como).

Già di ruolo nel personale della Confederazione Agricoltori di Roma, venne nell'ottobre 1943, comandato e trasferirsi nella Sede dell'Ente in Italia Settentrionale. Padre di 5 figli tra i 14 e 3 anni e di condizioni economiche non privilegiate dovette di necessità trasferirsi al nord per conservare alla famiglia il sostentamento indispensabile.

Educato secondo sani principi di morale e di vita e' persona aliena da sentimenti e gesti violenti. Nelle idee politiche e' stato sempre nella più genuina buona fede.

Secondo notizie pervenute non direttamente dal nord, il Dott. De Vito risulterebbe esser stato fermato ad Erba e tradotto a Como ove sarebbe rinchiuso in quel carcere o campo di concentramento per motivi politici.

Data la serietà del dott. De Vito, ed il suo temperamento non

condizioni economiche non privilegiate dovute di necessita' trasferirsi al nord per conservare alla famiglia il sostentamento indispensabile.

Educato secondo sani principi di morale e di vita e' persona aliena da sentimenti e gesti violenti. Nelle idee politiche e' stato sempre nella piu' genuina buona fede.

Secondo notizie pervenute non direttamente dal nord, il Dott. De Vito risulterebbe esser stato fermato ad Erba e tradotto a Como ove sarebbe rinchiuso in quel carcere o campo di concentramento per motivi politici.

Data la serietà del dott. De Vito, ed il suo temperamento non dato al sopruso ed alla violenza e' da ritenere che il fermo sia stato operato in conseguenza di accuse infondate mosse, per motivi di vendetta o di cattiveria, da elementi irresponsabili.

De Vito
Via Montevideo, 10
Tel. 862512 ROMA

2463

2462

HEADQUARTERS ALLIED COMMISSION
AND
LOCAL GOVERNMENT SUB-COMMISSION
PATRIOTIC BRANCH

79
Confidential

Ref: 11/2/PAC

18 May 45

To Civil Affairs Section.

Subject: Releases - Officers.

1. Ref para 5 of this HQ letter 9 -18/240/1/A of 14 May.

2. I do not ask for consideration nor expect it, but would draw your attention to the following facts:

- (a) At the beginning of the war my medical category was C 2.
- (b) Through years of over work and nervous strain in His Majesty's Service, I am now mentally and physically only 30% efficient.
- (c) On 21/5/44 a medical examination showed "severe nervous strain" and a recommendation was made for a complete rest. This could not be done.
- (d) Since then I have been subjected to two attacks.
- (e) I have never allowed sickness to interfere with duty.
- (f) The war in Europe is over and the whole object of keeping me here has gone.

3. If it is absolutely imperative that my services are still ~~needed~~ *requested* I will remain and labour on with pleasure, but this Branch is well organised and in capable hands, and I feel that the concession should be granted.

Kraig Lt Col

F. CRAIG Lt Col, MC.

D/Director.

Local Government Sub Com.

2461

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 398
CIVIL AFFAIRS SECTION

Ref: P.O. 9/3.1A/CA.

18 May 45

Dear

Thank you for your letter re Aquila. Brig. Low doesn't take a very strong view about it and says don't worry any further unless we hear from him again.

Yours

gpb

Colonel G.H.A. FREEMAN,
Regional Commissioner,
UMERIA MARCHE Region.

2460

78a

D.O.

Colonel C.H.A. FRENCH
Regional Commissioner
Umbria-Marche Region.

15 May 45

16 MAG 1945

My dear *Gerald*.

1. I have been informed that a certain amount of hostility is being directed by people of AQUILA against certain of the officers who are running the hotel there.
2. There were no signs of any such hostilities when I was at AQUILA and Brigadier Low of R.A.A.C., who is my informant, thought the report may have been exaggerated. You might like to ring him up.
3. If there is anything in it and you would like me to go down in my capacity as Liaison Officer to the ABRUZZI and investigate, will you please ring me.

Yours *Sincerely,*

Paul Stevenson

Brigadier G.R. UPJOHN
HQ. AC. ROME.

Copy to: Brigadier A.LOW R.A.A.C.

2459

5982

Declassified E.O. 12356 Section 3.3/NND No. 785016

ALLIED COMMISSION
INTER-OFFICE MEMORANDUM

77b

SUBJECT:

FILE NO.

TO

Al Cripps.

194

For info + return.

grsh

Trigadin UPSON

AKA Hank you Sir.

11 MAY 45

R. Cripps

2458

Declassified E.O. 12356 Section 3.3/NND No. 735016

CONFIDENTIAL.

HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

Ref: 205/ /EC.

11 May 1945.

Dear Mr. John.

I refer to your letter DO.9/3.1A/CA of 5 May 1945.

So far there is no indication as to the form this HQ will take when AC is disbanded. It is, however, reasonable to suppose that a military disarmament mission will remain and that a strong Allied economic mission or board will be required for some time. The officers required (as military officers or as civilians) will, therefore, be those with military or economic background.

Those officers who choose to waive their rights under the release scheme will presumably be made available to serve with Civil Affairs in any theatre. In view of the long term policy of occupation of Germany, Austria and the Far East, it seems certain that they will serve for some considerable time as soldiers.

The only information available regarding joining H.M. Colonial Service was circularised under letter G-1B/242/C dated 25 April, which forwarded War Office letter No. CA9/EM445/C.A. of 12 April.

Auxiliary questions re wives, pay, allowances, etc., are usually dealt with very soon after cessation of hostilities, and we have no information at this date.

In addition to the above a registration scheme was distributed under G-1B/3/A dated 18 Oct 45 and this concerned post-war employment with Civilian Tripartite High Commissions for Austria and Germany. Many names were submitted to the office of G-1(B) and they were all forwarded to AFHQ for onward transmission to the War Office.

L. J. S. L.

Brigadier G.R. Upjohn,
Vice President,
Civil Affairs Section.

Maureen Lavel

2457

Declassified E.O. 12356 Section 3.3/NND No. 785016

ALLIED COMMISSION
LIAISON OFFICE
BARI

10 MAG 1945 76b

May 5, 1945

My dear *Brigadier,*

Further to my D.O. letter to you dated 28 April '45 about Jones and my telephonic conversation with your P.A. of 5 May '45 I have to day forwarded AF B194D officially to your H.Q.

I shall be glad if you will give its passage a favouring breeze.

Yours *Sincerely,*

J. P. Gorton.
—

To: Brig. G. Upjohn,
c/o A.C. H.Q. C.M.F.

2456

5035

Confidential

ALLIED COMMISSION
LIAISON OFFICE
BARI

3-MAG 1944 76a

April 23, 1945

My dear *Bugachis,*

Rec 4/16

1) I trust you will pardon the liberty I take in writing demi-officially to you in the matter which follows but I feel I should do something about it.

2) Capt. W.E. Jones who is, as you know, assisting me here, has been on the staff of A.M.G./A.C.C./A.C. since September 1943 and he has functioned in Bari as Executive Officer since September 1944.

3) He tells me that he was drafted to our Unit on the express representation of somebody in Wimbledon that upon embarkation he would assume the rank of Captain, G.S.O. 3.

4) I will not weary you with the whole history of the case. It will no doubt be readily available to you at H.Q. Suffice it to say that Jones has already been authoritatively informed that the man in Wimbledon had no right to make him a Captain and that accordingly his rank is still that of a Lieutenant.

5) He tells me that out of consideration for the embarrassing position in which he would find himself if, after wearing three pips he had suddenly to revert to two, he has been permitted by successive C.O.s to retain the local rank of Captain.

6) He has now been a Lt. for more than 18 months and I am wondering whether something cannot now be done to remedy this position.

7) During the short time I have been here I have found him an excellent executive officer - loyal, willing, hard-working and efficient in the execution of all orders issued to him. During my many absences from this H.Q. on duty in the provinces

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6) He has now been a Lt. for more than 18 months and I am wondering whether something cannot now be done to remedy this position.

7) During the short time I have been here I have found him an excellent executive officer - loyal, willing, hard-working and efficient in the execution of all orders issued to him. During my many absences from this H.Q. on duty in the provinces I have to leave the office entirely to him (he is the only officer I have to assist me in this job as you know) and I can say that he has given me every satisfaction in the way he does his work. He is in my opinion fit for promotion to the rank of Captain and I shall be glad of anything you can do in this direction.

8) As you know I particularly asked you to leave him here with me and you very kindly did so. For this I am grateful to you. If his promotion can be facilitated by the submission of any forms to be filled in by me I shall be glad to do this.

Yours

Thi
T. A. Dawson

To: Brig. G. UPJOHN
C/O A.C. H.Q.
C.M.F.

Declassified E.O. 12356 Section 3.3/NND No. 725016

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

3 May 1945

Dear Gerald:

I have your note of 29 April 1945. You are not the first to bring us the news of the acquittal. Brigadier Napier had already told us of this and informed us that opinion in No. 3 District does not support the acquittal; in fact it attributed it to Di Amico being at large. Was there any indication, so far as you know, of tampering with the witnesses?

I had hoped we were rid of this mess.

Pass to legal for comment on
last sentence. *gpm*

Brig. G. R. Upjohn
Vice President
Civil Affairs Section
Allied Commission
A.P.O. 392

Sincerely yours,

Charles H. Stafford
CHARLES H. STAFFORD
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

2454

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: D.O. 9/3.1A/CA.

5 May 45

Dear

In recent weeks a number of British Officers both at this Headquarters and in the field have spoken to me of their future. They sense a feeling of the dissolution of Allied Commission in the next few months (or at any rate of M.G. jobs in the field and of C.A. Section activities at Headquarters) and some of them are willing to stay in, in some sort of capacity and are anxious as to what the future holds in store.

The sort of questions I am constantly being asked (as no doubt you are) are:

1. Can they stay on at A.C. HQ when the field jobs wind up and if so would this be as a soldier or a civilian?
2. Will it be possible to join the German or Austrian outfits at a later stage and if so as a soldier or civilian?
3. Will it be possible to join H.M. Colonial Service; it has been stated that H.M. Government have recently advertised for applicants in London.
4. All sorts of auxiliary questions re wives and pay and allowances and general conditions of service.

These officers are rightly now thinking ahead of their own futures in relation to Allied Commission and in fairness to them it would be most helpful if some statement of policy, even of the most general sort, could be put out so that officers may have some chance of planning their post war lives.

Yours

Brigadier M.S. LUTH, CBE, MC.

Declassified E.O. 12356 Section 3.3/NND No. 785016

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

73

1 May 45

D.O. 9/3.1/A/CA.

Dear

(Armstrong)

I have sent your letter with enclosures to the C-1 (A) (see copy letter attached) which I am informed is the best that can be done in the circumstances. It is not possible to antedate Lt. Moran's original promotion.

In fairness to you I should point out that it is a mere surmise on Moran's part that his promotion was retarded by reason of your entry in his record card.

Yours

Lt. Colonel F.J. ARMSTRONG,
HQ, VENIZIA Region.

452

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APD 301
CIVIL AFFAIRS SECTION

72(a)

D.O. 943.1A/CA

14th May 1945

My dear

(Nowworthy)

BRITISH TENANTS OF APARTMENTS
IN ITALY

1. Under both British and Italian law a lease does not come to an end on the outbreak of war and rent continues to accrue thereunder. (See Oppenheim pp 257-9).
2. We could of course ask the Italian Government to alter their law so that rent did not accrue; this would be to the advantage of the British tenants but to the disadvantage of British landlords.
3. I do not feel that without an instruction from higher authority the Commission at this stage ought to ask the Italian Government to interfere with the rights of private persons.
4. The Property Control Branch of the Finance Sub-Commission do not normally interfere with private rights. They merely preserve property pending a determination in the appropriate Court as to the legal rights in respect thereof. In the case of Lady D'Abernon they could take her furniture into custody to prevent its distraint while the Commission remained in being but of course this would not solve the ultimate question of its liability to suffer distraint for non-payment of rent.
5. The landlord committed an offence in not disclosing the existence of the lease to Lady D'Abernon on the outbreak of war (See Arts. 309 and 347 of R.D. 1215 of 8 July 38 - Legge di Guerra). This fact, however, is legally irrelevant, whatever other value it may have.
6. I return your letter to Sir John Serrao.
7. Please let me know if I can help you further in this matter.

Yours

2452

Mr. R.L. Nowworthy,
British Embassy,
R O M E.

12 (B)

HEADQUARTERS ALLIED COMMISSION
APO 3D4
LEGAL SUB-COMMISSION

3-MAG 1944

AG/4005/L.

9 May 1948.

SUBJECT : Legal Opinions.

TO : V. P., C. A. Sec.

1. Reference the attached letter to Sir John Gerard, this Sub-Commission is of course always prepared to place its legal resources at your disposal, but we must place on record that we do not believe it to be our duty to advise individual British (or American) subjects upon their rights under Italian law, still less to advise the official legal advisor to the British Embassy.

2. Upon the specific point raised, however, the position is I think clear. A lease does not come to an end automatically on the outbreak of war, and rent continues to accrue thereunder. See Oppenheim pp 237-9 and Halsey v Esplanade (1916) 2 K.B.707.

3. It is not true that British subjects have been "deprived of the use" in consequence of Italy's declaration of war, since several British subjects have continued to reside in Italy and occupy leased houses. Furthermore, even if it were it would be quite irrelevant.

4. On the further point you raised, the landlord should have reported the existence of the lease with an enemy alien tenant. See Arts. 309 and 347 of R.D. No. 1413 of 8 July 1938 - Legge di Guerra. This, however, has only a blackmail value.

W. E. Bennens

W. E. BENNENS,
Colonel,
Deputy Chief Legal Advisor.

WEB/wcw.

2451

2451

Declassified E.O. 12356 Section 3.3/NND No. 75016

72(c)

C O P Y

British Embassy,
ROME.

51/38/45.

26th April 1945.

My dear Serreo,

We spoke this morning on the subject of the liability of British tenants of apartments in Italy who are now being pressed to pay arrears of rent accumulated during the years of the war. The telegram from the Foreign Office is as follows:-

"My attention has been called to cases in which British Subjects who are now in the United Kingdom are being pressed by Italian landlords for arrears of rent which have accumulated since June 1940.

It would surely be wrong that British subjects be compelled to pay rent on property for the period during which they have been deprived of its use in consequence of Italy's declaration of war.

Please therefore consider the matter in consultation with the Allied Commission and, if you see fit, take it up with the Italian authorities in order that such claims may be dropped and above all that in the meantime no restraint shall be made".

Yours sincerely,

(Sgd.) R.L. Nosworthy.

Sir John Serreo, K.C.B.,
Via Regina Elena, 36,
Rome.

2450

Declassified E.O. 12356 Section 3.3/NND No. 735016

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION

APC 394

CIVIL AFFAIRS SECTION

71

B.O. 9/3.1A/CA.

2nd May 1945.

0
Dear

Will you please sanction the payment to me of 21,000 lire in respect of my Entertainment Allowance of 7,000 lire per month for the months of February, March and April, 1945, as agreed between Brig. LUSH and myself.

Yours

Colonel A.P. CRAFTY-SMITH,
Joint Director,
Finance Sub-Commission,
Allied Commission.

2449

Declassified E.O. 12356 Section 3.3/NND No. 75016

70

D.O. 9/3.1A/CA.

29 April 45.

Dear

"Di Amicis" and his collaborators have been acquitted.
I hope this will not lead you into a lot more trouble and telephone
calls.

Yours

Brig. Gen. C.M. SPOFFORD,
G-5 Section,
Allied Force Headquarters,
APO 512.

2448

Declassified E.O. 12356 Section 3.3/NND No. 735016

69

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DO/9/3.11/CA

21st April, 1945

Dear

Mr. Keeny

This is to inform you that in accordance with our general understanding with you, the Chief Commissioner has authorized me to implement the Italian Government Decree D.L. 79 of 19 March 45. (approving the agreement between the Government and U.N.R.R.A.), which was published in GAZZETTA UFFICIALE NO. 37, in Allied Military Government territory and this has now been done in GAZZETTA UFFICIALE NO. 45.

However, commencement of any actual operations by U.N.R.R.A. in military Government territory will, of course, remain subject to prior agreement between this Commission and yourselves.

Yours sincerely,

G. R. Hopton

Mr. S. M. Keeny,
Chief U.N.R.R.A. (Italian Mission)
Rome.

Copies to:- Economic Section Attn. Major DOX
Public Health Sub-Commission
Displaced Persons & Repat. S/O.
Executive Commissioner.

6441

192

Declassified E.O. 12356 Section 3.3/NND No. 735016

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

68.

D.O. 9/3.1/A/CA.

21 April 1945.

Dear

Thank you for your letter re Friend-James.

In spite of all rumors to the contrary M.B.L. is definitely expected back on 25 Apr 45.

I will take up with him on his return.

Yours

Colonel N. MONTFORD.
S.O.S.A.S..
G-5 Section.
15 Army Group.

2447

Declassified E.O. 12356 Section 3.3/NND No. 7506

FROM: Brig. G.R. UPJOHN,
VP CA Section, HQ AC.

67

HEADQUARTERS ALLIED COMMISSION
AND 394
CIVIL AFFAIRS SECTION

P.O. 9/3.1A/CA.

20 April 1945.

Dear

I have just received a personal letter from Sig. Battista Boeri (Secretary General of the High Commission for Sanctions Against Fascism), asking if the Allies could help him trace his son Guido.

Guido Boeri, a doctor in chemistry, was arrested by the fascists in February 1944, and deported to Germany early the following June. His last known address was care of I.G. Farben, Schlegchen Allee 36, Krefeld (in the Rhineland). A few messages were received from Krefeld through Switzerland, but since the fall of Krefeld all communications have naturally ceased.

I am sorry to bother you over such a small matter, but as it is quite impossible to start such an enquiry from this end, I wondered if you could obtain some information for me as to Guido Boeri's present location.

Yours

Brigadier John FOSTER,
Chief Legal Adviser.
SHAF

2446

66

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 374
Civil Affairs Section

DPR/18/2/G-II (IT)

April, 1945.

SUBJECT: Repatriation of Surplus Italians in GAITHERA to ITALY.

Dear

Your G-5 Section letter 014.33-10 dated 16 April, 1945 states that Tom McCarthy will be visiting Italy for the purpose of discussing the question of the repatriation of Surplus ITALIANS from BRITAIN to ITALY.

My letter DPR/18/2/G-II (IT) dated 24 March, 1945, forwards the official views of the Italian Government in the matter. The Italian Government are against any general repatriation during the period of hostilities and the immediate post hostilities period.

I do not consider that McCarthy's visit will serve any useful purpose especially in view of the strong statement of opinion expressed by H.E. BROWN.

Yours

Brigadier T.A. HUGH,
D.A.C. of S.,
G-5 Section,
A.F.S.Q.

2445

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 39
CIVIL AFFAIRS SECTION

D.O. 3/9.1A/CA.

19 April 1945.

Dear

I hope the enclosed will meet your requirements. If not,
give me a ring.

Yours

Brigadier E.L. ARMITAGE, OBE,
British Red Cross,
C.M.F.

2444

Declassified E.O. 12356 Section 3.3/NND No. *735016*

Do file
SWM/km.

G-4/101/34.

HEADQUARTERS ALLIED COMMISSION
APO 394
OFFICE OF G-4 (B)

656
TEL: 488081.
Ext: 285.

SUBJECT: Exchange of Red Cross Vehicles with those
of the Allied Commission.

18th April, 1945.

TO : Brigadier G.R. Upjohn, V.P. Civil Affairs Section.

Dear *Brigadier Upjohn*

I hope the enclosed undertaking will do, if not, I am prepared
to sign anything considered more binding. I hope however my word, plus
this paper will be enough.

Yours sincerely

Dwight D. Eisenhower

Declassified E.O. 12356 Section 3.3/NND No. 72506

64.

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

Do file

Personal and Confidential

10 April 1945

Dear *Gould,*

I have just heard this morning from Raphael that Russell has received a signal from JAG at the War Office to the effect that owing to shortage of experienced staff, he regrets that he cannot agree to release Raphael.

It is, of course, entirely a matter for you to decide how badly you want him, but, ~~but~~ I suspect, the situation would be very much eased if you could have him and let Campbell go at once. Russell has suggested, of course privately and unofficially, if you would report an urgent need to the Chief Administrative Officer, the latter would be able to put sufficient pressure on the JAG to get an immediate release.

As you know, both Russell and Raphael feel that the latter's job here is no longer as essential as it was and though it may well be true that they are short of Judge Advocates, as a whole, the position in the theatre is certainly not acute.

I will leave it to you to decide as you think best. I have shown a copy of this letter to Raphael.

Yours ever

J. A. S.

Brigadier G. R. Upjohn,
DCCS, C.A.,
Headquarters, Allied Commission,
APO 394.

*Discussed with
12 Apr 1945 CAO*

2442

Declassified E.O. 12356 Section 3.3/NND No. 785016

CONFIDENTIAL.

68

fileRef: G-1B/16120/188/O.19 March 1945.

My dear Dunn:

Colonel Roy SPICER, OBE, who has been the Director of the Local Government (formerly Interior) Sub-Commission in the Allied Commission since its inception has unfortunately had heart trouble and is about to be sent to UK on medical grounds.

He has done a first class job of work as head of his Sub-Commission and as a senior officer in the Commission and we shall all be sorry to lose him. He is most anxious, provided his health will allow him, to do some kind of work in civil affairs until hostilities cease. He is a good lecturer with any amount of knowledge and experience and it has occurred to us that you might like to use him as lecturer in one of the Military Government schools. He could not fail to do good and he has done so well here that I should like to think that he was not entirely lost to civil affairs.

I commend him to your kindness and good offices.

Yours sincerely,

(Signed) Maurice Lush.

Brigadier P.D.W. Dunn, DSO, MC,
War Office, CA2,
38, Hyde Park Gate,
LONDON, S.W.7.

Copy to: Colonel R.G. Spicer.
VP, CA Section.

2441

2751

2751

0926

Declassified E.O. 12356 Section 3.3/NND No. 73506

62

DO.9/3.1A/CA

16 March 1945

Dear

Thank you very much for your letter of 10 March 1945.

I am delighted to hear that you are proposing to visit us and we shall look forward to receiving a signal from you from Tripoli stating your estimated date of arrival.

I think you should aim to go to Naples and report to Allied Force Headquarters first and then come on to us in Rome. Your signal should be addressed to A.F.H.Q., with a copy to the Allied Commission.

The position with regard to Judge Thomas is somewhat obscure. He was originally offered to this Commission as a commissioned officer for the purpose of trying cases in Military Courts but at the last moment the War Office refused to grant him a commission and he was offered to us as a civilian. As it was not suggested that he had the qualifications for dealing with Peace Treaty matters he was useless to us as a civilian and we said so, and I do not know what the present position is.

Yours sincerely,

Col. R. Bacon,
The War Office, CA 20 (A),
Hotel Victoria,
Northumberland Avenue,
London W.C.2.

2440

Declassified E.O. 12356 Section 3.3/NND No. 7306

61

DO.9/3.1A/GA

16 March 1945

My Dear

"PYTHON": G-I(B) tells me that the date on which persons who are entitled to go home on "Python" actually leave depends very much on the Corps to which those persons belong. Some Corps are running well ahead of time and personnel go home two or three months ahead of the correct date, but other groups, including the R.A.S.C., are, if anything, going home later than the correct date. They think, therefore, that you are unlikely to go back before July.

In these circumstances, Legal have taken you off the Legal list for VERONEIA Region and you will remain as a CAO. However, if due to the liberation of the North we suffer from an acute shortage of legal officers, it may be necessary to attach you at a later stage for legal work to Emilia until your return home.

With regard to returning from "Python", the G-I(B) informs me that there is no question of opting to return but your services have to be demanded by this Headquarters. As you do not wish to return as a legal officer, Legal will not apply for your return; if you desire to return as a CAO I have no doubt that this Headquarters would apply for your return but this is a matter which you must take up through your Provincial and Regional Commissioner.

PALEY JOHNSON: The G-I(B) tells me that the quickest way for Paley Johnson to join this Commission is for him to come to Rome for an interview with the G-I(B) and if he is approved he can forthwith sign documents which will effect his transfer. Before coming to Rome, however, it is essential that he obtain the permission of his CO to apply to join AG.

If he can do this it will be much quicker than for this Commission to apply for him through AFHQ.

Yours sincerely,

Major Franklin,
CAO Pesaro
Abruzzi-Marche Region

2439



ADWey 1272
Ext.

From: Col. R. Bacon

The War Office,
O.A.20(a),
Hotel Victoria,
Nor.umberland Ave.,
London W.C.2.

60a

10 March, 1945.

Dear Brigadier,

When you were here you were good enough to suggest that a visit by me to Italy would be welcome.

2. The enclosed copy of my letter of today to Macrory relates to a tour in the near future. See particularly paras 7 and 9.
3. The Peace Treaty question is of course the principal matter relating to Metropolitan Italy on which I should hope to be able to confer with your C.A. Legal people.
4. Am I right in thinking that I should make straight for Rome? To whom and at what address should I telegraph from Tripoli advising date of arrival? (I shall probably only be able to give very short notice).
5. I understand from C.10 here that you are contemplating the appointment of a C.A. Legal civilian who will be mainly concerned with Peace Treaty matters from the legal point of view, and that a certain Judge A.M. Thomas, late of Nyassaland, is being considered. If the appointment is made before my visit, presumably it will be with the gentleman concerned that it will be desirable that I should discuss this topic. What is the prospect of the appointment being made?

Yours sincerely

Roger Bacon

Brigadier G.R. Upjohn, K.C.,
Head, C.A. Section,
Allied Commission,
A.P.O. 594,
C.M.F.

2438

(3) To bring with me a comprehensive outline of the topics and decisions to be borne in mind for the purpose of the eventual Treaty of Peace with Italy, to receive your observations on it, and between us to lay plans for the part to be played by U.S. legal overseas by way of recording the necessary information and generally assisting in the preparatory steps. I am in touch with the Foreign Office on this, and it is hoped that I may be furnished with a brief which will indicate in considerable detail the points which will or may fall to be dealt with in the Treaty. Many of them will of course relate to the Italian African and Insular territories. Your local knowledge will doubtless enable you to bring up further points. For this purpose you may think it desirable in the meantime to put out feelers for suggestions by your C.I.O.'s in the territories, so that we may have that material also to work on.

4. After you and I have had a few days together (or rather, such parts of them as you can spare) I hope first to pay a flying visit to Athens, returning to Cairo and going on to Paris and Tripoli. If we can, I gather, look air-passages for all that after you and I have met. I don't want to be tied down in advance: the time-table must depend on how we progress with the work.

5. Speaking of progress, we all know how much more speedily effective is a conference between two than one between five. I suggest for your consideration that, in the circumstances outlined above, it will not be necessary to call in your territorial officers for general conversation in Cairo. But the decision is of course for you, not for me.

6. There is, however, one other liaison which must be established and may be another: contact with U.S. legal at G.H.Q., East Africa, particularly in relation to the Peace Treaty matters. I can't afford the time to go to U.S. territory, since I shall be away for some weeks in my event and there's a good deal to do here. U.S.A. has therefore approved my letter a copy of which is enclosed. You will see that I have asked that a copy of Cairo's reply to me be sent to you. If that reply indicates assent to the suggestion that a Cairo representative confers with us in Cairo, will you be so good as to telegraph him, when the time comes, advising him of the date, without further communication from me?

7. It is intended that from Tripoli I should go to Italy, with the objects mentioned in para 3(1) and (3) above.

8. Thank you for your letter of 21 Feb. '45 which was most enlightening. I am sorry you were let in for a lot of work in dealing with that matter. It

/s/ W. A. R. H.

Colonel W. A. R. H.,
C.I.O. Brussels,
G.H.Q.,
E.A.F.

2437

would be of great help if all the Gazettees reached us here at the earliest possible time in future, instead of being consolidated and sent here in batches.

9. As I look forward to our reunion. If in the meantime, you have any particular point that you want to raise, before I set out, let us know. Please acknowledge receipt of this in any case.

Yours sincerely
Roger Moore

Copies to:-

- Brigadier, C.R. Upjohn, A.O.,
Head, C.A. Section,
Allied Commission,
A.P.O. 394,
C.M.F.

Chief Legal Adviser,
C.A. Branch,
S.H.S.,
East Africa Command,
Nairobi,
Kenya.

9813

Declassified E.O. 12356 Section 3.3/NND No. 735016

59

DO/9/31A/CA

10 March 1945

My Dear

I promised that you would be receiving a complete directive on the implementation of the Labour wage rate decrees very shortly but unfortunately I now find that the Labour Sub-Commission have not finally made up their minds what they want done and the matter is hanging fire. However, I am pressing them strongly to make up their minds so that we can issue precise instructions in the matter as soon as possible.

At the Regional Commissioners' Meeting we discussed the implementation of decrees in Forlì and I hope we can now persuade 8th Army to concur in a general implementation.

I hope to let you have a comprehensive directive on operation shortly.

I understand from the Legal Sub-Commission that they have now sent you instructions with regard to the pending prosecution of persons in Ravenna who listened to the London Radio before liberation.

Come and see us in Rome soon.

Yours sincerely,

Lt. Col. W. Levit,
Emilia Region.

2436

2435

58.

DO/9/311/GA

10th March 1945

My Dear

Many thanks to you, Corbyn and Hurles for your hospitality when I visited 8th Army last week.

I enjoyed myself immensely and thank you very much for conducting me around your area.

I am sorry to have troubled you over my car, but the workshops did a grand job and the car reported to me on Sunday evening and I have had no further trouble.

Again, with many thanks,

Yours sincerely,

Lt. Col. Gyffin,
AME 8th Army.
CMB.

2435

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

File
DOJ/3.1A/CA

1 March 1945

Dear Senior Commander,

Reference your B/C letter C.A.2/10/U/1 dated 22nd January 1945. I regret I can give you no information on, nor have I ever seen before, the type of slip which you enclose. I regret that at the present moment Milan is in territory occupied by General Kesselring and his troops. I can only suggest that you make enquiries in that quarter for further information.

On another point entirely, all your letters are taking a month to six weeks to reach this Headquarters, whereas from other agencies official correspondence seems to take only a week. I think it is better to drop "APO 394" (which probably makes it go via America) and use C.M.F.

Yours sincerely,

G. R. Lyster

Senior Commander P. E. Stokes,
The War Office, C.A. 2b,
Hotel Victoria,
Northumberland Avenue,
LONDON. W.C. 2.

b. 2434

Declassified E.O. 12356 Section 3.3/NND No. 75016



57a
The War Office, C.A. 2b,
HOTEL VICTORIA,
NORTHUMBLAND AVENUE,
LONDON. W.C.2.

C.A. 2/DO/U/1

22nd January, 1945.

Dear Brigadier

The attached two slips, ~~which~~ were found in a letter addressed to:-

Caporale 55250 GUGLIOTTA, Carmelo.

The letter was sent by:-

GUGLIOTTA, Silde,
Via Giacomo Marr N.4,
MILANO,
Italia.

The letter was not sealed, but was fastened by means of a flap, in a similar manner to that which is used by the Italians when writing home and it appears that the attached slips were inserted at the open ends. The Commandant of the P.W. Camp is satisfied that the letter has no bearing on the matter but we would be grateful for further information on the slips.

The co-operator is unaware that these slips were in his letter and has not been informed.

Yours sincerely,

P.R. Stone
2433

Brigadier G.R. Upjohn, K.C.,
Deputy Chief of Staff and Vice President,
Civil Affairs Section,
Main H.Q. Allied Commission for Italy,
A.P.O. 394.

Declassified E.O. 12356 Section 3.3/NND No. 725016

The bastards who desire "any kind of peace" so long as the war ends,
~~must~~ realize that defeat for Italy would mean :-

HUNGER
POVERTY
INTERNAL WAR

2432

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

785016

I bastardi che auspicano una «qualunque
pace», pur che la guerra finisca, poi no che
la sconfitta dell'Italia significherebbe:

FAME

MISERIA

GUERRA FRATRICIDA

Declassified E.O. 12356 Section 3.3/NND No. 735016

PERSONAL AND CONFIDENTIAL.

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DO9/3.1A/CA

1 March 1945

SUBJECT: Police Personnel.

TO: Public Safety Sub-Commission.
Personal for Col. Doherty.

Attached is an extract from a D/O letter written today by Brigadier Upjohn, VP CA Section, to Col. Jackling, C-5 Section, AFHQ. It is for your information only.


R. B. CHIEFFS, Col.
CSC CA Section

2431

Declassified E.O. 12356 Section 3.3/NND No. 735016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DO9/3.1A/GA.

1 March 1945

SUBJECT: Administrative Memorandum 54.

TO: Monuments and Fine Arts Sub-Commission.

For your information there is attached an extract of a
letter written to-day by VP GA Section to G-5 Section, AFHQ.

B.R. GRIFFS, Col.
CDO GA Section

2430

Declassified E.O. 12356 Section 3.3/NND No. 73506

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DDP/3.11/44

1 March 1945

Dear

1. Administrative Memorandum 54. Thank you very much for your efforts in this direction. We like the revised draft very much but I have one small suggestion to make. At the foot of para 7 could you delete the words "Responsible Italian officials will, if available, be consulted when such measures are being considered" and substitute para 5b of the old memorandum 54.

The reason for this is that quite recently some French troops refused to permit some Italian officials to enter and inspect some provinces.

The suggested amendment is not, however, an important one and if you are of opinion that to take up this question would delay the issue of the memorandum by even as little as a week, we would rather have it issued in its present form; but if you can swing that one on the telephone we would like you to try. I leave the matter to your discretion.

2. Police Personnel. On or about 10 Feb Col. Arthur Young, late Deputy Director of Public Safety, showed to me a D/O microgram from Brigadier Burn (CA-9) asking him to submit the names of suitable officers from which a selection would be made to the rank of full Colonel in 21 Army Group and to certain lesser appointments.

I explained to Arthur that in view of our commitments for Austria it was obvious that we could not submit any names for we could not provide proper personnel for Austria and have any to spare for 21 Army Group.

I am satisfied that he fully understood the position and he told me he would reply in that sense to Burn. However, I was now informed that he sent, just before leaving, to Brig. Burn by air mail a list of about eight of our leading Public Safety officers whom he considered would be suitable for transfer to 21 Army Group. No copy of this letter is available and I have received the information from other officers in the Public Safety Sub-Commission who have given me their best recollection. Brigadier Lush and I are extremely sorry and request you to send a signal to CA-9 stating that the D/O letter was sent contrary to my instructions and should be disregarded and, further, asking an explanation from Arthur Young as to his action.

Yours sincerely,

Lt. Col. David Jackling,
C-5, Allied Force Headquarters,
C. I. S.

2429

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
AFS 394.

AC/14121/PS.

Tel. 489081 - 580.

26th February, 1949.

INTER OFFICE MEMORANDUM.

SUBJECT : Personnel for Austria planning.

TO : V.P., C.A. Section.

1. On or about February 10th or 12th, 1945, Colonel Young received an urgent letter from Brigadier Dunn of the War Office, asking him to submit the names of suitable officers from which a selection would be made to the rank of full Colonel in 21st Army Group and so far as I understand a lesser ^{or lesser} or lesser appointments are to be filled in addition to that of full Colonel.
2. A reply was sent by Air Mail giving the names and experience of 8 Civil Affairs Officers whom it was considered would be able, if selected, to be transferred for service in North West Europe.
3. There is no copy of the correspondence in this office.

Declassified E.O. 12356 Section 3.3/NND No. 785016

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ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

23 February 1945.

Brig. G. E. Upjohn, E.C.,
Civil Affairs Section,
Headquarters,
Allied Commission.

Dear

Thank you for your letter of
17 February. I have signalled A.C.
Austria suggesting that they send out
a Senior I.O. as soon as possible.

Yours

*all copies to be
found on 1/215/1A letter 39/40/3.*

2427

SOUTHERN REGION
ALLI' COMMISSION

Monday 18 Dec 1945

OFFICE OF THE
REGIONAL COMMISSIONER

My dear Gerald.

I have the ^{following} further information to
give you about Cognac.

By an interesting coincidence, I was
invited, yesterday, Saturday 17, to lunch
in the 'Cattayia', the steamship plying
between Torre Canunguata and Cognac, Sardinia.
Also at that luncheon, were Mr. Giulio Guala,
Mr. Williams, Mr. Samella, and Capt. Smith.

The impression which I formed at that
luncheon went far to confirm the ideas
expressed to you in my letter of 15 Dec.
Whether there be any irregularities or not,
we are, in fact, at a luncheon, taking

SOUTHERN REGION
ALLIED COMMISSION

OFFICE OF THE
REGIONAL COMMISSIONER

part. Though Capt Smith, in a large
scale business enterprise, ^{over} ~~with~~ ^{and} when
financial operations are here, I believe very
little can be done. I feel that I shall
like to have an opportunity of talking
all this over with Dennis, Dunsen, and
yourself. But I leave that entirely in your
hands.

Yours ever
J. H.

2425

Sigfredo Garcia Lopez
Atty. Allied Commission
Reno

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION.

Ref: D.O. 9/3.1A/CA.

19 February 1945.

My dear

Thank you for your letter of 17 February re Duce d'ACQASA.

If there are good security grounds for his confinement, by all means confine him, but surely then his case should be properly investigated by FBI and if his continued detention is necessary he should be sent to 371 P.O.W. Camp.

I do not like these rather unofficial confinements. Either a man is a security internee or he is not.

Would you mind asking 3 District to investigate further?

Yours

Brig. J.M. DUNLOP, OBE, MC, TD.
Regional Commissioner,
Southern Region,
Allied Commission,
C.M.F.

2424

Declassified E.O. 12356 Section 3.3/NND No. 725016

PERSONAL

Brigadier J. K. CURTIS, OBE, MC, TD,
Regional Commissioner,
Headquarters, Southern Region,
Allied Commission,
C.E.F.

17 February 1945

My dear General.

I have now had an opportunity of making fairly complete enquiries into the case of the DUKE of SALAZAR. My informant, who is fairly closely connected with the family, tells me, that the Duke is at present confined to his estate at Mollisano, near Benevento, by orders of the Allied Military Police. I am informed that these orders are based on an action committed by the Duke some time ago, when being at home at the time of the German occupation. He sent a letter, written in German, through the lines to an agent of his in Benevento.

According to my informant the Duke is completely comfortable in his house and grounds. There is a considerable store of a disquieted inheritance, which seems to have caused a great deal of local feeling. I gather that part of the local village is violently opposed to the Duke and part supports him. I might add that my informant expressed a very low opinion of the Duke's personal moral character and did not think that he was a subject upon which much sympathy should be vested.

Will you please let me know, if there is any further action, you would like me to take.

Yours, *Law*

Brigadier Gerald UPJOHN,
Vice President, Civil Affairs Section,
Headquarters, Allied Commission,
C.E.F.

JKD/jh

2423

Declassified E.O. 12356 Section 3.3/NND No. 785016

FROM: Brigadier G. R. UPJOHN.

Ref: P.O. 9/3.1A/CA.

CIVIL AFFAIRS SECTION

HQ, ALLIED COMMISSION

AFD 394

17 February 1945

Dear

The Legal Sub-Commission has informed me of the extremely valuable cooperation they have received from both the Ministry of Marine and your sub-commission in setting up the Military Tribunal for Northern Italy.

I understand that without your help it would have been impossible to find a sufficient number of officers to allow this court to function with any degree of efficiency.

I am personally very grateful to you for having understood so readily the importance of the work this court is going to perform and for the generous assistance you have given to the Legal Sub-Commission in this matter.

Yours

Comodore R. W. Tirol
Deputy Chief
Navy Sub-Commission
HQ AC

2422

Declassified E.O. 12356 Section 3.3/NND No. 725016

FROM: Brigadier G. R. UPJOHN.

Ref: D.O. 9/3.11/61.

CIVIL AFFAIRS SECTION

HQ. ALLIED COMMISSION

APO 374

17 February 1945

Dear

The Legal Sub-Commission has informed me of the extremely valuable cooperation they have received from both the Ministry of Air and your sub-commission in setting up the Military Tribunal for Northern Italy.

I understand that without your help it would have been impossible to find a sufficient number of officers to allow this court to function with any degree of efficiency.

I am personally very grateful to you for having understood so readily the importance of the work this court is going to perform and for the generous assistance you have given to the Legal Sub-Commission in this matter.

Yours

Air Vice Marshal
W.A.B. Bowen-Puscarlet
Director
Air Forces Sub-Commission
HQ AC

2421

Declassified E.O. 12356 Section 3.3/NND No. 725016

SECRET

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

D.O. 9/3.1A/CA.

10 Feb 45

Dear

Thank you for your letter dated 29 Dec 44 (which only arrived in this Commission on 8 Feb 45) enclosing letters from Col. Gayre to Sir Percy Lorraine.

I am afraid Gayre is entirely out of date in his views on how to run Italy.

Originally appointments to professional chairs and other appointments were made by A.M.G. as permanent appointments. This was, of course, illegal, as an occupying force can only make appointments valid for the duration of the occupation and there is no question of the Italian Government having "to accept the decrees of Military Government" as stated by Col. Gayre. The decrees of military government terminate with the end of occupation. I should add that in fact no difficulty arises as the Education Sub-Commission work in the closest and most harmonious co-operation with the Ministry.

However, when returning Sicily, Calabria, Lucania and Salerno to the jurisdiction of the Italian Government, the latter agreed that they would not dismiss our appointees without our consent, but in view of P.A.N. 487 we are proposing to release the Italian Government from their obligation, mentioned in para 2, and they will be at liberty in Educational as in other fields, to make such changes, promotions, transfers, retirements and dismissals as seem to them desirable.

Of course, if the Government were so ill-advised as to appoint an ardent fascist to an educational, or any other, appointment, we could exercise our rights under the Armistice Terms to call for his removal. This is unlikely to be necessary as all appointments will pass through the Espuration Committee appointed under D.L.L. 159 (Sanctions against Fascism).

Again in view of P.A.N. 487, it is not proposed to interfere with the work of the Italian Government in rearranging any faculties.

With regard to the 37 (not 35) professors mentioned by Col. Gayre the following arrangements have been made:

Prof. Catinoello is confirmed in his appointment as an "ordinario".

The others will be treated as "straordinario" for a period of

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Declassified E.O. 12356 Section 3.3/NND No. 735016

SECRET

- 2 -

three years from the date of their appointments and will then sit in a "concorse" which will be open to the whole of Italy and from which 36 "ordinarios" will be selected on technical merit to fill the appointments permanently.

This is a very fair arrangement which is entirely satisfactory to this Commission.

Senator de Lorenzo was, together with 303 other senators, dismissed from the Senate under the provisions of D.L.L. 159 and thereupon he resigned from the other official posts held by him.

The truth is that policy with regard to Italy has changed in large measure since Cayre was here and his letters, based on unofficial and exaggerated information, give you an inaccurate picture of the situation today.

It should be noted that Col. Smith was in no sense dismissed from this Commission, but he felt that his work was done and to our great regret, he asked to be declared surplus and sent home.

Yours

Lt Col P.W. Pitt,
The War Office,
Hotel Victoria,
Northumberland Avenue,
LOND W, W.C.2.

2418

2419

Declassified E.O. 12356 Section 3.3/NND No. 73016



- 8 FEB 1945

8481046

The War Office,

Hotel Victoria,
Northumberland Avenue,
LONDON, W.C.2.

29 December, 1944.

C.A.2./B.M./160

Dear *Brigadier,*

I am enclosing copies of two letters written by Col. Gayre to Sir Percy Lorraine which have been passed to us by the Foreign Office.

From these letters it appears that the Italian Ministry of Education is replacing, by undesirable persons, the men appointed by A.M.G. to important educational posts.

The Foreign Office are very anxious that this situation revealed by Col. Gayre's letter should be looked into as if his allegations are substantiated representations may have to be made to the Italian Government. I would therefore be glad if you would take this matter up and let me have any available information.

Yours *sincerely*

R. F. A.

Brigadier G. R. Ugo John, K.C.,
Deputy Chief of Staff and Vice President,
Civil Affairs Section,
Main H.Q.,
Allied Commission for Italy,
A.P.O. 394.

2418

1180

Declassified E.O. 12356 Section 3.3/NND No. 735016

COPY

Norhy/st,
Battie,
Susse...

(R 18235/15/22)

19. 9. 44.

Dear Sir Percy,

For some time very disturbing information has been reaching me from Italy and I think that you would wish me to inform you of this.

As you know intrigue is the spice of life to Italians, and, foreseeing that it was laid down that the acts of Military Government had to be honoured by the Badoglio and subsequent governments. Now I find that there are forces associated with the Ministry of Education which are doing their best to sabotage what we did. The permanent officials of this Ministry have been unsatisfactory from the start. As fast as we dismissed officials in Sicily and Calabria we found them re-employing these ardent fascists in even better positions than before, and several times very strong representations had to be made - culminating as they did in the Government dropping Cuomo, who was the minister, overboard. But this has not stopped these tendencies. Cuomo was followed by Onedee, Rector of Naples University, whom I put on a list as suitable for minister, before I left. During the short time he was minister this pressure was not continued, as I do not think that Onedee, who is extremely able would permit it to be exerted by any of his underlings. Then came the Bonomi Government with a new Minister and the whole business of attempting to sabotage the arrangements made by Military Government and Armistice Control Commission has arisen in an acute form. These professed "democrats" are accusing all and sundry of being "fascists" and "mafia".

Now during my time in Italy I dismissed more fascist officials than anyone else, and the record of every prominent official was searched into, and if we decided that he was a bad man he went. But, just because he was an inoffensive member of the party was not good enough to warrant dismissal. Many people had to be to retain their

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Declassified E.O. 12356 Section 3.3/NND No. 735016

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chairs. Among such people was Senator de Lorenzo of Naples, Vice President of the Royal Society, a professor of the University, and a great lover of this country. Although an old man, and reluctant to continue in public office, he continued to head the affairs of the Royal Society, (the President, being an out and out fascist had fled) and because of his self-sacrifice and willing co-operation with us, we got the affairs of this extremely important society into ship-shape orders before I left. I now hear that the new government accused him of being a fascist (of course he had been a nominal member of the party, but on the Scheda Personale which he completed and which was checked by G.I.C. there was nothing exceptionable) and he has resigned from the presidency of the Royal Society in which we had confirmed him.

From other communications I find that the Rector of the University of Messina, Professor Gaetano Martino, who was the most willing co-operator we had has also been running the gauntlet of attack, and these good "democrats" want to take from the University of Messina the Faculty of Letters which our Military Government permitted the University to restore, because it had been removed from the University by the Fascist Gentile "reforms" of 1924. They are likewise trying to suppress the Institute of Anthropology which we permitted at Palermo University, and which we ratified, as it was not only necessary, but strongly backed by the public opinion not only of Palermo University, but also by the rectors of Catania and Messina Universities.

But all these attempts of the Italian Minister of Education are illegal as he has to accept the decrees of Military Government in these matters.

Then there arises the status of the appointments we made. We deliberately confirmed many new appointments as it was the only way to save our collaborators being victimised after Military Government and A.C.C. came to an end - and in Sicily there were 35 new appointments or thereabouts to titular chairs. All these, I understand, are being called into question now by this Minister - although he is bound to respect these appointments. If these new men were removed, or if their status were

3.

In any way lowered it will reflect strongly upon us, and remove from the mind Italy a group of men who are profoundly grateful to England and America, and who can exert in time much influence upon their country for good.

That these moves should be made, often behind the backs of A.C.C. is disquieting, as it seems to be that we cannot place much reliance in the professed goodwill of the present Minister of Education - and we may begin to wonder if he does not represent the feeling of the cabinet as a whole.

In case you wish to have this matter studied by your staff I am enclosing a recent communication which I have received from Professor Catinella who was my legal adviser, and enclosing a document by the Rector of Messina University. Catinella suggests that I should show the documents to Zimmern, whose students he was once, but I think it is better that you should see them.

From a short note I have had this morning, from the Rector of Messina University, I understand that Colonel Smith (my successor) with whose office I have been unofficially in communication on these matters, has written a stiff letter to the minister. That is extremely useful, but as these movements are undoubtedly symptomatic of something deeper I think that you should be in a position to see the papers and take such steps as you deem necessary.

If you wish I will send you any other information as it arrives.

I hope that you are keeping well.

Yours sincerely,

(Sgd.) G.R. Gayre.

CONFIDENTIAL

COPY

Korhyst.
BATHUR, Sussex.
24. 10. 44.

Dear Sir Percy,

To-day I have just had some interesting communications from Sicily the contents of which letters might interest you.

Professor Catinella, who was my legal counsellor when I was at Palermo, writes to say that the position has degenerated to complete anarchy. The Italian Government has completely mishandled the position in Sicily. He says the constant rise of prices, which have now reached a shocking condition, and the lawlessness of the country have reached proportions that have never existed before in Sicily. Bands, 200 strong, rove the country in brigandage, armed with the latest weapons, and the Mafia, which looked like getting control over all crime (and so reducing it to some organised trade) have lost direction and the police are incapable of grappling with the situation. This letter was written on the 15th of this month, and so before the actual riots in Palermo, and as a result it is important testimony of the situation developing before the outbreaks.

He says that the attitude of the Allies towards the Separatists is in no small measure an important factor. Their enrolled numbers have reached 400,000 - one tenth of the whole population, and as they are much the biggest party in Sicily, yet they have no representation in the Rome Government; and they are not permitted to publish freely, and so as the country plunges into chaos, and the prices rise, people are flocking towards separatism, since it is not responsible for these conditions, but is actively disclaiming against them - whether it would do better in office is of course another matter, as Catinella points out.

He says that the Separatists also have arms, and active strife exists between them and the Communists, the separatists often breaking up the meetings of the Leftwing.

I think, with my own background of the islands, that separatism has come to stay, and I think sooner or later that autonomy, at least, is certain. Meanwhile Catinella says everyone is disillusioned about the present and future state of the country. This is dangerous, as they will probably begin to pine soon for the order which Fascism (at a price) certainly imposed on the country.

In the education realm matters are still bad. As a result of the drastic steps taken by Col. Smith (my successor) the Minister

have reached 100,000 - one tenth of the whole population, and so they are much the biggest party in Sicily. Yet they have no representation in the Dams Government; and they are not permitted to publish freely, and so as the country plunges into chaos, and the prices rise, people are flocking towards separatism, since it is not responsible for these conditions, but is actively disclaiming against them - whether it would do better in office is of course another matter, as Catinaella points out.

He says that the Separatists also have arms, and active strife exists between them and the Communists, the separatists often breaking up the meetings of the leftwing.

I think, with my own background of the islands, that separatism has come to stay, and I think sooner or later that autonomy, at least, is certain. Meanwhile Catinaella says everyone is disillusioned about the present and future state of the country. This is dangerous, as they will probably begin to pine soon for the order which Fascism (at a price) certainly imposed on the country.

In the education realm matters are still bad. As a result of the energetic steps taken by Col. Smith (my successor) the Minister of Education (de Suggero) has to desist from his sniping, and to agree to the validity of the appointments made by Military Government. But, as these appointments were made subject to review in 3 years time after the appointments were made, it has been given out unmistakably that not one of the professors concerned will be confirmed in office. (A letter from the Rector of Messina University which has also arrived confirms this impression).

It seems to me that it is a poor look out that we should have a war, and then have the arrangements we made, and the men we trained and who served us, victimised because they are known to favour democracy, and what is more, victimized by that very government which is extremely left wing, and constantly acclaiming its democratic and pro-allied sympathies. It is quite clear that there are people connected with the present government who are extremely Italian - that is insincere, and will cry any odds so long as they get their own way.

I only hope that whatever settlement is made with Italy, will insist that continued good behaviour after the Allied Commission is withdrawn will be expected of her, and that certain drastic steps will be taken if the right behaviour is not forthcoming.

I only wish I could be sent back to resume my old appointment, as I hear that Smith has been dismissed (he succeeded me). I think that I could handle this people and finish the work which I started, but which has gone sadly awry lately.

139

3957

The Sicilian situation itself is not insoluble, and I believe that if a strong man who knew the Sicilians were put in there it would be settled quickly - but Col. Poletti laid the whole foundation of this sort of things, as an American politician is not the best type for that country. Anyway, all the above is just to pass on this information which I think might interest you.

Yours sincerely,

(Signed) G. Gayre.

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel. 478104

Ref: D.O. AC/6/12/10

10 Feb 45

Dear *Ed*

Thank you for your letter of 4 Feb 45 re the attachment of a Local Government representative to your staff.

David Wynors mentioned this when he was down here and it has already been arranged that such an officer will be attached to you by the Local Government Sub-Commission. He will probably be either Major R. TEMPLE (A) or Captain Vernon LEWIS (B) and one of them will probably be sent forward as soon as the position is ripe.

I have also raised this matter at the N.W. Italy Planning Committee. They liked the idea very much and want it to continue in phase II when the representative will probably be attached to PCCAO. One point they made and in which I agree with them is that when provinces are under Regional administrative control (even while under 5 Army AMG operational control) the representative should report on conditions to the Regional Commissioner and that the latter should not be bypassed.

In phase II the representative would probably be attached to Regions in turn at the discretion of Director, Local Government Sub-Commission.

Does this meet your views?

Yours

John

Colonel E.B. MAYNE,
HQ, AMG,
5th Army,
APO 464.

Declassified E.O. 12356 Section 3.3/NND No. 75016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

10 February 1945.

Ref: D.O. 9/3.1A/CA.

Dear

Thank you very much for your "tactful reply" of the 26 January 45. I quite agree that you "really can't take the responsibility of ignoring all such letters, in case AC haven't had them".

I am returning my original letter to you, as you will probably wish to retain it for information on your file, together with the notes by yourself and Col. Pitt. Are you very short of paper in the War Office?

Yours

The War Office.
C A 2(b) (Attn. Miss Stone).
Hotel Victoria,
Northumberland Avenue,
LONDON, W.C.2.

Sent by hand of Lt Col Campbell.

2415



The War Office,

C.A.2(b).

HOTEL VICTORIA,
NORTHUMBERLAND
AVENUE,
LONDON, W.C.2.

C.A.2/DO/U/1

29th January, 1945.

Dear *Upjohn*,

Thank you for your letter DO 9/31/A/CA
dated 8th January 1945.

With reference to your para 4 - I appreciate
that these appeals to His Majesty etc must cause
you a considerable amount of un-necessary work as
you told me when you were here.

We do stifle as many of them as possible, our
policy in the case of appeals against the death
sentence is to forward these on to you in case they
do not reach you from any other source.

Yours

F. G. Drew
(Sgd.) F. G. Drew

Brigadier G.R. Upjohn, K.C.
Deputy Chief of Staff and Vice President,
Civil Affairs Section,
Main H.Q. Allied Commission for Italy.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APP 392
CIVIL AFFAIRS SECTION

2 February 1945.

D.O. 9/3.12/CA.

My dear

Thank you for your letter HIX/AC dated 1 Feb 45.

I am glad you agree with the appointment of Major Collins as R.P.S.O. to Smilla Region and I have instructed Public Safety Sub-Commission to take action accordingly.

I entirely appreciate your desire, which I share, to see Major Collins promoted. As you know, on the British side we are limited to a fixed ceiling of Lt. Col., but I will ask the Promotions Board at their next meeting to do their best for him. Unfortunately, as you know, there are at least two other Public Safety Officers with equal claims to promotion.

I am sorry to find myself profoundly disagreeing with your expressions as to my 'unequivocal attitude in the matter and the even less considerate position taken by Col. Chapman' and of your 'feeling that the abrupt, inconsiderate manner in which Col. Rye has been taken away' and regret that you should have chosen to use such language in your letter to me.

Not only did I tell you myself when you were visiting this Headquarters on the 17 Jan 45 of the necessity for removing Rye in view of Doherty's promotion and we then discussed the matter fully but in addition I wrote you a letter (AC/11008/1/PS dated 19 Jan 45) explaining the position and the necessity for the change, to which you replied on the 21 Jan 45. Orders were cut to effect the transfer on 21 January.

I confess I am entirely at a loss to understand how, in these circumstances, you can charge against Col. Chapman or myself abrupt or inconsiderate treatment.

That you would be upset at losing an excellent officer and do all you could to keep him is understandable but when a very senior officer leaves the Commission and a train of transfers to senior appointments is thereby set in motion, this Headquarters must take the best men and put them in the best places and express (as I did to you in the most courteous terms) our regret at having to do so.

Declassified E.O. 12356 Section 3.3/NND No. 785016

- 2 -

On reflection you will, I feel sure, agree that the expressions
you have used are unjustified.

Yours

Col. A.C. BOWMAN,
Regional Commissioner,
Headquarters, EMILIA Region,
APO.
APO 394.

2412

0 9 6 3

Declassified E.O. 12356 Section 3.3/NND No. 735016

FROM : BRIGADIER G. R. UPJOHN, K.C.

HEADQUARTERS,
ALLIED COMMISSION,
CIVIL AFFAIRS SECTION,
A.P.O. 394.

February 1945.

Dear

Thank you for your letter of 26 January 1945.

The amendments to Consolidated Instructions for Allied Military Courts issued in November 1944 contained only one amendment to the R.P. The other amendments were all to the instructions issued, as part of the book, for the general guidance of Allied officers concerned. These amendments were rendered necessary by weaknesses which had become apparent in the actual working of the Courts.

I enclose for your use 3 copies of these amendments: incidentally 20 copies were sent on 8 January to AMHQ for transmission to ETO.

CA 20 (a) will be included in the distribution of any further amendments which may be published.

In the spring of 1944 the existing Proclamations which numbered 16 were amended, condensed and consolidated into 4; and in territory newly occupied since then, only these 4 Proclamations are posted.

These 4 Proclamations have been found to work satisfactorily as the basic code of legislation. In addition, of course, we publish Orders - General, Regional and Provincial. These Orders are not basic, but are issued to implement the policy of the Military Government in day to day questions.

Over and above Proclamations and Orders issued by AMG we apply the system of implementation of Italian decrees with which you are familiar.

In these circumstances we do not now use the Gazette. We discontinued it from the date when we reduced the number of the Proclamations. It is not practical to issue a gazette for the General Orders; in the first place they are few in number and secondly they are cancelled from time to time, or not further published, as their usefulness expires.

Yours

Col. R. BADON,
The War Office, CA 20 (a)
Northumberland Avenue, LONDON, W.C.

2412

Declassified E.O. 12356 Section 3.3/NND No. 785016

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ALLIED FOR HEADQUARTERS.
AFU 512.
G-5 SECTION.

000.5-1.

2 Feb 45.

Brig. G.R. UPJOHN, ✓
Civil Affairs Section,
HQ Allied Commission,
AFU 394.



Gen. Gerald

Receipt is acknowledged
with thanks of the documents listed in
your DU 9/3.1A/CA dated 31 Jan 45.

*Thank you,
Yours,*

Gen.

D.S. JACKLING 411
Lt. Col.
Plans & Ops Div.

037

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 304
CIVIL AFFAIRS SECTION

B 3 9/3.1A/CA

31 Jan 45

Dear

Enclosed please find a few notes on our meeting as far as War Crimes are concerned, also the (new series) Proclamation, Nos. 1, 2, 3 and 4 which you asked me to send you.

Yours

Lt. Col. P.S. JACKLING,
G-5 Section,
Allied Force Headquarters.

2410

SECRET

37

ALLIED FORCES HEADQUARTERS
G-3 Section
14 Jan 45

Passingham
Hedden

Personal

15 January 1945

My dear General

Although war crimes are not strictly a concern of this Section, as conspicuously set forth, for instance, was the nine Italian officers of the 101st Air Division now held by TIV already on charges of committing war crimes.

So far as I can tell out there is a distinction between crimes that are to be dealt with immediately by the armed forces engaged in operations and those that are reserved for trial later; but I don't know how or where the distinction is drawn.

As I understand it, in international law there are four well known classes of war crimes: violations of the rules of warfare by members of the armed forces (the more usual use of the term "war crimes"), hostile action by civilians, espionage and sabotage. It seems that a military court can, at least by international law, try such cases immediately by military courts or such other courts as it may determine.

On the other hand the statement regarding directives of the 1945 Conference deals specifically with "atrocities, massacres and executions" and does not use the words "war crimes" (see declaration on 15-17). It appears to seek to amend the "international law war crimes" in several ways, e.g., non-commission of action after armistice, widening of classes of offenders liable to punishment, and specific provisions for jurisdiction. Further, this declaration only refers to Germany, (extensive attached for easy reference).

Two points strike me, first that the declaration on German atrocities does not, as was not intended to, limit the recognized international law on war crimes but was intended to expand it in relation to Germany, and, second, that it may be the policy of the United Nations to defer trials for all, or certain classes of, war crimes in order to avoid reprisals.

I believe you discussed war crimes on your recent visit to England and I should be most grateful if you would let me know the latest views. I understand a broad directive on the whole subject is under preparation by UNR but meanwhile the Jugoslavs have already shot at least three Italian officers, and have sent to the bag, on charges of alleged war crimes. I have little doubt that the Jugoslavs

2479

SECRET

SECRET

can produce first class arguments for their action: a reasonable answer would be that the War Crimes Commission (on which they have a delegate) had decided to defer trials till after hostilities are to provide specifically for jurisdiction. But have they, and if so, in respect of what crimes?

Maybe I'm talking nonsense, if so, you will doubtless tell me - but such informal guidance as you can offer will be thankfully received.

Yours

Dawd.

D. S. JACOBSON
Lt. Colonel

Indis:
as above.

Brigadier G. S. Upjohn,
SCoB, Civil Affairs,
Hq. Allied Commission,
APO 394.

*Thank you for sending me your DO report,
I showed it to Tom Ham, who was much
interested.*

2408

SECRET

~~SECRET~~

Extract of text of Moscow
Declaration

Declaration on ITALY. "Fascist Chiefs and Army Generals known or suspected to be War Criminals shall be arrested and handed over to justice."

Declaration on atrocities. "At the time of the granting of any Armistice to any Government which may be set up in Germany, those German Officers and men and members of the Nazi party who have been responsible for or have taken a consenting part in the above atrocities, massacres and executions will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free Governments which will be erected therein."

Later it states that the declaration is without prejudice to the cases of German criminals whose offenses (SIC) have no particular geographical localisation and who will be punished by the joint decision of the Governments of the Allies.

~~SECRET~~

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Free ✓
S.O. 9/3.1/A/CA.

36
8th January 1945

Dear

1 Thank you for your letter 0703/65M (CA 2) dated 1 Dec 44, enclosing two letters from Formosa and Traccola respectively.

2 CARICONE. Raffaele was executed at 0735 hrs on 19 Sep 44 but his mother had sent us a copy of the petition addressed to His Majesty and it was considered before the sentence was carried out.

3 I have sent the petition for the release of FORMOSA to the War Materials Disposal and POW Sub-Commission where no doubt it will be duly filed with a very large number of equally heart-rending but futile appeals.

4 The question of these appeals to His Majesty or to the Prime Minister are, as you say, becoming a considerable headache. Can you not stifle them at your end? They cause us a lot of trouble and are invariably useless.

Yours

GRH

Col. F. Drew,
Directorate of Civil Affairs,
War Office,
LONDON.

2406

Declassified E.O. 12356 Section 3.3/NND No. 785016

CONFIDENTIAL

36

HEADQUARTERS ALLIED COMMISSION
APC 394
CIVIL AFFAIRS SECTION

Tel: 478104

Ref. DO/9/5.1A/CA

22nd January, 1945.

Dear

I have looked into the case of Prof. Giulio Quirino Giglioli.

For your private and confidential information I may state that he was interned as a "prominent Fascist with a long and prominent record in the Fascist Party" and is an "antemarcia". He has further been accused under Art. 19 of the Sanctions against Fascism Decree of 27th July, 1944, of taking an active part in Fascist political life.

I doubt whether much can be done, but all these cases are periodically reviewed and I am asking the reviewing authority to take into account on the next review the Memorandum you gave me.

Yours

Sir D'Arcy Osborne, K.C.M.G.,
British Minister to the Holy See,
14 Via del Parlamento,
Rome.

Copy to: File SE/520.1-22.

* 2405

Declassified E.O. 12356 Section 3.3/NND No. 735016

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel: 178104

DD 9/3.12/CA

22 January 45

Dear

Thank you for your letter RIX/RC of 21 Jan 45.

There is no hurry in this matter and I do not intend to
make any appointment until I hear from you further.

Yours

Lt. Col. A.C. BOWMAN
Regional Commissioner,
Philippine Region,
APO 394.

Copy to: Public Safety Sub-Commission.

CB/sg

2404

22 FEB 1945

33

HEAD HEADQUARTERS
EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

RHX/RS

21 January 1945

TO: Brigadier Gerald W. Upjohn.

I have your note of 19th January concerning the transfer of Col. Bye to 5th Army AMG. Since the matter seems to be a fait accompli, I can only express my deep regret that you have found it necessary to take this step.

One bright spot is that Public Safety Officers of five of our provinces now under 5th Army will continue to have the active support and guidance of Col. Bye.

I do not entirely concur in paragraph four of your letter. Immediate appointment of Major Collins would be premature, as would any appointment not based on consultation with, and advice from, Col. Bye himself.

I request that, for the present, Major Collins be designated as, at most, Acting Regional Public Safety Officer. If possible, I would prefer that no appointment at all, acting or otherwise, be made during the next week, until I have had a chance to consult Col. Bye.

Alfred Lawrence, Col
Regional Commissioner.

Pass to P.S.

I agree with you but 2403

This letter - there is no hurry.

113



ABW 1272,
Ext: 206.

The War Office,
Hotel Victoria,
Northumberland Avenue,
LONDON, W.2.

CONFIDENTIAL

6 January, 1945.

C.A. (D.F.) B.W./90.

My Dear *Upjohn*,

Many thanks for your letter dated 27th December, 1944. I am glad to know that your visit to this Directorate was satisfactory, and I will arrange for Perkins to be given leave on the termination of his duties here.

With reference to your memorandum, it was realised that the comments, which you gave to Hammer, on the usefulness of U.N.R.R.A. and their assumption of responsibility for refugee camps in Italy, were informal and did not represent necessarily the views of Allied Commission. There was never any intention to treat the information which you gave as other than confidential background on developments in the theatre.

I share your hope that Allied Military personnel will be relieved of administrative duties in the camps taken over by U.N.R.R.A. before April of this year.

Yours *Yours*

Upjohn

Brigadier C.R. Upjohn,
Civil Affairs Section,
Headquarters, Allied Commission,
A.F.O. 394.

2402

Declassified E.O. 12356 Section 3.3/NND No. 735016

HEADQUARTERS ALLIED COMMISSION
AND 39
CIVIL AFFAIRS SECTION

32
Confidential

Tel: 478103

REF: 20 9/3.1A/CA.

20 Jan 45.

Dear

Some little time ago you said you would see Philip Magnus with regard to his future employment. Though he is doing no harm in M.F.A. & A. they have very little for him to do as he is not technically qualified and he is really wasting his time there.

Philip himself seems keen on Austria Planning; why not?

I shall be glad if you would see him soon.

Yours

gpb

Brigadier M.S. LUSH, C.B., C.B.E., M.C.,
Chief of Staff.

2401

2401

k

Declassified E.O. 12356 Section 3.3/NND No. 785016

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From: - Colonel R. Bacc
The War Office
C.A.20(a),
Hotel Victoria,
Northumberland Avenue,
London, W.C.2.

AIR MAIL

16 January, 1945.

Dear Brigadier,

I'm indebted to you for sending me your letter of the 27th December, 1944, with enclosures relating to your practice as to the application of new Italian law to A.M.G. territory.

It's an interesting and useful record to have.

I've shown it to C.A.2(a) (in connection with their recent question as to the applicability of new Italian law to Middle East Italian Colonies) and to C.A.2(b) (who deal with Italy itself).

Thanks for your good wishes. Here are the very best to you.

Yours sincerely,

Roy Bacc

Brigadier G.R. Upjohn, K.C.,
Head, C.A. Section,
Allied Commission,
A.P.O. 394,
C.M.F.

2400

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Declassified E.O. 12356 Section 3.3/NND No. 735016

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HEADQUARTERS ALLIED COMMISSION
APO 398
CIVIL AFFAIRS SECTION

DD 9/3.1E/CA.

15 January 1945.

Dear

I am considering the submission of a project to D.P.R. whereby Displaced Persons and Repatriation Sub-Commission, instead of operating directly, would operate through Regions as in the case of Legal, Public Safety and other Sub-Commissions.

The present personnel would of course remain at their posts but would become part of the staff of the Regional Commissioner.

Of course, on ordinary routine everyday matters the Director of the D.P.R. Sub-Commission would correspond direct with personnel operating camps, etc., as is already the case with Legal, Public Safety, and other Sub-Commissions.

I want to bring the R.C. more into the picture and make him responsible for the affairs of this Sub-Commission in his Region.

Charles Findley is against it but I think there are many advantages which I need not enumerate but before putting forward a case, or indeed, finally making up my own mind, I should appreciate your views.

You may like to know the position of USRA. They are taking over the administration of certain camps and hospitals but a residual responsibility will remain with us for some time and we shall retain the transit camps at Bari and Avessa.

Yours

Brigadier J.K. DUNLOP, OBE, MC, TD.,
Regional Commissioner,
Southern Region.

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2398

Declassified E.O. 12356 Section 3.3/NND No. 735016

29.

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel: 478104.

12th January, 1945.

My dear *Knight*

I shall be delighted to dine with you on the 16th, but am very sorry that it is to say good-bye. Thank you very much for asking me.

Yours

G. H. R.

Major A. Knight,
Assistant Commissioner Civilian War Relief,
British Red Cross Society,
c/o H.Q. Allied Commission,
Rome.

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2398

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref. DG/3/32A/CA

12th January, 1945.

My dear Count Sforza,

Thank you so much for your letter of the 6th January.

Our association was of the happiest, if I may say so, and it was a privilege to be able to assist you in the extremely important work of expiation.

Although our official relationship may have terminated I am sure that our personal relations will continue as before.

Yours sincerely

[Signature]

M.E. Count Sforza,
Office of the High Commissioner
for Sanctions against Fascism,
Palazzo del Viminale,
Rome.

2397

8 JAN 1945

HIGH COMMISSIONER FOR SANCTIONS AGAINST FASCISM

Rome, 6 Jan 1945

TO: Gen. G.R. UPJOHN
Civil Affairs Section
ALLIED COMMISSION
R O M E

Dear Gen. UPJOHN,

Before leaving my office of High Commissioner I wish to express my cordial appreciation of the excellent personal and official relations I have had with you, of your constant desire to assist my Country in such an essential field as Justice.

Believe me always
Your devoted friend

/s/ SFORZA

6 GEN 1944

L'ALTO COMMISSARIO LE SANZIONI CONTRO IL FASCISMO
PALAZZO DEL VIMINALE - ROMA

276

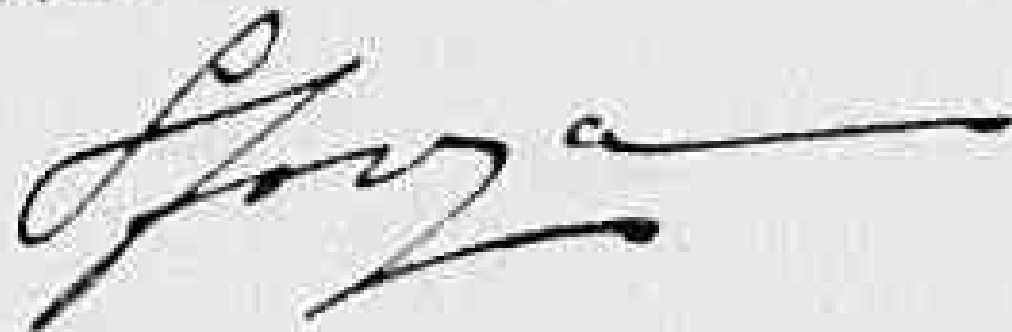
Roma, 6 gennaio 1945

Caro Gen. Upjohn,

Nel momento in cui lascio la carica di
Alto Commissario desidero esprimerle il mio
apprezzamento cordiale per le ottime relazio-
ni personali e ufficiali che ebbi con lei,
relazioni che anche da parte Sua furono sem-
pre ispirate al desiderio di giovare alla
mia patria in un campo così essenziale come
quello della giustizia.

Mi creda sempre

Suo dev.mo



Al Generale G.R. UPJOHN
Administrative Section
Allied Commission

- R O M A -

2395

(7006)

Declassified E.O. 12356 Section 3.3/NND No. 735046

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DD/9/3.1A/CA

3 January 1945

Dear

You raised the question regarding an organisation stated to have been set up in Rome to consider Repatriation problems. No separate organisation is in existence in Rome and it appears that the one which you must have heard about is the A.P.R.Q. Advisory Committee, Displaced Persons and Refugees, Mediterranean Theatre of Operations which has met monthly in Rome. The object of this Committee is to assist in the development of methods and plans for the care of Refugees and Displaced Persons including repatriation in the Mediterranean Theatre of operations.

Yours

G.R. UPJOHN, Brigadier
V.P. C.A. Section
Deputy Chief of Staff

TO Lt. Col. HANMER,
Civil Affairs Directorate
War Office
LONDON

Copy sent to DP & R. S.C.
3/1/45 [Signature]

2394

Declassified E.O. 12356 Section 3.3/NND No. 785016

ALLIED COMMISSION FOR AUSTRIA.

(British Element).

25.

St. Paul's School,
West Kensington, W.14.
Tel: Shep. Bush 2060. Ext. 64.

FROM: Major R.L. Hurst.

30th December, 1944.

SUBJECT: Legal Manual.

ACA/LBG/352/3.

D.O. letter.

Dear *Quaid*

I enclose herewith five copies of our Legal Manual. The Chief and I propose to travel under Foreign Office auspices, and apparently provision is not made for additional weight for documents carried. I therefore send them separately, instead of bringing them for you as I promised.

We are making our arrangements to travel on the 5th January as agreed when you were in London. I have wired A.F.B.S., with copy to you, for confirmation from your end.

With best wishes for the New Year.

Yours *ever*

Dick Hurst

Brigadier G. Upjohn,
C.A. Section,
Allied Commission for Italy.

Copy for despatch under separate cover.

4 copies to Legal
Receipt ack
4 copies of above mentioned Manual.
6 Jan 45
Cto.

Declassified E.O. 12356 Section 3.3/NND No. 735016

HEADQUARTERS ALLIED COMMISSION
APO 396
CIVIL AFFAIRS SECTION

24a
Tel. Ext. 525

4 Jan 45.

DD/9/3.1A/CA.

Dear

The attached extract from my confidential report to the
Chief of Staff on my trip to London may be of interest to you. It
is, of course, only for your confidential information.

To: Monuments, Fine Arts and Archives, S/C.
Displaced Persons & Repatriation S/C.
Legal, S/C.
Civil Affairs (For the attention of Col. Cripps.)

2393

SECRET

24b.

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel: 525

Ref. DOG/3L/GA

2nd January, 1945.

SUBJECT: Visit to London.

Dear

A H.O. report on my visit to London. I arrived in London on Friday morning, the 8th December, and left on Wednesday afternoon, the 20th December.

1. Austria Fleming: The main object of my visit was, of course, to assist Lord Schuster who has been designated as British Chief Legal Officer on the Allied Commission for Austria. They are housed at St. Paul's School and I spent a good deal of time down there, particularly with Major Birt, an old friend of mine who is G-2 to Lord Schuster. He cleared up a large number of minor matters which I need not trouble you with, especially as Lord Schuster and Major Birt are coming out here to see things for themselves. I hope they will arrive in Rome on the 8th or 9th January. I do wish we could encourage this sort of attitude on the part of other divisions; I cannot believe that we have failed to learn a great deal by experience over the last 18 months.

You will be interested in a few major points in Austria planning.

(a) Their V.L. is, of course, fantastic. Their Chief Counsel's Department consists of 5 as against 1 for Italy. Their Ministry of Justice Department consists of 17 as against 3 for Italy, of whom one is doing whole-time operation. My comments were somewhat lurid!

(b) My old friend Andres Clark, who is Chief Legal Officer for Germany, has, in conjunction with an even older friend, John Foster, Chief Legal Officer ~~MADE~~ (a job I refused in March, you may remember), instituted

and this is the main object of my visit was, of course, to assist Lord Schuster who has been designated as British Chief Legal Officer on the Allied Commission for Austria. They are housed at St. Paul's School and I spent a good deal of time down there, particularly with Major Hirst, an old friend of mine who is 2-2 to Lord Schuster. He cleared up a large number of minor matters which I need not trouble you with, especially on Lord Schuster and Major Hirst are coming out here to see things for themselves. I hope they will arrive in Rome on the 24th or 25th January. I do wish we could encourage this sort of attitude on the part of other divisions; I cannot believe that we have failed to learn a great deal by experience over the last 18 months.

You will be interested in a few major points in Austria planning.

(a) Their R.E. is, of course, fantastic. Their Chief Counsel's Department consists of 5 as against 1 for Italy. Their Ministry of Justice Department consists of 17 as against 3 for Italy, of whom one is doing whole-time operation. My comments were somewhat laud.

(b) My old friend Andrew Clark, who is Chief Legal Officer for Germany, here, in conjunction with an even older friend, John Foster, Chief Legal Officer SHAN (a job I refused in March, you may remember), instituted a most appalling system of procedure in Allied Military Courts for Germany; and Lord Schuster, although extremely worried at the procedure, feels that he ought to conform.

This procedure involves the interpretation of the accused more or less at the beginning of the trial by the President of the Court which, of course, he knows nothing about the case, and includes the accused from giving evidence on oath. Andrew Clark had persuaded the Lord Chancellor that this was a good system. S. and I had a very long talk with the Lord Chancellor and I virtually persuaded him that he was wrong and he wrote a letter to the Attorney General saying that he thought the matter required reconsideration. We then had a long conference with the Attorney General who evaded any responsibility or clear thinking by advising the point on the ground that the matter had already been decided and could not be altered. I am afraid that this difference of procedure may give rise to real difficulty because Gen Benson, on my advice, is likely to operate his Force Military Courts on our system and S. will have to make a change when the Commission takes over.

(c) I am glad to say that no less than ten other fantastic ideas of Clark and Foster had already been turned down or modified by the Attorney

General so as to become innocuous. Such ideas included the right to try a person in absentia.

I was happy to see that some of their instructions contained verbatim extracts from Lush on Military Courts and, on the whole, I think some of their proclamations are a distinct improvement on ours.

2. Mr. MacMillan: I had a conference with Mr. MacMillan on the day of my arrival when he thought that he was going to Washington. We discussed the War Cabinet paper and some other matters now mostly out of date, including the civilian personnel problem, as to which see para 16.

3. Secretary of State: I had a long talk with the Secretary of State whose principle preoccupation appeared to be the retention of Lionel Fielden in this theatre. I have already discussed this matter with you in detail. We also discussed General Home and I forecast the trouble that has since happened over the creation of a G-5 Section, 15 Army Group. When I mentioned a G.B.E. for Ellery Stone he coloured slightly and made a note!

4. P.O.S.: I had two long talks with the P.O.S. on the position generally and with particular reference to Lionel Fielden. He wrote a letter to General Robertson about it and you have, I think, already spoken to the latter.

He was very worried about civilian appointments and just before leaving I received a message from him stating that he had written to the Minister of Labour for a successor to Bryne.

5. D.C.A.: I had two talks with the D.C.A. and also saw Brigadier French once and Col. Drose several times.

These conversations, though not productive of executive result, were, I think, extremely useful as we learnt a great deal about one another's point of view. They were all extremely courteous and helpful and I am sure that much good will be done if we can send more senior officers home, even on some flimsy excuse, so as to keep the D.C.A. and his staff more closely in touch with things as they really happen in Italy.

For instance I managed to prevent Col. Drose from writing a paper on some alleged misuse of O.P.s in this Commission, and I also quieted certain fears that he had about channels of communication resulting from the nominal abolition of the Political Section.

6. Military Personnel: I had a very long talk with my old friend

I had two long talks with the F.O.S. on the position generally and with particular reference to Lionel Fielden. He wrote a letter to General Robertson about it and you have, I think, already spoken to the latter.

He was very worried about civilian appointments and just before leaving I received a message from him stating that he had written to the Minister of Labour for a successor to Buxton.

D.C.A. I had two talks with the D.C.A. and also saw Brigadier French once and Col. Drew several times.

These conversations, though not productive of executive result, were, I think, extremely useful as we learnt a great deal about one another's point of view. They were all extremely courteous and helpful and I am sure that much good will be done if we can send more senior officers home, even on some Finney excuse, so as to keep the D.C.A. and his staff more closely in touch with things as they really happen in Italy.

For instance I managed to prevent Col. Drew from writing a paper on some alleged misuse of O.R.s in this Commission, and I also quieted certain fears that he had about channels of communication resulting from the nominal abolition of the Political Section.

Military Personnel: I had a very long talk with my old friend Brigadier Dunn. He felt a little hampered when we returned senior officers as surplus and he did not know whether they had made a success of their job or not. He instanced the case of Col. Hulse, and I put him in the picture over that. I gathered also that Col. Binin had got lost on the way home. I expect he has gone absent in Malta. I believe that if you wrote D.C. letters to Brigadier Dunn when senior officers are going home he would greatly value them.

He offered to A.C. the services of Col. Hillar, lately of Britree, which you have already turned down, and also a housing expert, Col. Bask, which latter offer you have also turned down.

201

War Crimes: I saw a very large number of people in connection with war crimes, namely: (a) the Lord Chancellor, (b) Sir Cecil Airst, Chairman and British member of the United Nations War Crimes Commission, (c) my old friend Lord Wright, who is a Lord of Appeal but who, for some reason which is beyond me, represents Australia on the Commission, (d) Sir William Malkin, Legal Adviser to the Foreign Office, (e) Col. Wade, who

appears to be a sort of executive officer for the Commission and who is permanently unhappy, (f) Mr. Kent who, under the Treasury Solicitor, is responsible for the organization of the British National Office for War Criminals.

The position is chaotic and absolutely nothing has been done. They are all very worried, solely for the reason that the matter will shortly become political, and I claim to have done nothing except make them even more worried.

They have not, at the moment, even decided what form of tribunals should be set up. Under the British and American system of jurisprudence the Municipal Courts of our countries claim no jurisdiction over crimes committed by aliens in other countries, and our jurists therefore face the fact that War Criminal Courts having extra territorial rights can only be set up by (in the case of England) a special Court constituted by Royal Warrant; in this they see no difficulty; there is I believe some precedent for it.

On the other hand, under the continental systems Municipal Courts can, and do, try aliens of other countries for crimes committed outside their jurisdiction, but they then at once get into the difficulty that their municipal laws do not provide for the appropriate war crime offence, or appropriate punishments. Continental jurists do not recognise a system of setting up special Extra Territorial Courts by Royal Warrant, or some such procedure, and their jurists have not yet produced the answer except to suggest some form of Allied Court which U.K. and U.S. rightly do not want.

These interesting questions are still the subject of hot debate.

Assuming that the United Nations will agree on the type of Court to be set up a furious debate is going on as to who will handle the preparation of the case and the machinery of the trial. Both the J.A.G.'s Department and the Civil Affairs Section want to do it. I begged Andrew Clark to let the J.A.G.'s Department handle the matter as at AFHQ, but I do not think he will accept my advice.

In the meantime there seems to have been a breakdown in communications between AFHQ and London. Col. Wade assured me that he was receiving no particulars of war crimes from AFHQ although we (A.G.) are sending the latter a steady trickle of cases. I am taking this up with AFHQ. I think there must be a breakdown in London and that AFHQ are sending the

side their jurisdiction, but they then at once get into the difficulty that their municipal laws do not provide for the appropriate war crime offence, or appropriate punishments. Continental jurists do not recognise a system of setting up special Extra Territorial Courts by Royal Warrant, or some such procedure, and their jurists have not yet produced the answer except to suggest some form of Allied Court which U.I. and U.S. rightly do not want.

These interesting questions are still the subject of hot debate.

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In the meantime there seems to have been a breakdown in communications between APHC and London. Col. Wade assured me that he was receiving no particulars of war crimes from APHC although we (A.C.) are sending the latter a steady trickle of cases. I am taking this up with APHC. I think the answer may be a breakdown in London and that APHC are sending them on to the National Office under Mr. Kent, who screens them and sits on them instead of passing them on to the United Nations Commission.

You see from all this that the matter is in a hopeless muddle, and all are agreed that what is wanted is a central executive office to tie up all these things and to go round the various theatres of war and get the matter organised.

Sir Cecil Mirst showed me a list of 57 Italian war criminals which they have prepared and I recognised the names of one or two. ^{See settlement} **2390**
now at 5/1 F.O.W. camp.

The question as to whether the Italians should be allowed to try Greeks or Yugoslavs who have committed war crimes against Italians is still a matter of hot debate.

On one point everyone was agreed, namely that we ought to be allowed to try the small war criminals (e.g. Col. Albanesi who stole a large quantity of British P.O.W. parcels prior to the Allied invasion of Italy) subject only to leave from the Director of Prisoners of War to ensure that the case would not give rise to reprisals. I am taking this up with APHC.

8. Legal Adviser, D.C.A. I had a number of talks with Col. Bacon, Legal Adviser to the D.C.A., mainly in connection with matters I have discussed in para 1., but he also raised one or two other points:

(a) They are discussing the question as to how far the new laws of an Administration, part of which is under military occupation, are effective in that part. I was able, of course, to explain our system of implementing decrees in A.M.C. territory, and Legal Sub-Commission have since sent to him a memorandum on the matter. Our system here represents, I think, a new high light in this field of legal theory.

(b) The liability of soldiers of an occupying force to the laws of the country is also under discussion. We raised this point with the Attorney General who expressed the opinion (with which Lord B., Mr. Clarke, and myself violently disagree) that soldiers of an occupying force are subject to no such laws and cannot, for instance, contract a valid marriage with a local national under the marriage laws of the country. As we have recently procured the Italian Government to pass a decree facilitating the marriage of soldiers in Italy by the local marriage laws I shall have to raise the question with Africa.

(c) We had an interesting discussion on the effect of article 43 of the Hague Convention as to whether such Article prevented a Military Court trying an offence under the local criminal law from assuming jurisdiction to give greater penalties than provided by such law.

9. Ex Italian Colonies: I had an interesting talk with the F.W.S. Foreign Office, Sir Onas Sergeant, on our policy of preventing any communication between the British Military Administration of such ex Italian colonies as Eritrea and the Italian Government. This question, as you know, is constantly arising.

Acting as devil's advocate I pointed out that the Colonial Administration might soon get to the point of a breakdown if we refused to appoint additional Italian officers, e.g. judges, from Italy to go to these colonies to administer them. However, he strongly recommended the continuance of our present policy and begged that we should permit no communication of this type between the Government and the British Administration there. I am sure he is right.

He was also very interested in the implications inherent in the appointment of the Communist, Secombarro, as Minister of Cooped Italy, and he has since sent a signal to the Ambassador on this subject.

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He was also very interested in the implications inherent in the appointment of the Communist, Sonnino, as Minister of Occupied Italy, and he has since sent a signal to the Ambassador on this subject.

We also had a general discussion during which he expressed some criticism of the F.M. for failing to appoint Mason-Mac's successor earlier.

10. Naturalization of Aliens: I had a conference with Sir Oscar Dowson, Legal Adviser to the Home Office, with regard to the possibility of British ladies now in Italy who have been married to Italians and thereby lost their British nationality, regaining such nationality under the Act of 1933. This Act gives discretion to the Home Secretary to regrant British nationality to the wives of enemy aliens. He informed me that policy 389 this question has not yet been decided, but he referred to the general principle adopted by H.M.G., that they did not normally regrant British nationality to aliens while they remained resident abroad as this might be construed as an infringement of the sovereignty of the enemy state. Furthermore, he said much would depend on the Fascist background of the husband. He was guarded in his statement but I gathered the impression, no more, that it will be difficult in general for these ladies to regain their nationality except in special cases, as to which he invited me to write to him if I so desired.

There is a special form for making applications under the Act, which does not yet appear to have reached the Consul General here.

We also had a useful and general discussion on conditions in Italy.

11. Prosecution of Yugoslavs: I saw the Legal Adviser to the Foreign Office, Sir W. Malkin, with regard to our policy in prosecuting Yugoslavs who persisted in going north of the army control line to purchase supplies although they were in no way concerned with 15 Army Group, and were in Italy merely because Bari is a suitable base for operations in other countries.

The C.I.A. here and I have always been doubtful of the legal justification for this, but I am happy to say that Malkin expressed the view that the Foreign Office at any rate would support us.

12. Public Health: I visited the Chief Medical Officer, Sir William Jameson, at the Ministry of Health, who is an old friend of Brigadier Parkinson. We had a long discussion on Italian affairs, and discussed, unofficially, the question of UNRRA coming in to Italy.

13. M.P.A.A.: I had two conferences with Sir Leonard Woolley and came to some useful conclusions:

(a) We agreed that Major Ward Perkins should visit London in order to tie up with SHAEF the following or works of art looted from Italy into Germany. As you know, Perkins has already left.

(b) We arranged liaison with the Balkans monuments expert, Capt. Cook.

(c) I also arranged that Woolley would leave at least four British Officers (named) with us for at least three months after the cessation of hostilities if we so desired, and would not try to pull them out for other theatres.

(d) We also arranged a number of minor points such as the supply of photographic material, which I will not trouble you with in detail.

14. Displaced Persons: Col. Hanner is now in charge of displaced persons at the D.C.A. although I believe he is about to be replaced.

I impressed upon him, and he agreed to support us, the absolute necessity of not sending a large number of Italians back to Italy until hostilities had ceased and UNRRA was in a position to handle large scale transfers.

I gave him the same recent general picture out here and indicated

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I gave him the more recent general picture out here and indicated the progress of the handing-over of the camps to UNRRA. He expressed a desire for a more frequent interchange of news by D.O. letters and I am taking this up with Col. Windley.

He showed me a memorandum setting out the necessity for having at some strategic point, e.g. Vienna, a central coordinating committee to handle repatriation. I am glad that they are thinking of this as it will be absolutely essential.

15. Mine Clearance: Col. Drew made a valiant attempt to get some detectors out of O.S. but the truth is that 21 Army Group have got less than 50 per cent of their W.E. of detectors and there is absolutely no hope in that quarter. He suggested that we might try and obtain some detectors from America on a license and unrest basis, and I am taking this up with the Economic Section.

16. Civilian Personnel: I had a long discussion with Harlen Ellis and Evan Talbot, which the last named has no doubt reported to you. Briefly, Harlen was going to see Brand after Christmas and try to get Killarey as a Joint Executive Director Economic Section. The position frankly looks black.

17. Indents: Major Ellis said that they could not distinguish, in the indents which the Economic Section had sent in, the particular machinery required for the Galeto Power Plant, and suggested that they would do better if they indented specially for this plant.

18. To sum up, I think that as a low level ambassador my visit did some good and everyone was very interested in what was happening in Italy. Apart from the R.C. they were rather surprised to see any white men coming from south of the Alps.

I also made myself quite useful and settled the answers for the Secretary of State to give in the House over two interesting questions. One asked what was the position of ONRA in Berlinia, and the second asked for a description of the functions and composition of A.C. As to this latter I offered anything from six lines to thirty pages, and they took the former.

Yours

G.B. WILSON, Brig.
VP CA Section.
1003.

Brigadier M.S. Lush, CB, CBE, MC.
Chief of Staff,
Allied Commission.

G. L. BRIDGE, Brig.
VP CA Section.
NOC.

Brigadier M. S. Lush, CB, CBE, MC,
Chief of Staff,
Allied Commission.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

23
Brigadier John K. Dunlop, OBE, MC, TD
Regional Commissioner,
H.Q. Southern Region,
Allied Commission, C.M.F.

2 January 1945

Dear Gerald,

Thank you for your letter of the 30th December telling me of the early arrival of Lord Schuster. I am leaving tomorrow morning for Reggio by rail car and shall not return until the late evening of Friday, the 5th. However, Harold Cookson is staying behind here with a slight cold, and I will leave your letter with him. I hope therefore, that even if Lord Schuster should arrive on the 5th, I can guarantee that he will be well looked after and comfortably lodged. In any case, I shall hope to be able to show him due courtesy myself on Saturday, the 6th.

Yours ever
[Signature]

Brigadier Gerald R. UPJOHN,
Vice President, Civil Affairs Section,
Headquarters, Allied Commission,
C.M.F.

Declassified E.O. 12356 Section 3.3/NND No. 785016

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Confidential

30th December, 1944.

My dear

Lord Souter who, as you probably know, was for many years Permanent Secretary to the Lord Chancellor has resigned that job in order to take charge of planning the Legal Division for the Allied Commission in Austria.

It was at his request that I went to London and he is going to pay a return visit to this country and should arrive at Naples on the 5th or 6th of January, accompanied by Major Hirst, also an old friend of mine. I have told him to ring up the Excelsior Hotel where he will find accommodation.

I thought you might like to have advance news of the arrival of this distinguished and venerable (74) old gentleman, and will, I am sure, do everything to make him comfortable.

With best wishes for the New Year,

Yours

Brigadier J.F. Dunlop, OBE, MC, TD.,
Southern Region.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

21

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

D.O. file
27th December, 1944.

Dear Colonel Drewe,

Many thanks for your great help and assistance while I was in London.

This letter is being brought by the hand of Major Ward Perkins, Deputy Director of the Monuments and Fine Arts Sub-Commission, who has come over to see Sir Leonard Woolley with a view to tying up the problem of following looted works of art from Italy into Austria and Germany. As he has been abroad for nearly four years I hope that the D.C.A. will be kind to him if he goes away for a few days while he is with you.

There is one matter to which I should like to refer, and that is my conversation with Col. Hammer, but for ease of filing I enclose a formal memorandum on the subject.

With best wishes for the New Year,

Yours

*Please send copy of
all the memo to Disper all
C.I. Fothergill*

Sir 26/12/44

★

Colonel Drewe,
Civil Affairs Directorate,
War Office,
London.

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21/2
CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

27th December, 1944.

MEMORANDUM

TO : Col. Drome,
Civil Affairs Directorate,
War Office, London.

FROM: Brigadier G.R. Upjohn,
H.Q. Allied Commission.

I should like to refer to some notes made by Lt. Col. Hammer of an interview which I had with him on Saturday, 16th December, as I am not completely satisfied that I was correctly represented.

In the first place I was represented as saying that it was the official view of the Allied Commission that in view of the existing Italian organisations for distribution the task of UNRRA ought to be confined to bringing in supplies to the ports. This is, in fact, the view held by myself and by a number of other senior officers, but it is a view which we have not put and, so far as I know, do not propose to put to the representatives of UNRRA, at any rate for the time being. It is really a matter between UNRRA and the Italian Government. You will please treat, therefore, this "view" as confidential and not as an official expression of opinion on behalf of the Allied Commission.

Secondly, I think I was somewhat gloomily reported when Col. Hammer stated that we did not think that UNRRA would be capable of taking over displaced persons camps for many months in view of the trouble which we experienced at the camps, or some such words to that effect. (I am quoting from memory of the brief sight of the notes which I had in your office on Monday, the 20th). A number of UNRRA personnel have already arrived, and infiltration of personnel has begun. Although the take-over

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G.E. UNJOHN, Brig.
VF CA Section.
DOUG.

Declassified E.O. 12356 Section 3.3/NND No. 735016

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CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

20. 16

27th December, 1944.

My dear Colonel,

In view of our conversation on the interesting question of the applicability of new laws of a Government in an area which is under a Military Government, I thought you would be interested to have a detailed memorandum of our practice in Italy, which may also be of assistance to you in your arguments on this subject.

With best wishes for the New Year,

Yours

Colonel Roger Bacon,
Legal Adviser Civil Affairs Directorate,
War Office,
London.

Encl.

2382

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
AFO 394

JKD/am

19.

Do. file.

7 November 1944

FROM: Brigadier John E. Dunlop, O.B.E., M.C., T.D.

My Dear

Gerald,

Many thanks for sending me a copy of the memorandum addressed by you to the Northern Regional Commissioners on the subject of the Patriot Branch. This letter is written in confirmation of our talk on Sunday evening last. I am demi-officially, inasmuch as I am not now, officially one of the addressees. My personal opinion is:-

1. That though we have obtained in the past a good deal of useful information from the office of the Patriot Branch, the time has come when little more new information is forthcoming. It was for that reason that I decided to withdraw our representative in Florence, Captain Glasspool, for I felt that he could do little more useful work in that locality.

In the second place, I am definitely of the opinion that the taking forward of patriot representatives from Rome may be of very limited advantage. I feel that in the majority of cases competent Patriotti in the provinces will wish to make their own contacts with the Allied Armies and will often look askance at nominees from the Roman Committee.

When I left Cattolica, we had planned to return to Rome yesterday, the 6 November, the only two Patriotti representatives

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When I left Cattolica, we had planned to return to Rome yesterday, the 6 November, the only two Patrioti representatives who have been with us. In the case of both those two gentlemen, they have been very helpful in providing valuable information about Region XII and had been easy to get on with and sensible in their relation with the others of the mess.

2381

Yours

over

[Signature]

Brigadier Gerald R. Upjohn
VP CA Section, Deputy COS
H.Q. Allied Commission, CNF

Declassified E.O. 12356 Section 3.3/NND No. *785016*

JKD/am

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
OFFICE OF THE REGIONAL COMMISSIONER
APO 394

Recd 15 Nov

7 November 1944

FROM: Brigadier John K. Dunlop, O.B.E., M.C., T.D.

My Dear

Gerald.

Many thanks for sending down through Miss Harvey, the list
of Career Consular Officers in Naples.

Yours

JKD

Brigadier Gerald R. Upjohn
VP CA Section, Deputy CCS
H.Q. Allied Commission, CMF

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Declassified E.O. 12356 Section 3.3/NND No. 735016

CONFIDENTIAL

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
APO 394

JKD/am

D/O R/1204

7 November 1944

My Dear *Simpson*

This letter is being written on the afternoon of my first day in Naples, and refers to the matter of the appointment of a Sindaco for the city of Naples. I found on my arrival that Colonel Temperley had heard of Premier Bonomi's agreement to release Palermo. I did also find however, that although this message had just reached Simpson, it had not gone any further.

In the light of the instructions given to me by Commodore Stone, and in the light of our conversation, I had told Simpson last night to put to the Prefetto our view, that Palermo was doing exceedingly good work in connection with the reformation of the Italian army, indeed recent newspaper reports have quoted his speeches on this matter. It was our feeling that he could do better work for the Allied war effort at present as an Undersecretary for War than a Sindaco for Naples.

I therefore suggested, that the best present action was to give the C.N.L. time for further consideration of the position in the expectation that they will drop their insistence on Palermo and it may be possible to find a capable candidate for the post of Sindaco whose nomination we can accept.

Yours *Upjohn*

Brigadier Gerald Upjohn
Deputy Chief of Staff
Allied Commission, CMF

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Declassified E.O. 12356 Section 3.3/NND No. 735016

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394

Ref:- DC. 9/3.1/CA.

14 November, 1944

My dear J.K.,

1. Thank you for your letters dated 11, 12 (twice), and note of the 13, all of which were very interesting reading.
2. Commodore Stone is going to find out from the Prime Minister when he next sees him what reception he gave to the Tuscan C.N.L., and generally what are his views on the matter. I will keep you informed.
3. I discussed your suggestion about the flying of flags, at the Chief of Staff's meeting this morning. While we all considered that the idea was basically sound, we reluctantly came to the conclusion that if the Government did issue any instructions on the lines that you suggest, no one would pay any attention to them, and it would in fact be one more occasion to show contempt at Government orders. As we have no desire to place the Government in this position we have decided to take no action.
4. I hope you are having a pleasant tour and that the weather is better in the South than it is here where we have continual rain. I have just attended a most interesting ceremony at the Carabinieri Headquarters when their flag which was hidden from the Germans was restored to them. The ceremony was attended by the Lieutenant, the Prime Minister, and other members of the Carabinieri, and such distinguished figures as Stone, Fiske, Poletti, Chapman and myself, and was most impressive although held in the pouring rain. With their typical disregard for doing the right thing they had no ceremony or circus about the place.

Yours sincerely,

gph

Brigadier J.K. Dunlop, OBE, MC, TD,
Regional Commissioner, HQ, AC Southern Region. CMB.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

Do/9/31/04 ✓

Remains Confidential D.O. file

Brigadier J. R. DUNLOP, OBE, MC, TD.,
Regional Commissioner,
Headquarters, Southern Region,
Allied Commission,
C.M.F.

6/1228

12 November 1944 13 NOV 1944

My dear *Gerald*

I attended yesterday the opening ceremony of the University of Naples. The inaugural speech of the Rector was pretty considerably interrupted and the proceedings eventually brought to an end by a rag which developed into a political uproar.

At one stage in the proceedings a flag of the Soviet Union was produced in the back of the hall and became the center of a good deal of excitement. Many of those present appeared to regard it as the emblem of the Communist Party. I am, however, officially assured that those who carried the flag merely wished to insure that the national emblem of the Soviet Union should take its just place with the other national flags displayed on the platform. It is perfectly clear that we are going to have the risk of embarrassing situations of this nature because the Communist Party will most certainly attempt to use as their emblem the red flag with the hammer and sickle insignia. It occurs to me the best way of avoiding such an embarrassing position would be for the Allied Commission itself to recommend to Italian Authorities that, whenever national standards are shown on a platform or table, the flags of the United States, Great Britain, Soviet Russia and France should all be exhibited together, of course, with the flag of Italy which may or may not be given a special place. In other words, the more we go out of our way to insist that the red flag with the hammer and sickle means to us the Soviet Union and nothing more, the more we will take the wind out of Communists' sails.

I should be very glad, indeed, to have your views in this matter.

JRD/jn

Yours *John*

Brigadier S. R. URQUHART,
Vice President, Civil Affairs Section,
Deputy Chief of Staff,
Headquarters, Allied Commission,
C.M.F.

2377

1200

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
OFFICE OF THE REGIONAL COMMISSIONER
APO 394

Sunday,

12 November 1945

Do/9/31/0A
My dear Gerald.

Since writing my letter of the eleventh, which is going up to you this morning by the hand of Major Buchanan, I have read your letter of the ninth and therefore add this note to the packet.

Will you please thank the Chief Commissioner for his instructions in the matter of the Sindaco of Naples and tell him that I do think that we shall get the solution soon and say within two weeks.

I have started some ideas, and I am, quite deliberately, going back at of the way - coming - for more of next week. I hope that the C.A.C. will have time also to read a constitution proposal when I return. I entirely agree with you as to the importance of securing the agreement of P.D.S. in the matter.

I have had no real opportunity of working the relations of Simpson with the local people. I do believe that the main basis of the local work lies in the not infrequent appearance of the local "shop" in the local account of the general interview. Simpson says that he used the English word "absent". Angier, I think that by now most people 2376 intuitively concerned, do realize that whatever Simpson did say was not fairly translated by the

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
OFFICE OF THE REGIONAL COMMISSIONER
APO 394

Very Many Italian and Spanish:

I am impressed by Suiza, who makes good use
toward the people of Naples particularly toward the
poor and unemployed.

Naturally, in all these matters, we are going to have
a representation of the "Movimento" from the C.N.C. of
Toscano - the whole thing has been widely discussed in
the local press. Any advice guidance you can
give us in our future reactions will be of value.

Yours ever,

J.H.

Richard G. R. Upjohn
Vice President C.S. Section
H.Q. Allied Commission

10/12/61
D. S. H.

Brigadier J. C. DUNLOP, OBE, MC, TD,
Regional Commissioner,
Headquarters, Southern Region,
Allied Commission,
C. S. F.

B/1226

11 November 1964

My dear *Frank*,

1. I was delighted to hear your voice so clearly over the telephone this morning. As I then promised, I am writing you a quick first report for the general information of the Chief Commissioner.

2. As you know I arrived here on Friday and immediately left here early on Thursday morning, to fly direct to London. He has given me a magnificent handover; and everything is very well documented.

3. Up to date I have met all representatives of Sub-Commissions, Zone Commissioners of Naples, Pozzua and Salerno, Colonel Cox of P.E.S., R/Adm Horse, R.L., Brigadier Orton of St Area, P.E.S., and the Prefetto of Naples. Also I have, this morning, attended the opening of the University Year and have visited the excellent rescue organisations started under Simpson's Initiative to get the children off the streets.

4. I have been delighted to hear from all the three associated services, P.E.S., P.E.S., and St Area the same report of cordial co-operation. They are doing very well of the officers of our staff here. It is good to see other services come in contact.

5. Tomorrow I start on tour so I will not take as to Campobasso, Pozzua, Bari, Lecce, Brindisi, Foggia and Viterbo. I shall be back here on Friday and shall spend a long weekend back in Naples meeting other people here. The following week I do hope to visit the base at Campobasso, Viterbo, Campobasso and Viterbo. There will then remain for me to be done in some detail Salerno, Avellino, Benevento and the north of Naples.

6. I am therefore taking this opportunity of giving you my preliminary reports on certain points of importance in the situation that you can let me have the Chief Commissioner's instructions when I can get the set on my return. I have in

8. East Sea Courts: Everything here is ready to commence operation when you give the word.
9. Food Donating in Calabria: Colonel Irish sent Major Guy up to see me to report a series of "land" donations in Calabria. He feels that some of this has been done in virtue of reported encouragement from the Ministry of Agriculture. I shall be down in Calabria in about 10 days' time and I shall write you more fully after my visit. In the meantime I have given general instructions to Irish through Guy:—
1. That he should regard the problem as a peculiar domestic one affecting the Italian Government.
2. That he should in general advise against any drastic action which might lead to shooting and bloodshed.
10. The state of crime in Naples is not extremely high, not as bad as in Rome, but is serious enough to worry the civilians. I am trying to secure an improvement in street lighting in the principle thoroughfares which should be of a valuable assistance in the stopping of crime.
11. Care of Children: I was most impressed by the rescue work carried out by the voluntary organizations started under Simon's initiative. I hope that any of your officers who come to Naples will be able to visit these places and show their interest.
12. Two other outstanding points are on the economic side: Food and Transportation. The margin of food reserves in Naples had been disturbingly low, but the situation has been improved by the arrival of a cargo of some 6000 tons of grain, owing to very good work by Simon. 2000 tons of bagged grain were very rapidly landed in Naples, before the shipment had to sail with the balance of unbagged grain to Castellammare.
13. This is only a very brief, preliminary report. I shall write you at more length on my return.

With all good wishes,

JKD/jh

Yours *lh*

*Letter sent
The London
Agency*

11. Care of Children: I was most impressed by the rescue work carried out by the voluntary organizations started under Simson's initiative. I hope that any of your officers who come to Naples will be able to visit these places and show their interest.

12. Two other outstanding points are on the economic side: Food and Transportation. The margin of food reserves in Naples has been disturbingly low, but the situation has been improved by the arrival of a cargo of some 6,300 tons of grain. Owing to very good work by Simson, 2000 tons of beef and tinned meat were very rapidly landed in Naples, before the shipment had to sail with the balance of smuggled grain to Castellammare.

13. This is only a very brief, preliminary report. I shall write you at more length on my return.

With all good wishes,

Yours

JKD/jh

Brigadier Gerald UPJOHN,
Vice President, Civil Affairs Section,
Deputy Chief of Staff,
Headquarters, Allied Commission,
C.M.F.

2373

SECRET

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394

Ref:- DO. 2/3.1/CA

15 Nov 1946

Dear Maurice,

There are two matters on which you should be acquainted immediately on your return.

a) I attach copy of a Topsecret signal re Lionel Fielden which you probably did not receive in London. If you have not discussed this matter with Lewin Harris on your way to Rome, he would like you to discuss it with him. I have not been consulted in this matter at all, nor has Col. Farren, which seems curious when the situation of a British officer is under consideration.

b) Col. Farren was ordered to return on the next convoy and is bitterly upset that you returned him as surplus to establishment without consulting him, and he wants to see you. Lewin Harris is very anxious that you should ring him and discuss this matter BEFORE seeing Farren. The latter should have left but AFHQ have given him leave to stay pending your return.

Apart from the foregoing life has been fairly quiet in the sense that no outstandingly hideous incidents have occurred. The most noteworthy event during your absence was undoubtedly the party given at your house which rendered all the senior officers of A.C. quite useless for about three days.

2372

SECRET

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394

Ref: DO.9/3.1/CA

11 Nov '44

My Dear

The Security Division of the Public Safety Sub-Commission are very worried over the fact that a report by them on a gentleman called Bernard Luigi, at the request of the Public Relations Officer, was shown by you to the gentleman himself. The report was of course marked "Secret".

I do not think that any harm has happened in the present case, but I am sure you will appreciate that the principle is an important one, namely that all reports by the Security Division on individuals are secret documents and should on no account be shown to anyone but Allied officers where necessary in the course of their duties.

Any departure from this principle would have the most serious consequences. In the first place, the officers of the security division must naturally lose confidence if they feel that their reports are subject to criticism by anyone other than their senior officers. Secondly, it would affect the nature of the report, for if they thought that the report might be seen by outside sources they could not exercise that complete frankness in their reports which is so essential. Thirdly, if it leaked out that reports by Allied officers on security matters were disclosed to the subject of those reports, extremely valuable sources of information would instantly dry up.

I am sorry to be pompous about this, but I feel that a most important principle is involved, and I am sure that you will not mind my bringing it to your attention.

Yours sincerely,

2371

Col. F. E. Plake,
C. C. S. Allied Commission

Copy to Public Safety. S/C.

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
CIVIL AFFAIRS SECTION
APO 394

18

Ref:- 9/3.1/GA

10 Nov '44

LIEUT. COLONEL E. PICKERING

Thank you for your letter 10/2 dated 2 November 1944,
relating to the a/n officer.

I have now been able to arrange for Col. Pickering to
go on other duties in the south of Italy, and for him to be
replaced by Lieut. Col. Doherty who has been with A.M.C. V Army
for some months, and who is absolutely first-class. You will
I am sure like him very much.

Please do not mention this to anyone. You will of
course be notified through the official channels in the usual
course.

I should like to come and stay with you for a couple of
days some time if you can have me. I will give you a ring.

Yours sincerely,

gpm

Lt. Col. C.F. French, M.C.,
Regional Commissioner,
BO ARFUZZI-MARCHE Region,
Allied Commission.

2370

CONFIDENTIAL.

HEADQUARTERS
ABRUZZI-MARCHE REGION
ALLIED COMMISSION.

DO/2.

2 November 1944.

My dear

LIEUT. COLONEL S. PICKERING.

I am a little concerned over the fact that the above is not really up to the work of a Regional Public Safety Officer. He lacks the energy and initiative which are essential to such a position and in the coming few months, which I fear may be more difficult than they have been during the summer, I require someone with those characteristics.

Colonel Young is fully aware of this, and entirely in sympathy that a change should be made, and although he has tried he has so far not been able to find a place in which to put Lt. Colonel Pickering.

I wonder if you would be good enough to discuss the matter with Colonel Young and see if anything can be done fairly quickly.

I want Major Gould who is now at Siena. I know his work well, and I am sure that he would like to work with me again. He is exactly the type of officer I want - full of energy and resource, and does not sit and twiddle his thumbs.

Yours

Charles L. ...

Brigadier ⁸Upjohn,
HQ. AC.

Dear Arthur,

2369

I believe you are in agreement with this having recently seen Pickering. When I saw him I certainly thought he was very weak.

I think we ought to try to help French if we can.

I want an officer to run a prosecutions office in Bari; would the *BLACK*

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

725016

be any use out that sort of job.

Would you discuss with I.P.S. what we have
your views on replacing Pickering?

GRM

2083

Declassified E.O. 12356 Section 3.3/NND No. 785016

PERSONAL

11

DO. 3/3.14/48

7 Nov '44.

My dear

Just a line to thank you for your hospitality last week.

I spoke to Maurice Lush about a change of duty and he was receptive of the idea. He was quite agreeable to your putting in for leave under PYTHON Scheme, or its South African equivalent, and returning with renewed vigour to some other appointment in the Commission. I think it is now for you to start proceedings at your end.

I am hoping to see Capt. Shortt re sine clearance soon, I imagine that he has been held up by the weather.

As I informed you on a particularly bad telephone line, the question of moving the Army control line north of Florence will be considered at the next Sierra Meeting which is now likely to be tomorrow week.

I hope you have received my memorandum on Patriots for discussion at Sierra. No doubt you will argue the matter vigorously!

Yours sincerely,



2368

2386

Col. E.B. Mayne,
COS V Army, AIG.

1020

Declassified E.O. 12356 Section 3.3/NND No. 735016

No. 12152/9/CA. 10
C.I. AFFAIRS BRANCH,
G.H.Q., W.E.F.

23rd Oct., 1944.

Dear Brigadier Upjohn

Colonel Kaurery who has succeeded
Colonel Maxwell as C.I.A. has asked me to
thank you for your D/O 1/6/AS dated 15th
September which reached this H.Q. after
Colonel Maxwell had left to join U.N.A.R.A.

Your list of suitable Legal Advisers
will be most useful and I am passing it on to
my own successor in Cyrenaica.

Yours sincerely
Munro Shackle

Brigadier G.H. Upjohn,
Administrative Section,
H.Q. Allied Control Commission,
G.H.Q.

To Legal to see & return.
Any relation to H.R.?

Now

g/rel

2367

3/30

Same date app.

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION

APO 324

Civil Affairs Section

I

Ref: D.O.9/31.A/As.

2 Nov '44

Dear

A few notes on my trip -

1. PREFECT OF FLORENCE.

I spent some time on this with Mme. Rolin and the Prefect. The two first-named are now fully supporting the latter and the Comitato has lost considerable prestige. There may be some trouble with them later but I am much happier about the position and satisfied that AMG Vth Army are carrying out our wishes in this matter.

2. INTERVIEW SCENE AT LISA.

This is progressing but not as fast as it ought. Capt. Shortt is coming down tomorrow when we shall take up some outstanding points with the Government. However, two teams of about 100 each, one at Pisa and one at Lucca, should be ready to start work by the 15th and the instructional team can move on elsewhere.

3. REMARKS

I carried out what proved to be a most pompous and formal inspection of the Refugee Centre at Florence where Capt. Lambert (a British policeman of course) has carried out a most brilliant job in housing 2,000 refugees in the old Engineer Barracks. Its cleanliness would not disgrace a Brigade of Guards, he runs a school, clubs where dances are held, and has got into extraordinarily good shape a small chapel where the Germans had put in their horses. You really should see it when you are next in Florence as it is the most brilliant job of organization I have yet seen. I also inspected another centre run by Capt. Lambert where 400 Baloghese Patriots are being ordered for. They fought their way through the lines and arrived practically naked - hence the demand for clothing which I am glad we were able to satisfy.

4. PATRIOTS

I spent a good deal of time discussing this matter with various people and I propose, if you see no objection, to send round a memorandum (draft

RECONSTRUCTION WORKS AT FIRM.

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4. PATRIOTS

I spent a good deal of time discussing this matter with various people and I propose, if you see no objection, to send round a memorandum (draft attached) raising certain questions which I think could usefully be determined at the next Sierra conference. I am of opinion that the hospitalization and rehabilitation of the really fighting Patriot should be a hard Forces S/C responsibility. The numbers involved are comparatively few and I shall be putting up a plan to you in due course.

2366

5. REVIEW OF PROVINCES

a) PISA (Col. Walters) - excellently run. He stands no nonsense from his local Comitato and gets on well with the Prefect. He has the usual local problems, but his only really difficult one is the ruthless requisitioning by the American Air Corps in the city which is already 50% destroyed.

b) LUCA (Col. Hale). He has tried the experiment of appointing the President of the Comitato as Prefect, and various members to various offices. It seems to be working extremely well, and I believe the reason is that the Prefect at present is a Christian Democrat and not a Communist and that the Committee as a whole is a well-balanced representation of all parties, and not overwhelmed by one. I think it is an experiment that may well be repeated with success where similar conditions apply. It would in my view be useless in a city like Florence which is really dominated by the Communists, although I think Ralph really wishes that we had permitted the experiment there. There is also a refugee problem in Luca, but nothing which cannot be handled locally. Altogether the province seemed to be

working well, but from a personnel point of view they tell me it is not a very happy one due to the difficult personality of Col. Hales.

c) PISTOIA (Col. McBratney) He is a most engaging character whom I had not previously met. He had no real problems affecting my Section but says that he could do a great deal in his province, which is industrial, if only he could get some power. He had a number of wounded patriots who were not unnaturally demanding more food and more cigarettes.

d) FLORENCE CITY. Col. Michie was feeling happier and less alarmed about life in general. Both he and Col. Mayne were very anxious to get the Near Army Control Line moved North of Florence because it would make it so much easier to bring local food into Florence. I am going to see what I can do about this.

6. As I told you this morning Mayne really wants a change if the advance does not continue in the near future. I propose to write and tell him that he should formally apply for leave, to which he is entitled having been away from South Africa for over 4 years, and on his return no doubt some other desirable post could be found for him. Would you mention this to him at Bienna please.

7. As you can see from the above my two days with V Army were not exactly a rest cure.

any day for leave, to ensure he is entitled having been away from
South Africa for over 4 years, and on his return no doubt some other desirable
post could be found for him. Would you mention this to him at Sierra please.

7. As you can see from the above my two days with V Army were not exactly
a rest cure.

Brig. M.S. Lush, C.B.E., M.C.
Chief of Staff, HQ AC.

2365

Technical information could without difficulty be added

MEMORANDUM

SUBJECT:- Patriots.

2nd Nov. '44.

TO:- Regional Commissioners Liguria, Piedmont, Lombardia, Venetia, Emilia, S.C.A. Gs V & VIII Army.

1. The functions of the Patriots Branch of this HQ are now under review and this memorandum is addressed to you with a view to discussion at the Sienna Conference on the 8th November.

2. The disarming and dispersal ~~and so far as possible the rehabilitation~~ of Patriots is essentially a matter for Regional Commissioners and their provincial commissioners; this Headquarters assists by providing:-

- a) information
- b) Patriot representatives.

3. As to information: at the present time, the staff officer of the Patriots Branch compiles information collected from various military sources on the distribution and activities of Patriots, the names of their leaders, etc.

4. The views of Regional Commissioners will be requested on:-

- a) Whether they desire the information to be supplied on the present lines,
- b) whether they would be interested to receive reports in greater detail comprising a larger variety of subjects such as economic conditions, the destruction of factories, bridges and the like which may be of economic importance; such technical information could without difficulty be added to the reports, or
- c) Whether the reports are found to be of doubtful utility in view of the fact that many changes are likely to happen before Regional Commissioners enter their Regions, and the information will be out of date. In this connection it should be noted that information about Patriots will in future be readily available at Hq V Army, and I think at Hq VIII Army, as well as Hq AAI.

5. Patriot representatives have been supplied to Provincial Commissioners from the Italian National Patriot Committee, and it is known that Provincial Commissioners have found these useful in dealing with problems of finding employment for Patriots and so forth. It has been suggested, however, that in future Patriot

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A further question arises as to whether in view of the existing situation Patriot representatives should be withdrawn to Rome and sent up later if required; as against this it must be remembered that there is bound to be some delay in getting Patriots up to the front at the time when they are most required if they are now withdrawn.

2364

Copy sent to
(all the V.A. Regiments)

M. S. 1958, article
COS HQ (AI) - 1300 - 1300 - 1300.

PERSONAL AND CONFIDENTIAL

HEADQUARTERS
ALLIED CONTROL COMMISSION
CIVIL AFFAIRS SECTION
PATRIOTS BRANCH
APO 394

22 October 1944.

Subject: Propaganda on Patriots.

To: Brigadier WATSON (2) —
File copy for Col. SPICKER only.

As you know, I have never been an active supporter of the proposal to reduce the propaganda on Patriots.

Firstly, I feel that it is not fair, and I have always believed that when one adopts an unjust policy one always pays for it in the long run.

Secondly, I feel that it will not work because, say what we will, the activities of the Patriots are the only activities in which the Italian people can have any pride at this period and therefore all Italians will in fact boost Patriots.

Thirdly, let us consider the long term political outlook. Harold Gaccia will tell you that U.S.A. want an independent Italy not too strong and not too weak: i.e. not strong enough to be a menace to us and not weak enough to be an easy prize to others who could from Italy dominate the Mediterranean in another war. I can see no fault in this policy, except that I doubt from what I have seen of the Italians that they can ever be too strong. ~~For a very long period.~~ From this it follows that I must think that we should from now onwards boost Italy and help Italy to the maximum. Let us give Italy the best peace terms we can and let us not mind if they do in fact tell us that the Patriots have won the war.

2360

Col. C. H. R.

C.D. McCAULEY,
Colonel,
Patriots Branch.

PERSONAL

ALLIED MILITARY GOVERNMENT
H. Q. EIGHTH ARMY

17 Oct 44

Dear General,

Forgive my not answering your letter D.O. 12 of October 6th before, but I did not get it until I got back from the meeting in Siena, and I then promptly retired to bed with malaria, where I am still. It is just as well I didn't take an aeroplane for Haifa.

Yes, I would very much like to be put on your distribution list. I am interested in what you say about the payment of the Sindaco in Rome and how Regions have been circulated to obtain there views as regards a like procedure throughout. This is a step which I have advocated many moons ago. I wrote a letter about it after consultation with all my I.Os and C.A.Os, strongly urging payment, and I also discussed it in person, but with whom I don't remember. This must have been both at the end of last year whilst 15 A.G. were still in the saddle and again early in the year, but as far as I remember I never got an answer to my bleatings so I dropped it.

Whether we are going to become stabilized somewhere in this vicinity or not, is not for me to prognosticate. But one must not blind oneself to the fact that we and I would also venture to say Fifth Army are "tired" armies, who have at any rate in our case lived on our feet for a long time and presumably must continue to do. But if we have to, then I am going to work out an organisation which will virtually hand over everything to the Regional H.Q. so far as administering is concerned, though of course leaving me the responsibility. It is no good sitting down in an area for a length of time and trying to administer outside what will be the permanent government, and I am quite sure this organisation is flexible enough to find some method by which the Region can take over even in a forward Army area. However this is still for your private ear.

Come and see us again soon, please.

Yours

Dear with interest
- appreciation.

R. H. W. 11/11/44

Brigadier G. Upjohn

Oct 21

throughout. This is a step which I have advocated many moons ago. I wrote a letter about it after consultation with all my L.Os and C.A.Os, strongly urging payment, and I also discussed it in person, but with whom I don't remember. This must have been both at the end of last year whilst 15 A.G. were still in the saddle and again early in the year, but as far as I remember I never got an answer to my bleatings so I dropped it.

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Come and see us again soon, please.

Brigadier G. Upjohn,
H.Q., A.C.C.
A.P.O. 594.

Dear with interest
+ appreciation.

R.H. W. 11/11/44

St. 21

2362

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: 1/1/CA

17 Oct '44.

TO:- Chief of Staff

SUBJECT:- Chief Legal Adviser.

1. Col. Wilner (A) has received orders to proceed to the United States on temporary duty. It is possible that on his arrival in the United States this may be converted to a permanent change of duty.
2. In either event the question of appointing an Acting Chief Legal Adviser arises. I must strongly recommend for this appointment the present Deputy Chief Legal Adviser Col. W. E. Behrens (B).
3. It is quite true that this recommendation involves a change of nationality in the appointment, but in view of Col. Behrens' outstanding qualifications I am of the opinion that the change should be made.
4. Col. Behrens has had experience in the ACC for nearly a year and has had the advantage of considerable experience in the field, first at Palermo and other provinces in Sicily, then for 7 months as Regional Legal Adviser in Region V, and finally at this HQ for 2 months. He is in my opinion outstandingly brilliant, hardworking and reliable, and even more important of an extremely sound judgement.
5. The only possible alternative would be Lt. Col. M. J. Grossman (A) now Chief Legal Counsel, but he lacks any experience in the field, and to be perfectly frank I am of the opinion that he cannot be described as of the calibre of a Chief Legal Adviser in an organization so vast as ACC. There is also a difficulty created by the fact that Grossman is a Lt. Col. and Behrens a Colonel.
6. For the above reasons I recommend that Col. Behrens be appointed Acting Chief Legal Adviser.

G. P. UPJOHN. Brig.
VP CA Sec.
Dep. C. of S.

2361

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

Ref: R.O.9/3.1a/A.C.

10th Oct. '44.

SUBJECT:- Transport for Italian Red Cross Week.

Dear

You will remember I called to see you on Monday morning, and you very kindly promised to lend 4 trucks to the Italian Red Cross for their week to collect articles for Refugees, etc.

The Italian Red Cross Week was to have started on 15th Oct. '44, but in typical Italian style they have changed their minds and the week is to start on 22nd Oct. '44. Could you lend the four trucks for a week starting 22nd October?

The Marquis Theodoli would appreciate it if he could decorate the trucks on the Saturday afternoon (21st Oct). Would it be possible to arrange at a later date a place and time where the trucks could collect to be decorated?

1 2 3 4

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Brigadier A. Low,
Command R.A.A.C.

2360

Declassified E.O. 12356 Section 3.3/NND No. 785016

PERSONAL & CONFIDENTIAL

(3)

10. Huxley (PR)
H. J. L. Plummer
HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

1st October, 1944

My dear

Thank you very much for sending me your papers on Patriots, including Colonel Bye's reports, which I have found most interesting. I return them herewith.

The Patriots Branch comes under me as from tomorrow and I propose to try and restrict their ardour in producing large quantities of directives, but this may take me a little time.

I was very sorry not to come and see you on Thursday but it was a filthy day and I had several matters to attend to in Siena, and in fact only arrived back here at 7 p.m.

I hope to come and see you before long but will give you ample notice.

Yours sincerely,

Col. R. D. Mayne,
Chief of Staff AME 5th Army.

2359

C O P Y

SUBJECT : Return of Civilian to their Homes.

Ed. Kennedy file phone. RRC

To be sent copy requested
File
(2)
Army Sub-Commission (MMA)
HQ ACC
ROME
TS/G/19

Sep 11

My dear Upjohn,

- 1 I feel I must state my views in connection with ACC letter 75/470/CA/ACC 383.7 dated 26 Aug.
- 2 As you know, I said I felt it my duty to oppose this use of 934 soldiers for civilian transit camps on military ground (see my TS/G/19 dated 12 Aug). But there are other aspect also, as follows.
- 3 The problem is not that this mass migration should be controlled but who should control it.
- 4 (a) We have handed over King's Italy to the Italians and it is thus the job of the Italian civil government to control, under the direction of ACC.
(b) The "first line" of control and execution of law and order is the Carabinieri, working presumably with the civil authorities.
(c) The "force" you consider necessary must first be provided by the Carabinieri. To say that only the army can control is to admit government and Carabinieri impotence. Surely this is not admitted, though it is really the basis of your argument? Moreover, it seems to me politically undesirable to use the Army for this purpose. Any difficulties, lack of success or unpleasantness will be blamed on the Army.
- 5 (a) Your may say that you have not enough Carabinieri, having only about 44000 out of your ceiling of 55000.
(b) My answer is that you can coopt (temporarily, if necessary) thousands of ex-officers and soldiers now demobilised. These have been trained in authority. They can be armed and if drafted into the Carabinieri can draw rations and wear uniform or alternatively an arm band like the ROME extra police. The Carabinieri proper can be in command everywhere, with this extra coopted personnel as their assistants. If you do not want to enroll these extras into the Carabinieri you can coopt them temporarily on special rates of pay etc. for these transit camps.
(c) Surely all you have to say to the various Prefects is "Produce a transit camp, establishment X at place Y to take Z refugees by A day". If they cannot do this, get other Prefects who can!
- 6 This matter raises the whole question of the Carabinieri. Frankly I am doubtful if this Corps is organised properly and economically and thus pulling its full weight. Do you need 8600 Carabinieri in ROME? or 707 in COSENZA? Carabinieri are not used for guarding military installations; we have soldier guard units for this.

- 2 -

7 (a) What I feel is required (perhaps you are doing it already) is a complete analysis and investigation into the whole of the Carabinieri duties and distribution.

(b) This obviously involves:-

- (i) Securing accurate data as regards numbers and distribution.
- (ii) analysis of the importance of the various areas.
- (iii) analysis of the actual duties, the period of duty per day, the number of reliefs necessary and the provision of reserves for emergency use as required.
- (iv) the allotment of totals per area within the ceiling of 55000 together with the issue of a policy letter.

8 The Italian idea of security is to have masses of men laying about in heaps! Our idea is that a few energetic men with mobile patrols and reserves give better control.

9 As I have said many times "We must all cut our according to our cloth". The Army is doing so, with great difficulty and a much reduced ceiling. I feel that you should and should be able to do so also, if the Carabinieri were really well organised and redistributed and if the Italian government does its job instead of throwing up its hands and passing the baby to the Army!

Yours sincerely
s/ Langley Browning

Brigadier G.R. UFFCHN,
V.P. Administrative Section

Copy to Brigadier COOPER
ECB (SD) HQ AA1

Declassified E.O. 12356 Section 3.3/NND No. 73504

(1)

Administrative Section
Allied Control Commission
14 Sept 1944

SUBJECT: Recent Tour.

Dear

The following points which I gleaned on my recent tour and which are not strictly up my alley may be of interest.

1. I saw Col Hartley at Orvieto who complained that he only had 56 trucks. He said that if he could have the loan of 20 or even 10 trucks to shift his Hq to Bologna it would make all the difference.

His request seems reasonable, and I said I would pass it on making no promises.

2. I also saw Col Quin Smith at Siena. He complained bitterly of requisitioning not merely by AAI to which he is resigned but by wine trucks coming up from Rome. In one case a truck came up requisitioned (I think) 20 quintals of wine from his best estate, Broglia, for the use of the Excelsior Hotel at Rome and he had other equally dreadful stories.

3. Lt Col Nicholls at Ancona also begged for assistance to stop the appalling requisitioning by AAI there. The P.O. has been taken for the JMWTF and the leading bank for an Office Shop (a very good one too.)

4. The general view about Patriots expressed everywhere was that the thing is being overdone. Volumes of paper on the history of the movement, Fox McCarthy's speech etc, which have been issued have evoked some criticism. Everyone seems to think it can now be dealt with as a local problem with local ceremonial committees. The number of returns required have also irritated some.

I think there is a good deal in these criticisms although of course they only see one side of the picture in the field.

5. Regrettable criticisms of Hills everywhere but I don't think it matters now and if I take over this I propose to overhaul the thing with Findley. I have sent a note to Col Hills on one or two minor problems.

6. Terrific and universal praise for the work of the Red Cross everywhere.

7. At Ancona they have employed some convalescent Allied *4304* very usefully in conjunction with the harvest and the officers incidentally are enjoying themselves. Do you think we could enlarge on this with AAI.

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Executive Commissioner

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