

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

10000/105/822

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

1000/105/822

DEFASCISM, ORG ITALIAN, CORRESPONDENCE,
CRIMES (PART I)
AUG. 1944 - AUG. 1945



ALTO COMMISSARIATO PER LE SANZIONI CONTRO IL FASCISMO

ALTO COMMISSARIATO AGGIUNTO PER L'AVOCAZIONE DEI PROFITTI DI REGIME

712/2.1

Pres. N.
Allegati
Ripresenta al luglio N.
del

Roma, 3 ottobre 1944

OGGETTO: Relazione dell'attività svolta dall'Alto Commissariato Aggiunto per l'Avvocazione Profitti di Regime.

A/ S.E. L'ALTO COMMISSARIO

PER LE SANZIONI CONTRO IL FASCISMO

R O M A

In relazione al lavoro eseguito da questo Ufficio fin dalla sua costituzione s'informa che sono pervenute finora, dalle varie provincie dell'Italia liberata, segnalazioni e denunce, firmate, apocrife ed anonime, a carico di 1427 persone.

Nonostante la complessità delle indagini, che necessariamente vanno esperite nella fase anteriore alla eventuale richiesta di sequestro conservativo dei beni, è stato possibile tuttavia, in questo breve periodo, provvedere, per la sola provincia di Roma, all'emanazione di detto provvedimento cautelativo nei confronti delle seguenti 20 persone:

- 1) FEDERZONI LUIGI - 2) BOTTAI GIUSEPPE - 3) IGIORI ULISSE - 4) ARMENISE GIOVANNI - 5) VASELLI ROMOLO - 6) ROSSONI EDMONDO - 7) FARINACCI ROBERTO - 8) CERRE' ENEA - 9) DEL FANTE DAVIDE - 10) DEL FANTE MASSIMO - 11) ACERBO GIACOMO - 12) BALELLA GIOVANNI - 13) GRANDI DINO - 14) STARACE ACHILLE - 15) ANFUSO FILIPPO - 16) AZZOLINI VINCENZO - 17) DE CESARIS ULDERICO - 18) LE PERA ANTONIO - 19) RICCI RENATO - 20) RIGGARDI PARRAFI.

OGGI
Relazione dell'attività svolta dall'Alto Commissaria
te Aggiunto per l'Avvocazione Profitti di Regime.

A/ S.E. L'ALTO COMMISSARIO

PER LE SANZIONI CONTRO IL FASCISMO

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1) PEDERZONI LUIGI - 2) BOTTAI GIUSEPPE - 3) IGLIORI ULISSE - 4) ARMENISE GIOVANNI - 5) VASELLI ROMOLO - 6) ROUSONI EDMONDO - 7) FARINACCI ROBERTO - 8) CERRE' ENEA - 9) DEL PANTE DAVIDE - 10) DEL FANTE MASSIMO - 11) ACERBO GIACOMO - 12) BALELLA GIOVANNI - 13) GRANDI DINO - 14) STARACE ACHILLE - 15) ANFUSO FILIPPO - 16) AZZOLINI VINCENZO - 17) DE CESARIS ULDERICO - 18) LE PERA ANTONIO - 19) RICCI RENATO - 20) RICCARDI RAFFAELE.

L'esecuzione dei menzionati sequestri va attesa, in base alla normale procedura civile, e si attende comunicazione circa l'entità dei beni sequestrati, che, da informazioni fornite dall'Intendente di Finanza di Roma, si aggirerebbe, in via di larga approssimazione, intorno all'ordine di grandezza di tre miliardi.

./.

Per altri 95 nominativi sono in corso istruttorie per i provvedimenti stabiliti dalla legge. Le indagini relative vengono svolte dalla Polizia Tributaria, dipendente da questo Ufficio.

Le rimanenti denunce e segnalazioni sono in fase di istruzione; ma è prevedibile che per molte di esse già siano stati o siano per essere adottati gli opportuni provvedimenti direttamente dalle Intendenze di Finanza delle varie provincie, dalle quali si attendono tutti i dati inerenti all'attività da esse svolta. Difatti sono stati richiesti alle Intendenze:

- a) - un elenco nominativo dei sequestri disposti dai rispettivi Presidenti di Tribunale contro persone ed enti ritenuti profittatori, con i relativi dati, compresi gli estremi dei sequestratori;
- b) - un elenco nominativo delle persone ed enti sottoposti all'accertamento;
- c) - un elenco nominativo dei sequestri da richiedersi, a cura degli Intendenti, ai Presidenti di Tribunale.

Infine sono stati avvertiti i Presidenti di Tribunale di trasmettere, entro il 1° ed il 16 di ogni mese, a decorrere dal mese di ottobre, con i relativi dati, compresi gli estremi dei sequestratori, l'elenco nominativo dei sequestratori da essi disposti contro persone ed enti ritenuti profittatori.

Come è agevole scorgere, tale lavoro concorre a rendere sempre più attivo il controllo di questo Alto Commissariato Aggiunto che, in attesa delle norme integrative della legge 27 luglio 1944 N° 152, ha impartito, in questi giorni, dettagliate istruzioni agli Intendenti di Finanza per il buon regolamento delle gestioni sequestratorie e per indagini di carattere obbiettivo sugli incrementi patrimoniali verificatisi dal 28 ottobre 1922 ad oggi.

Per quanto riguarda la provincia di Napoli, secondo le informazioni ricevute da quell'Intendente di Finanza, l'arretrato arricchimento è già

questo Ufficio.

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Per quanto riguarda la provincia di Napoli, secondo le informazioni ricevute da quell'Intendente di Finanza, su 915 nominativi indiziati di illecito arricchimento è già stato disposto ed operato il sequestro conservativo, in dan-

4605 /.

3) *Pa* 47
no dei F.lli Luigi, Angelo, Armando, Attilio e Gennaro Piscitelli per la somma di L. 3.387.176,55.

Inoltre per 42 nominativi è stato richiesto al Presidente del Tribunale di emanare il sequestro conservativo dei beni, mentre è in corso il sequestro per altre 14 persone denunciate.

Infine, per altre 290 persone, si stanno svolgendo gli accertamenti opportuni per i provvedimenti di legge.

Pa L'ALTO COMMISSARIO AGGIUNTO

Pa

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
CA SECTION

(Pa) 12/

IF/L.S/AS

6 Oct 44

Dear Count Sforza,

I shall be very obliged if you will arrange for me to be kept informed, as dates of trials under ILL 159/44 are fixed, of the names of the persons concerned, the place and date of trials and, in very brief outline, the offences alleged.

Yours truly,

G. R. O'JOHN Brig.
V.P. CA Section

R E Count Carlo SFORZA
Alto Commissario per le Sanzioni
contro il Fascismo.
Palazzo del Viminale
R O M A

46032

2179

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

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OT/1.5/AS ✓

1 Oct 44

Your Excellency,

Enclosed is a communication which has been received with regard to the destruction of an electricity plant in the Island of Sardinia. Your Excellency may wish to consider whether proceedings should be taken against any person mentioned therein.

Believe me, your Excellency,
Yours truly

R E BULLIARD
Alto Commissariato per le Sanzioni
contro il Fascismo
Palazzo del Viminale
R O M A

4602⁴⁶⁰

1925

(4) (u) 18/

Re The ~~reconstruction~~ (Warrant Office) in charge
of H. R. C. -
Island of Liré

Subject: Distribution on the part of the Bureau
of the Bureau of the 7th A.A. by order 2300 &
of the Central Hypothesis of the Central
of the Bureau.

In respect to the distribution of my collection
plant, called "Elle Cane", it would like to
bring the following to your attention.

We said Central Plant, capable of some force-
powers had been constructed in underground cases,
that was so well hidden, that it was very difficult
of being noticed by anyone other than one
who did direct attention to do so.

During the first days of December 1943, in
American Office, by means of work, from the
American Technical staff of the order (December 2300)
accompanied also by other specialists, and with
a representative plan in hand, sought to find
a more mentioned central plant in this section.
On a visit to the main part of the Central Administration,

4601

of the Central Hypocellulose of hard called
within Curran's.

On report, to the distinction of my central cellu-
plant, called Vela Curran. It would like to
bring the following to your attention.

We and Central Plant, capable of some horse-
power had been constructed in underground caves,
that was so well hidden, that it was being different
of being noticed by anyone other than one
who could direct attention to do so.

During the first days of December 1943, a
German Officer, by name of H. H. from the
German Technical staff of the order (Dino still 2300)
accompanied also to other military and with
a symmetrical plan, it had, caught to find the

4601

about mentioned central plants in this section.
On an order to the main to the Central Curran,
he asked to be informed by the informant and
great portion of my sword hidden plant. He
underestimated to in that respect, Engineer's
Curran and the Curran's. Both of them, both
of the Central Curran's.

The giving of an answer to them was postponed many
times, but within my grounds, Dr. Callipera Lutea
succeeded in wading the ground away by the road
location to the officials.

(1) 2
 Anyhow on the 17 of Dec. 1963 the Bureau officers
 and question returned again and then have
 accompanied by a certain man named Ruto,
 alias Butto, who had given the Bureau
 information, who had given the Bureau
 information of the true position of my
 well hidden central plant. In the meantime
 walls had been contacted at the entrance to
 several still more supposed the finding of
 the said plants.

At that time permission to attack the walls
 to me by my partner. Elliptical to bring
 to my battery then all that became to that day.
 From this letter, can be deduced that which
 was the words of Butto.

A few days had passed, when suddenly, the
 mentioned Bureau officers appeared himself and
 the time by a group of identification and
 carrying equipment, that with aspects of the
 Bureau police. They forced me to open immediately
 the entrance to the cave, with the threat
 that the dynamite would be used against me.
 Instead, had I chosen to continue the order.
 That is, I was the entrance.

(1) 2
 anywhere on the 19 of Dec. 1963 the Bureau officers
 and question returned again and this time
 accompanied by a certain Matteson and Peter,
 Edwin Patterson, a laborer with the Bureau
 immediately, who had given the Bureau
 Officer confirmation of the true position of my
 well known central plant. As the reaction
 walls had been constructed at the entrance to
 render still more difficult the finding of
 the said plants.

At this time permission for a check of the walls
 to me by my father was religiously denied to day
 to my father than all that he wanted to that day.
 From the letter, even he desired that which
 was the number of matter which was

A few days had passed, when with party, the
 married Bureau officer presented himself and
 this time by a group of demonstration soldiers
 carrying submachine guns, met with agents of the
 Bureau police. They forced me the opportunity
 the entrance to the caves, with the threat
 that the dynamite would be used against me
 instead had I chosen to continue the order.
 They were saying that I covered the entrance

would transfer instant plant to the nearest
available person, and that at the entrance to
the plant, I would be the first person to
be met.

At that time, I was the first person to
be met by my father, Mr. Edgar, to bring
to my attention all that was to be done.

From that letter, we have learned that
was the work of the machine.

A few days had passed, when, suddenly, the
new found German officer, I was told, and
was then by a group of German soldiers
carrying equipment, that with agents of the
German police. They forced me to go immediately
the entrance to the factory with the first

that the Germans would be used against me.
Instead, I was to be used to the order.

The first morning, I was told the machine
to the house he had given, which was everything
everything else, and pointed out to each other
it had been with him, telling them for
the first time, personally, we had been
the same habits had actually fallen in the
immediate vicinity.

At this point, I was told by the German
of the German of the first of the German
to the German command of the first.

3
 (1/2)
 residing at Rome, that he should permit me to remove the machinery, therefore sending eventual damage to the Central plant and to the Castle of Villa Cassan, adjacent to the Central plant and also to the perimeter of the town for the event of this demolition (expected).

The director of the Rome Office, Ritz, mds. resided in the Hotel Vittor, who should have given this permission, was substituted for by the Capt. Eng. Rittler of the German Army together with his interpreter, Ing. Gendelle, since the owner, resident of Rome, telephone no. 60331.

These men should have followed there the branch of the German Technical (Chemical) branch who went at for the machine, who were in charge and in possession of the electric plants, accompanied by the officers' work, and other officers. All these people, aside from the me that these days would be given for the dismantling of the machinery, after which the machine demolition would be subjected all the other destruction, therefore, and most certainly 4600. was impossible to demolish the machinery.

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

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2/

Allied Control Commission
Administrative Section
APO 394

✓
DE/4.3/AS

26 Sep 44

Dear Count Sforza,

Thank you for your letter of the 20 Sep, stating amongst other things that permission to film the Caruso trial was given following urgent pressure by Allied officers.

In view however of your letter to Mr. Reynier of P.W.B. dated 4 Sep yourself suggesting that trials of Fascists are very suitable material for films you may care to modify or withdraw your statement in your letter of the 26th.

May I also ask you to let me have a reply to my letter dated 19 Sep asking for a list of fascists who are going to be tried together with the dates and places of trial.

Believe me, your Excellency,
yours truly,

H E Count Carlo SFORZA
Alto Commissario per le Sanzioni
contro il Fascismo
Palazzo del Viminale
R O M A

Ext. 525
ORU/mt

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

DE/4.3/AS ✓

Administrative Section
Allied Control Commission
APO 394

5a

19 Sep 44.

Your Excellency,

In view of the incident yesterday will you please keep ACC informed of your proposals as to all trials under any part of D.L. 159.

The particulars required are the names of the persons to be tried, some indication of the charge and its seriousness and the place and date of the trial.

This is not required with a view to any interference with the Italian administration but so that ACC may in future be forewarned as to the possibility of any incident.

Believe me,
yours truly.

H E Count Carlo SFORZA
Alto Commissario per le Sanzioni
contro il Fascismo
Palazzo del Viminale
ROMA

Ext. 469
SHS/mt

4598

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

Subject: Appointment of extra members to the ^{of} ~~the~~ High Court of Justice.

DF/4.5/AS

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5 SEP 1944

Article 2 of the Surogato's Legislative decree, approved by the Council of Ministers in the meeting held on 31 August, and about to be published in the Official Gazette, disposes that, in addition to the nine effective members of the High Court of Justice, extra members should be named, to a number not exceeding 9, in order to avoid interruptions in the work of the High Court, should any effective member fall ill or otherwise be unable to attend to his duties.

By virtue of this disposition, the following extra members should be appointed, in the proportion of three magistrates out of eight, as follows:

Guido Guidi .

Councillor of Cassation

Filippo Progetta .

"

"

"

Leonida Ragusca

President of the Honorary Section
of the Council of State.

Prof. Guido Colagrosso .

of Pisa University.

Dr. Aldo Negraville .

Prof. Ettore Patini .

459

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

Subject: Appointment of extra members to the
High Court of Justice.

DF/4.5/HS

1a

5 SEP 1944

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"

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Leonida Ragnisco

President of the Honorary Section
of the Council of State.

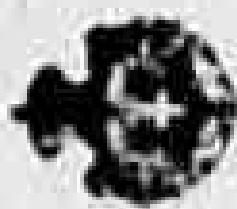
Prof. Guido Calogero .

of Pisa University.

D. Alvaro Negarville .

Prof. Ettore Palini .

4591



ALTO COMMISSARIATO PER LE SANZIONI CONTRO IL FASCISMO

G A B I N E T T O

Ufficio

Prot. N.

Allegati

Risposta al foglio N.

del

44.4.003

Roma, settembre 1944

Proposta
OGGETTO: Nomine supplenti Alta Corte di Giustizia.

A/ Brigadiere Generale Gerald R. UPJOHN
V. Presidente della Commissione Alleata di Controllo
Sezione Amministrativa

R o m a

L'art. 2 del decreto legislativo luogotenenziale, approvato dal Consiglio dei Ministri nella seduta del giorno 31 agosto scorso ed in corso di pubblicazione nella Gazzetta Ufficiale, dispone che possono essere nominati, in aggiunta ai 9 membri effettivi dell'Alta Corte di Giustizia (art. 2 del D.L. Luogotenenziale 27 luglio 1944, n. 159) membri supplenti in numero non superiore a 9, al fine di ovviare al pericolo che per malattia o altro impedimento di qualcuno dei membri effettivi i lavori dell'Alta Corte debbano essere sospesi.

In virtù di tale disposizione dovranno essere nominati membri supplenti nella proporzione di tre magistrati su otto, le seguenti persone :

GUIDO GUIDI, consigliere di cassazione

FILIPPO PROFFA, consigliere di cassazione

LEONIDA RAGNISCO, presidente di sezione onorario nel Consiglio di Stato

Prof. GUIDO CALOGERO dell'Università di Pisa

4596

A/ Brigadiere Generale Gerald R. UPJEN
V. Presidente della Commissione Alleata di Controllo
Sezione Amministrativa

R O C E A

L'art. 2 del decreto legislativo luogotenenziale, approvato dal Consiglio dei Ministri nella seduta del giorno 31 agosto scorso ed in corso di pubblicazione nella Gazzetta Ufficiale, dispone che possono essere nominati, in aggiunta ai 9 membri effettivi dell'Alta Corte di Giustizia (art. 2 del D.L. luogotenenziale 27 luglio 1944, n. 159) membri supplenti in numero non superiore a 9, al fine di ovviare al pericolo che per malattia o altro impedimento di qualcuno dei membri effettivi i lavori dell'Alta Corte debbano essere sospesi.

In virtù di tale disposizione dovranno essere nominati membri supplenti nella proporzione di tre magistrati su otto, le seguenti persone :

GUIDO GUIDI, consigliere di cassazione

FILIPPO PROPETA, consigliere di cassazione

LEONILA RAGNISCO, presidente di sezione onorario nel Consiglio di Stato

Prof. GUIDO CALOGERO dell'Università di Pisa

Dr. CELESTE NEGARVILLE

Prof. ETTORE PATINI

4596

AVV. PASQUALE SCHIANO

Prof. GAETANO VITAGLIANO dell'Università di Roma.

Si prega di far conoscere l'avviso di codesta Commissione Allesta di Controllo con cortese sollecitudine, dovendo l'Alta Corte di Giustizia iniziare fra giorni i suoi lavori.

Sforza

Avv. Pasquale SCHIANO

Prof. Gaetano Vitagliano of the University of Rome.

The Allied Control Commission is

asked to make its opinion known
soon, as the High Court of Justice
will commence its proceedings in a few
days.

Sforza

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

Administrative Section,
Headquarters,
Allied Control Commission
APO 394

DF/4.5/AS

3 September 1944

TO : H.E. Berlinguer,

Your Excellency,

Cesare Tusedel.

- 1 I am instructed to refer to Your Excellency's letter 1347 of 30 August and to inform Your Excellency that neither Sir Noel Charles nor Mr Kirk can properly be required to give evidence either in this or any other such case.
- 2 Will Your Excellency please inform those concerned that correspondence of the High Commissioner for ACC should normally be addressed to the Administrative Section and not to any particular Sub-Commission.

H.E. Berlinguer,
Alto Commissariato Aggiunto Per La
Punizione Dei Delitti,
Italian Government.

Copy to: Political Section.

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

Brigadier Upjohn,
Administrative Section.

3 SEP 1944

This letter was raised this morning at a meeting between
Capt. Stone, Sir Noel Charles and Mr. Kirk. It was agreed

- a) that neither Sir Noel Charles nor Mr. Kirk could properly
be required to give any evidence in this or in any other
such case;
- b) that Mr. Berlinguer should be so informed.

Political Section
2.2.44.

W. Hopkins
J/c
fn H. A. Gooch
4591

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

Col. Upjohn

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ALTO COMMISSARIATO PER LE SANZIONI CONTRO IL FASCISMO

ALTO COMMISSARIATO AGGIUNTO PER LA PUNIZIONE DEI DELITTI

1344

Prot. N.

Allegati

Risposta al leggio N.

del

Roma, 30 maggio 1944

-3 SEP 1944

OCCETTO: Cesare Tenedei trial

AL TO HEADQUARTERS ALLIED CONTROL COMMISSION

LEGAL SUB-COMMISSION

R.O.M.A.

Via Vittorino Veneto

- 1- We are charged of the instructory in the above mentioned case (Cesare Tenedei trial) and need to get the witnesses of Sir Noel Charles and Mr. Alexander Kirk.
- 2- We shall be much obliged if you could arrange with them where and when our magistrate may go to meet them.
- 3- Will you kindly let us know something about ?

With best regards

LEGAL SUB-COMMISSION

DCIO

DCIO

MARIO BERLINGUER

Alto Commissario Aggiunto

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A/ TO HEADQUARTERS ALLIED CONTROL COMMISSION

LEGAL SUB-COMMISSION

R.D.M.A.

Via Vittorio Veneto

1- We are charged of the instructory in the above mentioned case (Desare Tamedel trial) and need to get the witnesses of Sir Noel Charles and Mr. Alexander Kirk.

2- We shall be much obliged if you could arrange with them where and when our magistrate may go to meet them.

3- Will you kindly let us know something about ?

With best regards

4590

MARIO BERLINGUER

Alto Commissario Aggiunto

M. Berlinguer

To V.P. Adam Sec

I pass this along to you

Richard H. Williams

1 Sept 44

W.H. Williams

CLO

1040

LEGAL SUB-COMMISSION

CLO

DELO

Chief Counsel

CLO

Italian

CL. PMS

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DE/4.5/AS

12 Aug 44

Your Excellency,

Col UPJOHN has asked me to make clear that the fact that VASELLI was released by the Allies is in no way a bar to his re arrest by the Italian Government. His arrest was not in connection with Fascism.

Believe me
Your Excellency
yours truly

H. E. BERLINER
L'Alto Commissariato per le sanzioni
contro il Fascismo,
Palazzo del Viminale
R O M A

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DE/H. S/AS

11 Aug 44

Your Excellency.

I am directed to inform your excellency with regard to those who have sought sanctuary in the Vatican City, that the course you propose is concurred with. The request for extradition is a matter entirely for the Italian Government.

Believe me
Your excellency
Yours truly

H.E. BERLINGUER
L'Alto Commissariato per le Sanzioni
contro il Fascismo,
Palazzo del Viminale

R O M A

4591

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DE/4.3/AS

8 Aug 1944

H.E. Berlinguer.

I am instructed to inform your Excellency that ACEPBO has not as yet been arrested and that VASELLI was released by the CIC on 2nd Aug.

The CIC who effected his arrest for interrogation will be pleased to hand over the information which they have (Capt. Brod 478445 Ext 55 will arrange) his arrest should be effected in conjunction with the Public Safety Sub Coman of this HQ.

S.H. WHITE, Lt Col,
for A/Head, Admin Sec.

H.E. BERLINGUER
L'Alto Commissario per le Sanzioni
Contro il Fascismo,
Palazzo del Viminale,
Roma

Copy to: Public Safety Sub Coman.

Declassified E.O. 12356 Section 3.3/NND No. 78501616

Ex Commissioner

As the delay involved on the Graziani inquiry may be considerable I suggest a further note to the P.M. Our earlier letter is Folio 41A, AFHQ letter is Folio 47A

7 June

H. 9/6

P. D. Benham/Cat. h/ol
CAS17

C A Sec:

Reference 16 above, letter is returned for dispatch.

11 June 45.

Shorden
Mark

18

4678

Ex Commissioner

- I am sorry to hear that

19

Graziani

Chief Commissioner.

CC 1048
11 JUN 45

Attached is submitted for your signature/information/approval

20

C A Sec: Ref 18 above.
for dispatch.

Office, E.C.
14 June 45

Letter signed and returned

M. L. 13/7
Shorden
36

CAS.

we have the strongest objection to Polio 30A for the following reasons:-

- (a) MARFONI has been President of the High Court of Justice since before the Caruso trial. It is not understood why an additional nominee should be required for the court at this stage.
- (b) It is true that REALI is now Undersecretary for Foreign Affairs but even so it is not necessary to "Complete" the court, which already has sufficient members.
- (c) If it is necessary to "Complete" the court there is no reason why judicial members should be appointed since the full complement of judicial officials already exists.
- (d) The Minister of Justice has never been consulted, and objects, very reasonably, to the appointments.
- (e) It does not appear that 30R2A has now any authority or interest in sanctions against Fascism.

W. E. Behrens

9 JAN 1945

LEGAL SUBCOMMISSION I

W. E. BEHRENS.

Colonel,

Deputy Chief Legal Advisor.

VP.

Refer 6. Surely AC is not concerned with 6/2/ above with regard to 6/2/ the appointments since before the Council of Ministers. All that is in issue at this stage is whether the Minister will be consulted. It is whether we have any objection to the present members - which is not answered. If also it matters directly to the decision that the Council of Ministers is consulted on all matters. ~~It is not a matter for objection but approach.~~

CAS
9 JAN 1945

9.

Legat. Please see 61A. The two lines above are for your information. 46: 76
as that you may send me a the Minister of Justice to your records.

...that HEALD is now Undersecretary for Foreign Affairs but
ever as it is not necessary to "Complete" the court, which already
has sufficient members.

(c)

If it is necessary to "Complete" the court there is no reason why Judicial members should be appointed since the full complement of Judicial officials already exists.

The Minister of Justice has never been consulted, and objects, very reasonably, to the appointments.

it does not appear that SORBA has now any authority or interest in Sanctions against Pakistan.

und eben:

9 JAN 1945

LEGAL SUB-COMMISSION

H. I. H. S.

Column 2.

Deputy Chief Legal Advisor.

2

a

Refer 6. Surely AC is not concerned with 6/2/ above with regard to 6/ the appointments comes before the Council of Ministers as regards the main definition will be considered. It is whether we move any objection to the previous proposition - this is not answered. 6/ also is a matter relating to the intention about it. Good things is carried on all fraction. ~~as a matter of fact~~ But Sweden is appropriate that is not a matter. This objection that approach.

1777-1778

CA-2
JUL 1951

d

Please see to it The line comes out is for your attention
 on that you may send me to the Minister of Education to you think fit.

2. AS

Seen by bel. Fishers at Hob.
Stamford U. S. 1. 175. 1845

Handwritten signature: *John H. ...*

Minutes

PS

Report on the ...

[Handwritten signature]

14001.1944

CAS Reg IV info of date, but not one known
place *[Handwritten signature]* for SPB

PS Pils 16a and 18a Will you please see that any
arrangements necessary are made and arrange with
the station ...

[Handwritten signature]

CAS
30001.1944

Papers 16a to 19a ...
20a ...

-4NW.1944

Legal.
Ref ...

CAS
8001.1945

[Handwritten signature]

Minutes

4675

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

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

CA SEC
5341

12 JUL 1945
HYA

G-5: 383.6-11

10 July 1945

SUBJECT: Marshal Rodolfo Graziani.

TO : Headquarters, Allied Commission,
APO 394. (Attn: Civil Affairs Section).

1. Reference is made to your DF/4.5/CA of 2 June and to our interim reply G-5: 383.6-11 dated 6 June, subject as above.

2. This Headquarters is in receipt of instructions from the Combined Chiefs of Staff directing that Marshal Rodolfo Graziani should not be surrendered to Italian authorities for trial pending the formulation of a general war crimes policy which it is expected will shortly be established as a result of the meeting of representatives of the War Crimes Prosecuting Staffs of the U.S., Great Britain, France and Russia which is now taking place in London.

3. The Combined Chiefs advise that further instructions will be promptly forwarded when available. In the meantime Italian authorities may be advised of the reasons for which we are unable at this time to release Marshal Graziani into their custody.


A. L. HAMBLER
Brigadier General, USA
Assistant Chief of Staff, G-5

4674

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

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

28 JUN 1945

Originator's Reference: F13642
 Date/Time of Origin: JUNE 27 1513B

Message Centre No: E/ 7319
 Date/Time Rec'd: JUNE 27 1710
 Precedence: ROUTINE

FROM: AMHC SIGNED SIGNED CITE AMHC
 TO: ALFON ROME

RESTRICTED

RESTRICTED.

Reur 536 cite AGOAS.

WASCHNER sent CGG today asking early reply specific case and also
 to our cable on general question disposition this personnel.

DIST

ACTION - CAS
 INFO - CHIEF COMMISSIONER
 FILE 2
 FLOAT

HEADQUARTERS

JUNE 27 1945

A C

4673

RESTRICTED

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

DF/E 5/14 ✓

45A

TO: AFHQ GEORGE DASH FIVE SECTION

636

26 Jun 55

PRIORITY

IN CLEAR PD

PARA ONE PD SUBJECT IS YOUR THREE EIGHT THREE PD SIX DASH ELEVEN DATED SIX
JUNE FOUR FIVE PD

PARA TWO ADD GEORGE DASH FIVE SECTION FROM ALCON CITY ACCAS PART II

PARA TWO PD CONSIDERABLE PRESSURE IS BEING EXERTED FROM THE NORTH FOR A
DECISION ON THE GROUNDS THAT LOCAL PUBLIC OPINION DEMANDS SPEEDY TRIAL OF
THE OFFICER IN QUESTION PD AN EARLY REPLY IS MOST DESIRABLE

*Let Rnt - PSC - Telephone
then they would
be more as held
in prison conference
S. 44*
By Comm

Civil Affairs Section

437

NICHOLAS PLOMBIN
CWO USA
Asst. Adjutant.

4673

7759

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref CE/L-502A

24 June 45

SUBJECT : Marshal Roberto GRIMALDI

TO : Deputy Executive Commissioner, MILAN

- 1 I have been in touch with AFHQ regarding the disposal of the above.
- 2 My instructions are that no action is to be taken until the decision of GCS is known.
- 3 If no information is received within the next 72 hours I shall send a letter.

GR
G.R. UNGER Brig.
VP CA Section

Copy to : Executive Commissioner
Public Safety Sub-Commission

4670

4671

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

43A

61

✓
DP/4.5/0A.

// June 1945

My dear Mr. Prime Minister :

I refer to my letter DP/4.5/0A of 6 June, and
I am able to inform you that an interim reply has been received
from Allied Force Headquarters.

Your request has now been forwarded to the Combined
Chiefs of Staff and their decision will be communicated to you directly
it is received.

Yours very truly,

ELBERT W. STONE
Rear Admiral, USNR
Chief Commissioner.

His Excellency Ivanoe BONOMI
President of the Council of Ministers,
Italian Government
ROME.

4670

150

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

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

20 AUG 1945

COB/irf

G-5: 091.41

23 August 1945

SUBJECT: Correspondence on Italian Fascists

TO : Headquarters, Allied Commission
APO 394.

1. The attached correspondence has been received from Headquarters, U.S. Forces, European Theater (Main).

2. It is considered that the information may be of use to the Italian authorities responsible for epuration.

For the Assistant Chief of Staff, G-5:

Charlton
C. O. BENSON
Major, R.A.

Incls:
Basic ltr fr HQ 970/65
CIC w/incl and 5 indorsements

4669

9433

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

CONFIDENTIAL

02287

49B

HEADQUARTERS
976/85 CIC Det
APO 855, US Army

29 June 45

SUBJECT: Correspondence on Italian Fascists.

TO : CG 50th CIC Det
Hq. 9th Armored Division,
APO 253, US Army

1. Enclosed find information written in the Italian language by a person representing himself as a General Foschini, Italian Army.

2. The information contained here reported concerns individuals in Italy and not in Germany.

3. Foschini is said to have been close to individuals in the Fascist regime and to have been engaged in intelligence work for the Italian Army at one time. The authenticity of this information has not been checked, nor has a translation been made of the enclosed document.

William O. Lueck
WILLIAM O. LUECK
Capt. Ord
Commanding1 Incl:
Information submitted by General Foschini.ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10-15-80 BY 1045THIS DOCUMENT IS UNCLASSIFIED
DATE 10-15-80 BY 1045

forwarded for your information and action.

Luther E. Grace Jr.
LUTHER E. GRACE JR.
Capt. Ord
Commanding

4668

1 Incl:
Information submitted by General Foschini.

CONFIDENTIAL

1493

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

CONFIDENTIAL02267
4907

ONWHT

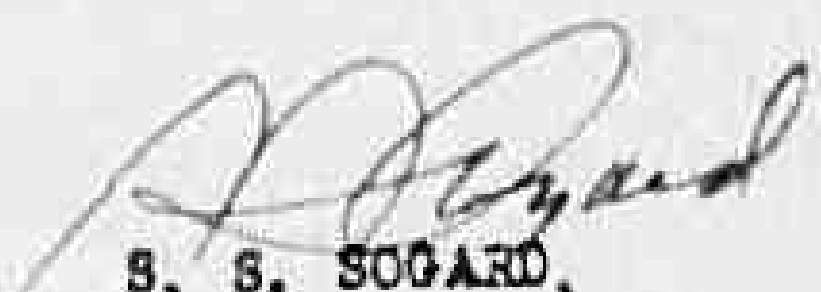
2nd Ind.

RD/ejn

HEADQUARTERS 9TH ARMORED DIVISION, APO 259, U S Army, 20 July 1945.

TO: CG, XV Corps, APO 436, U S Army, (Attn: A C of S, G-2).

Forwarded.


 S. S. SOGARD,
 Lt. Col., AGD,
 Adjutant General.

1 Incl - n/c

3rd Ind.

AG 091 (B)
(29 Jun 45)

HEADQUARTERS XV CORPS, APO 436, U S Army, 23 July 1945.

TO: Commanding General, Third Army, APO 403, U S Army
(Attn: A. C. of S., G-2)

MAILED

HQ. XV
CORPS

RECEIVED

H.Q. TUSA 27 JUL 1945

1 Incl - n/c

AG 112.1 - GMSB
(29 Jun 45)

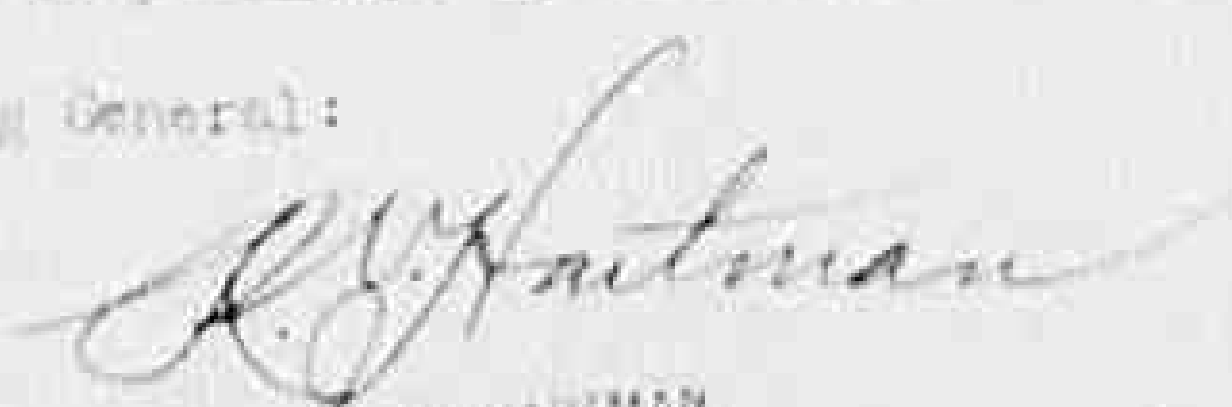
HEADQUARTERS THIRD UNITED STATES ARMY, APO 403, U S Army, 31 July 1945.

TO: Commanding General, United States Forces European Theater (Main),
APO 757, U S Army. (Attention: Chief, GIB)

1. Forwarded for transmittal to proper authorities.
2. Attention is invited to paragraph 3, basic communication.

For the Commanding General:

4667


 E. N. HARTMAN
 Lt. Col., A. G. O.
 Asst. Adj. Gen.
DISPATCHED
BY THIRD ARMY

3 AUG 1945

CONFIDENTIAL

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

CONFIDENTIAL

(Basic ltr, Hq 970/65 CIE Det, sub: Correspondence on Italian Fascists, dtd 2 Jun 45)

AG 091.4 CBI-AGO 5th Ind AG/DS/ghs
Hq, U.S. Forces, European Theater (Main), APO 757, 15 August 1945

TC: Supreme Allied Commander, Mediterranean Theater

Forwarded for such action as you may deem appropriate.

FOR THE THEATER COMMANDER:



1 Incl: n/c



L. Wurzel

L. WURZEL
Captain, AGO
Assistant Adjutant General

4666

CONFIDENTIAL

2143

ITALIANS WHO HAVE COLLABORATED
WITH THE GESTAPO & WITH THE
GERMAN MILITARY SECRET SERVICE

The information given herein, is certain, precise and documented. The following Italians who have collaborated with the GESTAPO and the German Military Secret Service did it either because of pay received or because of intimate friendship with the Germans. The Italians are responsible for the internment in Germany of many hundreds of Italians and for the execution of many Italian patriots whom they denounced to the SS.

CAPTAIN LUIGI FIGAROLO del conti'
Di Gropello

This individual is the main one responsible, and he is the chief of a group of Italian officer traitors who sold themselves to the Germans. A very ambitious man, lacking any sense of honesty, and very greedy for money.

Reserve Officer in the Air Force. He was first in active service, but he left the Air Force for reasons which are not generally known, but which are known to Lt Col SALARIS who is in ROME.

He then engaged in speculation and in business, and he had a law suit in ROME concerning business matters.

His residence in ROME is in Via Bruxelles, Nr. 59. He married Signora Antoinetta VICUNA, whose ROME residence is at Nr. 3, Via Ferdinando di Savoia.

Signora Antoinetta was on intimate terms with Marshal GRAZIANI and had a very strong influence over the Marshal. Captain FIGAROLO knew of this influence, and therefore used his wife's intimate friendship with GRAZIANI for his own speculations.

When GRAZIANI became Minister for National Defense (September 1943), Captain FIGAROLO was placed on GRAZIANI's staff and also was instrumental in placing Baron Tagliavia and Capitano di Corvetta (Translator's note: Naval officer rank whose US equivalent I don't know) GERMANIS, on the Staff--both of these men also great friends of the Germans.

FIGAROLO quickly became a friend of DOLLMANN, Himmler's special agent for ITALY. 4665

FIGAROLO was an intimate friend of Capt. NISTRI -- a very old friend of the Germans, himself; and FIGAROLO helped NISTRI to denounce to the SS those Italians who were fighting the Germans. At the same time, FIGAROLO was engaged in speculative deals using his influence as a member of the Defense Minister's staff.

FIGAROLO was very friendly with Major Von GRIESHEIM, head of German espionage in ITALY; FIGAROLO was with him almost every day, as was revealed by a secret investigation made by the C.S. Center (Translator's note: C.S. evidently abbreviation for some ITALIAN resistance movement organization) in ROME.

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

FIGAROLO'S unexpected wealth in the spring of 1944 had aroused many suspicions among his acquaintances, even in his sister, who lived in FLORENCE.

It can be said even that many of the decisions Marshal GRAZIANI made against Italians were undertaken under FIGAROLO'S influence.

In the spring of 1944, FIGAROLO left ROME together with his wife and sister-in-law and established himself on LAKE GARDA, near Marshal GRAZIANI'S residence.

It is possible therefore, that he fled to SWITZERLAND or that he hid in FLORENCE in the VICONA house in ROMA.

An investigation in the banks of ROME, SIENA, FLORENCE, and MANTUA will reveal the sums he deposited there either in his own or in his wife's name.

Because of his intimate friendship with GRAZIANI, the officers who had sold themselves to the Germans always looked upon FIGAROLO as a leader.

Information on FIGAROLO may be obtained also from Countess Rossi Scotti of FLORENCE, wife of Count Rossi Scotti, interned by the GESTAPO in Germany because of accusations made by Capt. NISTRI and Capt. FIGAROLO.

FIGAROLO certainly knows where the high-ranking officers of the SS who were in ITALY are hidden.

ANTONETTA FIGAROLO Di Gropello

Very ambitious and vengeful woman, intimate friend of GRAZIANI and according to many his mistress since CATERINA when she was SIGNORA RAGAZZI.

She wanted her husband to become chief of GRAZIANI'S ministerial staff, and to achieve this end, she maintained a cordial friendship with the SS chiefs in ITALY, especially with Col HELFERICH and with MAJ. von GRINSHEIM.

To influence GRAZIANI, she pretended to a "Medium", and speculating on "Spiritism" and calling herself the reincarnated St Catherine of SIENA, she induced GRAZIANI to follow her advice.

The SS used her in their hunt for Anti-German elements among the Italian aristocracy.

Doctor Enrico GIGLIOLI

4664

Official in the Foreign Ministry. Resided in Florence at 17, Via Duca d'Aosta or at the Hotel Berchielli.

Friend of the Germans since 1934 and their enthusiastic supporter. Friend of Capt. PUCCIONI, and of Capt. FIGAROLO, all collaborators with the Germans.

He is a brother-in-law of Robert MALTINI (now in FLORENCE) on whom the British authorities have issued instructions.

He belongs to a well-known Fascist family in FLORENCE. Even his old mother is an ardent Fascist. He is a friend of the Prefect TAMBURINI, Chief of Police of the Fascist Republic.

GIGLIOLI used to pass his information on to Capt. NISTRI, who in turn passed it on to the SS. Or he would pass it on to the lawyer PUCCIONI, FARINACCI's agent for TUSCANY, who would then pass it on to the SS and FARINACCI.

To succeed more ably in his purpose, he pretended to be an "Attendista" (Translator's note: "A wait and see man"); i.e. he said that he did not want to support the Republic. In this fashion the Anti-Germans had confidence in him and he could thus easily denounce anti-Germans to the SS. Even women have been interned in Germany through GIGLIOLI's work.

It is correct to suspect that he gave information to the chief of Police TAMBURINI, with whom he was very much in contact in ROME in January 1944.

When he was Italian Consul at CANNES, in the years preceding, he always made propaganda in favor of Germans, and always showed himself a convinced follower of the Germans.

In the war, as a Lieutenant in the Air Force, he participated in bombing raids in the Mediterranean against English bases.

Baron TAGLIAVIA

Resided in Rome. (His address can be secured from the telephone book). Already a Fascist official, he was very friendly with many friends of the SS, and in particular was an intimate of DOLLMANN, HEBELER's special agent in ITALY.

As a Lieutenant in the Cavalry, he was made a prisoner in North Africa by the English. Repatriated because of illness, immediately after the exchange of prisoners, he violently manifested his hate against the English, selling himself body and soul to the GESTAPO. He was also a friend of KAPLER, head of the GESTAPO in ROME.

DOLLMANN was hidden for some time at his house. He was very friendly with FIGARELO, and FIGARELO secured him a job as German interpreter on GRAZIANI's staff. He attended all the meetings which GRAZIANI held with the heads of the WEHRMACHT and the GESTAPO.

Many interments of Italian citizens in Germany may be attributed to TAGLIAVIA's work.

Capitano di Corvetta SALVATORE GERMANIS

Native of TRIESTE, where his family used to live and where he is probably hidden. It should be easy to obtain his address from the telephone book. He is the son of a doctor.

German in mentality, semi-German in origin, he was the "brains" of that group of officers who sold themselves to the Germans. Through the information obtainable, it would seem he was the highest paid by the Germans, and Maj. Von GRIESHEIM used to give him the money. Very clever, he hesitated to place the money given to him by the Germans in banks, but instead he followed the system of buying postal bonds both in ROME and in MANTOVA and in other cities of Northern ITALY; or he used to bring the cash to his family which in 1943-44 was in a villa on the Ligurian Riviera.

It is estimated that in the one month of January, 1944, he received 100,000 lire from the Germans.

He was the trusted agent of the German Military Secret Service in Italy.

He was very friendly with the SS and with Col HELFERICH and Maj. Von GRIESHEIM of the German Secret Service. A friend for many years of Capt. FIGAROLO di Gropello, he coordinated every action with him. He was first on Marshal GRAZIANI'S staff as liaison officer with German Headquarters and then in the SID. It was he who revealed to the Germans that the head of the SID was anti-German and thus caused that individual to be interned in Germany, after having agreed on the plan with Lt Col Deleo. It is certain that when the Fascist Republic collapsed in ITALY, GERMANIS pocketed many millions which were in the SID fund. It is probable that he sought refuge under a false name in SWITZERLAND, but his family residing in TRIESTE, certainly knows where he is.

When in February 1944, the Chief of the SID was interned in Germany, GERMANIS sent away from the SD all the personnel which was of anti-German sentiments, thus gaining complete control.

Of all the collaborators with the Germans, GERMANIS was the most dangerous because he was the most able.

Captain, Cavalry Pier FRANCESCO NISTRI

Native of SantaCroce on the Arno (FLORENCE) where his family resides. A very ambitious man, a Republican Fascist, very friendly with all the Fascist Officials. He hoped to become a Minister in the Cabinet with the aid of the Germans. In recognition of services he rendered to the Germans, he was decorated with the German Iron Cross.

For many years a friend of Minister Pavolini, Capt. NISTRI hid PAVOLINI in his own house in ROME during the period of the BADOGLIO Govt. (July-August, 1943).

Also a very good friend of FARINACCI.

NISTRI, was the secret agent for the GESTAPO and for the German Secret Service for TUSCANY. NISTRI passed his information on to Col Von KUNOVSKI, German commander of FLORENCE, to the SS Capt ALBERTI, to DOLLMANN, to Maj. Von GRIESHEIM with whom he had been friendly since North Africa where they had worked together against the English.

NISTRI was paid by the GESTAPO and by the German Secret Service, but is not easy to establish the figure he received every month.

NISTRI was a great friend of the Lawyer PAVOLINI and of Capt. FIGAROLO and he caused many Florentine aristocrats, among them a woman, to be interned in GERMANY, making entirely false accusations which were used by the GESTAPO as a pretext for the arrests.

Many gentlemen of the Italian aristocracy who were arrested owe NISTRI. 4662

Since March, 1944, NISTRI specialized in the campaign against the Jews and against the Italian partisans. He joined Captain CASATA of the Republican Guard to intensify the campaign against the partisans.

In the spring of 1944 he transferred from FLORENCE to ALESSANDRIA together with the wife and family of the Lawyer PUCCIONI. It is probable that he is now hidden in PIEMONTE, or that he secretly returned to SANTA CROCE on the ARNO.

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

Countess Rossi Scotti and the lawyer Vincent Traballoni of FLORENCE maybe might know where he is hidden. Both the countess and the lawyer themselves can make further accusations against NISTRI.

NISTRI was a person who enjoyed the absolute confidence of the German High Command and of HIMMLER. He maintained contacts with BERLIN through Col HELFERICH and DOLLMANN.

4661

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

file
10/14/51 ✓

454
14 July 49

My dear Mr. Prime Minister,

I am now in a position to give you a decision regarding Marshal
Pietro Badoglio about whom the President of the Council of Ministers original-
ly wrote to me on 23 May.

It is expected that a general war crimes policy will be estab-
lished as a result of the meeting, now taking place in London, between the
representatives of the War Crimes Prosecuting Staffs of the United States, Great
Britain, Russia and France.

Until that policy has been settled, the Marshal will be held by
the Allied authorities.

Yours very truly,

Walter D. Stone

WALTER D. STONE,
Rear Admiral, USN,
Chief Commissioner.

Prof. Ferruccio TASSI
President of the Council of Ministers
Italian Government
ROME.

4660

Copy to : PG Lombardia Region
Legal S/O
Chief Comm
Exec Comm.

5/19/51

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

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

CA SECTION

237

42A

G-5: 383.6-11

6 June 1945

-8 GIJ 1245

SUBJECT: Marshal Rodolfo GRAZIANI.

TO : Headquarters, Allied Commission, APO 394.
(Attn: Civil Affairs Section)

40H

1. Receipt is acknowledged of your letter of 2 June 1945 (DF/4.5/CA) making inquiry concerning what course is to be pursued with respect to the request made by the President of the Council of Ministers for the custody and control of Marshal Graziani.

2. This Headquarters is seeking authority from the Combined Chiefs of Staff in the premises. Until further instructions are available, it is requested that no action be taken.

RECORDED

7 JUN 1945

A G

Charles M. Spofford

CHARLES M. SPOFFORD
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

Copy to G-5 Commission for info P/B

4659

100

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

Ref DE/b.3/CA

6 June 1945

My dear Mr. Prime Minister:

I thank you for your letter of 29 May on the subject of Marshal Rodolfo GRADIANI.

The Marshal is now held as a Prisoner of War. I have informed the Military Authority of your request and will notify you as soon as a reply is received.

Yours very truly,

[s] Elmer W. Stone

ELMER W. STONE
Rear Admiral, USNR
Chief Commissioner

His Excellency Iwano BIRCHI
The President of the Council of Ministers
Italian Government
ROME

4657
4658

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

40A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: WP/4.5/CA

2 June 45

SUBJECT: Marshal Rodolfo GRADANI

TO: AMER G-5 Section

- 1 The President of the Council of Ministers has formally requested that Marshal Rodolfo GRADANI until recently Commander in Chief of the Fascist Republican Army, be surrendered to the Italian Authorities for prosecution before the High Court of Justice.
- 2 Marshal GRADANI is now a prisoner of war. He is regarded by the Italian Government as a traitor and presumably the death penalty will be sought. He does not appear on any War Criminals List received by this Commission.
- 3 Will you please advise what course should be pursued by us in this matter.

FOR THE CHIEF COMMISSIONER

G.R. UNGER Brig,
VP CA Section

Copy to E Commission

4655
4657

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

Translation

31 MAG 1945

C.A. SECT

(39a)

The president of the Council of Ministers

36753/1.2.1

Rome, 29 May 1945

My dear Admiral,

the High Commissioner for sanctions against fascism has entrusted to the High Court of Justice the action against Marshal Rodolfo GRAZIANI, commander in chief of the troops of the so-called fascist republican government.

As Graziani is at present at the disposal of the Allies, will you kindly see that he is put at the disposal of the Italian legal authority.

I remain, my dear Admiral,

Yours very truly,

S. I. Bonomi

Admiral Ellery W. Stone
Chief Commissioner of the Allied Commission
R o m e

4656

e.o.

EC Dist - 30 MAY 45

Action: C.A. Sec (2)

INFO: Chief Commr

Exec Commr

(586)

16753
1/2/47



MAY 30 1945

Roma, 29 maggio 1945

394x

*Il Presidente
del Consiglio dei Ministri*

Mio caro Ammiraglio,

L'Alto Commissario per le sanzioni contro il fascismo ha avvocato all'Alta Corte di Giustizia il processo a carico del Maresciallo Rodolfo GRAZIANI, comandante generale delle truppe del sedicente governo repubblicano fascista.

Poichè il Graziani è attualmente a disposizione degli Alleati. La prego di volersi interessare perchè egli sia messo a disposizione dell'autorità giudiziaria italiana.

Mi è gradita, caro Ammiraglio, l'occasione per porgerle i migliori saluti.

All'Ammiraglio
Ellery W. STONE
Commissario Capo della Commissione Alleata
ROMA

4655

6/63

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

2/14/51

SECRET
HEADQUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

24 May 1945

AT/et.
23 May 1945.

AC/ACOR/1/1.

SUBJECT : Corti Straordinario di Assise.

TO : H.E. ~~The Minister of War and Justice.~~

1. Confirming this morning's telephone conversation (Col. THACKER -
Dout. BUKHISI) the attention of this Sub-Commission has been urgently
drawn to what appears to be a serious lacuna in the provisions for the
machinery of prosecution under Art. 10 of IHL No. 142.

2. In effect although under sub-part 2 the IHL may delegate advocates
to act as prosecutors, it appears that the practitioners so selected are
reluctant to appear because there is no provision made for the payment of
fees.

3. It is obvious that if this difficulty cannot be overcome the
working of the Courts may be considerably impaired, and for this reason
Your Excellency is asked to give this matter immediate consideration so
that prompt action may be taken to overcome the difficulty.

A. R. Thacker

A. R. THACKER,
Lt. Col.,
Italian Branch,
for Chief Legal Advisor.

Copy to: CA Sec for info.

4654

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

DP/UC/IA
HIGH COMMISSARIAT FOR SANCTIONS
AGAINST FASCISM

File No 135

34a
Rome, 27 Feb 45

Dear General,

1/4
I am in receipt of your DP/4.5/CA of 25 Feb.

As I already told you, I am taking steps with H E TUPINI, Minister of Justice, for a rapid solution of the matter.

There are some difficulties which I should like to consider with you on the first occasion; I hope, however, to overcome them quickly.

Yours sincerely

Brig URJOIN
HQ Allied Commission
APO 394
CA Section

4653

*Allo Comandante
per la zona di controllo di fascismo
e segretario generale*

Roma, 27 febbraio 1945

28 FEB 1945

Caro Generale,

ho avuto la Sua lettera OP/4.5/CA del
25 corrente.

Come ho già avuto modo di dirle altra
volta mi sto interessando presso S.E. Tupini,
Ministro della Giustizia, per una pronta soluzio-
ne della questione.

Vi sono in proposito alcune difficoltà,
di cui mi sarà gradito parlare alla prima occa-
sione, che spero tuttavia di potere presto ri-
solvere.

Suo dev.mo

Al Brig. G.R. UPJOH
Headquarters Allied Commission
Apo 394
Civil Affair Section

4652

1894

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel: 489061
Ext: 525

Ref DE/4.5/CA

23 Feb 45

Dear Sir,

I shall be glad to know whether it is now possible to reply to my letter DE/4.5/CA of 10 Jan dealing with the difficulties of finding further magistrates for Expiration Commissions.

Yours truly

Wm
G. E. UNION Brig,
VP CA Section

Sig. G. Battista BOKRY
Alto Commissariato per le Sanzioni
contro il Fascismo,
Palazzo del Viminale,
ROMA

*Delivered by hand.
open*

4651



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

785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel: 489061
Ext: 525

Ref DF/L.5/CA

23 Feb 45

Dear Sir,

The following allegations have been received concerning Ignazio GIORDANI who was the former Director General of INA and still is a Director of the Cassa di Roma, the Unione Italiana di Riassicurazione and of the Società Italiana di Assicurazione Credito.

- a) That in 1943 he co-operated with Oldani in removing records staff and property of INA to Venice including funds to the value of L 1587 million.
- b) That in Feb 44, he improperly withdrew L 2 million from INA employees dismissal fund.
- c) That he was the adviser of the Fascist Govt on insurance matters, was the associate of Senator Rovione and Ezio Maria Gray and co-operated with the Germans on insurance matters.
- d) That under his directorship INA contributed L 28 million for fascist purposes.
- e) That in Jan 1944 he sanctioned the payment of L 1 million for the removal of the fascist newspaper "Il Lavoro Fascista" to North Italy.
- f) He has sent L 2 million of his personal funds to North Italy.
- g) That he has attempted to obstruct the expatriation of certain fascists from the staff of INA.
- h) That he has made personal contributions to aid the Republican fascist Regime including large sums to Adriano STAMICIONI and L 20,000 to the Republican Fascio of Rome.

In view of the fact that Giordani has been appointed Commissario of the Istituto Centrale delle Banche e Banchieri it would appear desirable that these allegations should be investigated.

The AC has no information as to the correctness or otherwise of these allegations but communicated the same to you as the investigation is a matter within your jurisdiction.

Yours truly

[Signature]
G. E. WILSON Brig
VP CA Section 4650

Sig. G. Battista BERRI
Alto Commissariato per le Sanzioni
contro il Fascismo,
Palazzo del Viminale
ROMA

Delivered by hand
[Signature]



Confidential.

Brief on Ignazio Giordani, based on confidential information supplied by Public Safety Sub-Commission, supplemented from Finance Sub-Commission sources.

1. GIORDANI was born on 11 September 1878 and is at present resident at 46 Via del Tritone, Rome. During the war of 1914-1918 he was an official in the food distribution branch of the Ministry of Agriculture under SOLERI, now Minister of the Treasury.

2. He was appointed Direttore Generale (General Manager) of the Istituto Nazionale delle Assicurazioni (National Insurance Institute) on 14 October 1929 by a Royal Decree signed by the King, Mussolini and Minister Bottai. The Institute is primarily a State life insurance office, once possessing a monopoly, but since 1923 only a quota, of all life insurance in Italy. It is the most powerful single insurance office in Italy.

3. As Direttore Generale of the Institute, GIORDANI became Vice-President of the companies Assicurazioni d'Italia and la Rime, and a director of the company Previdente, all three subsidiary companies of the Institute, which owns practically 100% of their capital. He also became, and still remains, a director of the Compagnia di Roma and the Unione Italiana di Riassicurazione, two Italian reinsurance pools most closely associated with Germany, and of the Società Italiana di Assicurazione Credito. The capital of the three last named is owned jointly by the Institute and other important insurance concerns. GIORDANI is also a member of the Consorzio for Sub-standard lives, and although not possessing academical qualifications, of the Italian Institute of Actuaries.

4. On the fall of Mussolini in July 1943, the first Fascist Government appointed a new Board of Directors for the Institute under the Presidency of Senator Gaetano SCACONETTI, GIORDANI remaining Direttore Generale. This Board never functioned under the Republican regime, although GIORDANI remained as Direttore Generale, and co-operated with one OLDANI, appointed by the Republican Government as Commissioner, in removal of a part of the Direzione Generale to Venice.

5. In the latter part of June 1944, when the attack of the Finance Sub-Commission turned to the head office of the Institute, SCACONETTI was found acting as President, with GIORDANI as Direttore Generale. SCACONETTI stated that in view of the attack on the Institute, he had been in contact with OLDANI.

in Italy. It is the most powerful single insurance office in Italy.

3. As Direttore Generale of the Institute, GIORDANI became Vice-President of the companies Assicurazioni d'Italia and La Fiume, and a director of the company Praevidentia, all three subsidiary companies of the Institute, which owns practically 100% of their capital. He also became, and still remains, a director of the Compagnia di Roma and the Unione Italiana di Rassicurazione, two Italian reinsurance pools most closely associated with Germany, and of the Società Italiana di Assicurazione Credito. The capital of the three last named is owned jointly by the Institute and other important insurance concerns. GIORDANI is also a member of the Consorzio per Sub-standard Lives, and although not possessing academic qualifications, of the Italian Institute of Actuaries.

4. On the fall of Mussolini in July 1943, the first Fascist Government appointed a new Board of Directors for the Institute under the Presidency of Senator Gaetano SCAVONETTI, GIORDANI remaining Direttore Generale. This Board never functioned under the Republican regime, although GIORDANI remained as Direttore Generale, and co-operated with one CILDANI, appointed by the Republican Government as Commissioner, in removal of a part of the Direzione Generale to Venice.

5. In the latter part of June 1944, when the attempt of the Finance Sub-Commission turned to the head office of the Institute, SCAVONETTI was found acting as President, with GIORDANI as Direttore Generale. SCAVONETTI stated that in view of the departure of several technical officials with CILDANI, he had been compelled to retain GIORDANI because of the latter's knowledge of the Institute's affairs, but he admitted to doubts as to the wisdom of this course. On the arrival in Rome on 30 June of the Commissioner nominated by the Salerno Government in May 1944, GIORDANI, about whom little was known at the time, was expected to remain as an expert under the Commissioner. This he refused to do, and following representations by the Commissioner and a Government official that he was attempting to set up a rival administration, he was warned that the Commissioner's authority was derived from the Government and had been extended to Military Government Territory. He then left the offices and has not since functioned in the Institute.

6. It was subsequently reported by the Government official mentioned above that in February 1944, about the time that

OLDANI was appointed Commissioner by the Republican Government. GIORDANI withdrew some L. 2 million personally from the Institute's employees' dismissal fund.

7. As Direttore Generale of the Institute between 1929 and 1944, GIORDANI has unquestionably been the leading State insurance official under the Fascist Government, the Board of the Institute consisting mainly of non-technical and political nominees, amongst whom may be noted Senator BEVIONE, the former President, since dealt with by the High Commissioner for Sanctions against Fascism, and Maria Ezio GRAY, well-known Anglophobe at present in the north. By his connections with the reinsurance pools, GIORDANI has extensive knowledge of co-operation with the Germans in the insurance section of the economic field.

8. The Institute financed Fascist sponsored schemes to a large extent, but apart from investments, the propaganda account shows some L. 28 millions donated to Fascist concerns, including L. 6 million to "Benito Mussolini for Winter Help", all of which would have been authorised by the Direttore Generale. Additionally, GIORDANI personally sanctioned the payment of one million lire in January 1944 to the "Unione Editrice Sindacale Italiana" for the purpose of removing the equipment of the Fascist paper "Il Lavoro Fascista" to North Italy.

9. On the appointment of the Republican Commissioner OLDANI, GIORDANI co-operated in the removal of parts of the Head Office organisation to Venice, including a number of the staff, and funds to the extent of some L. 1587 million. It is stated that he himself remained behind in order to ingratiate himself with the Allied authorities by representing himself as an anti-Fascist. He is stated to have hindered the operations of the Internal Commissions, and to have endeavoured to prevent the expulsion of certain Fascist members of the staff. He sent some L. 2 millions of his personal funds to North Italy. When the appointment of OLDANI was being considered by the Republican Government, MUSSOLINI is stated to have said to PELLICERINI, who was supporting GIORDANI, "Remember that after twenty years of Fascism, GIORDANI is worthy of your gratitude for his faithful contributions".

10. Personal contributions by GIORDANI to the Republican Fascist regime include large sums to one Adriano STRAMIGNONE, a Squadrista and a trusted friend of General KIRIENKINSON, Commander of the Republican Fascist Police in Rome, and a donation of L. 20,000 to the Republican Fascio of Rome.

11. Since the assumption of the management of the Institute by the (liberated Italy) Government Commissioner, DE LIGUORO, there has been considerable mass agitation against him, which,

4648

would have been authorised by the Direttore Generale. Additionally, GIORDANI personally sanctioned the payment of one million lire in January 1944 to the "Unione Editrice Sindacale Italiana" for the purpose of removing the equipment of the Fascist paper "Il lavoro Fascista" to North Italy.

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11. Since the assumption of the management of the Institute by the (Liberated Italy) Government Commissioner, DE LIGUORO, there has been a considerable press agitation against him, which, originally confined to the paper "Avanti", has recently spread to other journals. Besides personal attacks, this campaign has consistently repeated allegations originally adopted by GIORDANI in a letter to the Allied Commission in June last, that de Liguoro's appointment is unconstitutional. Enquiries recently have revealed that this campaign is sponsored, and the articles written, by three inspectors of the Institute, PUGGIONI, LAPESNA and NATOLI. All three are friends of GIORDANI, and NATOLI is a member of the Epurazione Commission for the Institute. All three have been given interviews by Minister SOLERI, and by an Under-Secretary in the Ministry of Industry, Commerce and Labour, PARESCI, at which they have requested that the Commissioner be replaced by GIORDANI.

12. A new Board of Directors (excluding the appointment of Direttore Generale) was approved by the Council of Ministers on 16 January 1944; the President-designate, Annibale GILARDONI, has received a letter from the Secretary of Minister GRONCHI's political party asking support for the same proposal, with the

alternative that the post be divided into three and given to GORDANI, one VERNOCCHI, and a third party. VERNOCCHI is the manager of the paper "Avanti" which has been the chief instrument in attacking the present Commissioner.

13. GORDANI is closely associated with one Antigono DONATI (see separate report), who is a Jew, formerly a personal friend of the Mussolini family, an honorary Aryan, an insurance expert, and at present Vice-Secretary of the Labour Democrat Party. DONATI has been associated with the campaign against DE LIGUORO in support of GORDANI.

14. By a Ministerial Decree dated 5 October 1944 signed by Minister SOLERI, on which Finance Sub-Commission was not first consulted, GORDANI was appointed Commissario of the Central Institute of Banks and Bankers (Istituto Centrale delle banche e banchieri). By reason of GORDANI's background, implementation of the decree in Military Government territory was refused.

15. By a letter dated 20 October 1944, the (then) Security Branch requested review of the history of GORDANI by the Public Safety Sub-Commission with a view to interning him. This was turned down, it is understood because there was no justification on grounds of military security.

16. Any re-association of GORDANI with the Institute would imply that the affairs of the Institute would be handled in such a way as to complement the plans for it laid by GORDANI and presumably being implemented in the North, and that the Institute would return to a man who is extremely well-informed in Italo-German economic co-operation, who is still subject to Sanctions against Fascism by virtue of his connection with other companies, and who, through DONATI, has some ties with the Mussolini family. The intensive campaign to have him returned to the Institute, although ostensibly covered by references to the several millions of small savings in its care, is suggestive that a change of management may reveal information that certain quarters prefer should remain secret.

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

18/01/1945
HIGH COMMISSARIAT FOR SANCTIONS
AGAINST FASCISM

18/01/1945

Rome, 16 Jan 45

File No 7 a g / 59

Reply to : DF/L.5/CA of 10 Jan 45

SUBJECT : Appointment of a member of the High Court of Justice.

Following letter 7 A.G./2419 of 4 Jan 45 and requesting the opinion of the Hon. Allied Commission, we wish to inform you that instead of Dr. Giovanni Provera, Dr Vincenzo Berragino, Councillor of the Supreme Court of Cassation has been designated for the appointment as effective member of the High Court of Justice.

This High Commission wish to assure you that it holds in the highest consideration the recommendations of the Hon. Allied Commission with regard to the necessity of avoiding the transfer of other magistrates from their normal judicial functions and, for this purpose, proper agreements are under way with the Minister of Justice.

THE CHIEF OF CABINET 4646

*Alto Commissariato
per le funzioni civili e il. fascismo*

GABINETTO

*Uffice
Aut. N. 4 a g / 59-*

Allegati

*Regolato al P. N. 2.8.14.5/3 A
del 10-1-1945*

Aut. N. 1 48

Generale G.R. Upjohn.
Administrative Section Allied
Command

R O M A

OGGETTO: Nomina di un componente dell'Alta Corte di Giustizia

Di seguito alla lettera del 4 gennaio n. 7 A.G./2419, e con
pregiera di far conoscere il parere dell'On. Commissione Alleata,
si comunica che in luogo del Dr. Giovanni Provera, è stato designa-
to per la nomina a componente effettivo dell'Alta Corte di Giusti-
zia il Dr. Vincenzo Borragina, Consigliere della Corte Suprema di
Cassazione.

Quest'Alto Commissariato assicura inoltre che ha tenuto e
continuerà a tenere nel massimo conto le raccomandazioni dell'On. Com-
missione Alleata circa la necessità di evitare il distacco di altri
magistrati dalle loro normali funzioni giudiziarie, ed al riguardo
sono in corso opportune intese col Ministro di Grazia e Giustizia.

IL CAPO DI GABINETTO

10-1-1945

OGGETTO: Nomina di un componente dell'Alta Corte di Giustizia

Di seguito alla lettera del 4 gennaio n.7 A.G./2449, e con preghiera di far conoscere il parere dell'On. Commissione Allente, si comunica che in luogo del Dr. Giovanni Provera, è stato designato per la nomina a componente effettivo dell'Alta Corte di Giustizia il Dr. Vincenzo Borregine, Consigliere della Corte Suprema di Cassazione.

Quest'Alto Commissariato assicura inoltre che ha tenuto e continuerà a tenere nel massimo conto le raccomandazioni dell'On. Commissione Allente circa la necessità di evitare il distacco di altri magistrati dalle loro normali funzioni giudiziarie, ed al riguardo sono in corso opportune intese col Ministro di Grazia e Giustizia.

IL CAPO DI CABINETTO

4645

CONFIDENTIAL

RMF/vmg

ALLIED FORCE HEADQUARTERS 8 JAN 1945

AFHQ 512

AG 000.5/003 781-C

4 January 1945

SUBJECT: Handing Over of Persons Interred by Allies to High Commission for Punishment of Fascist Crimes

TO : President, Allied Commission, APO 394

1. The Italian Government has passed various decrees against Fascism, the principle one of which declares certain acts to have been crimes and sets up courts to try them. It has appointed a High Commissioner to supervise and co-ordinate the work and conduct investigations. His department, the High Commission for the "Sanzioni contro il Fascismo", contains four branches:

- a. For the punishment of Fascist crimes;
- b. For the removal of Fascists from positions of authority;
- c. For the forfeiture of improperly obtained wealth;
- d. For disposing of the property of Fascist Bodies.

2. Commissions are set up, in every ministry, province and concern of national importance to consider the evidence against alleged Fascists and recommend whether particular persons should or should not be dismissed from positions of authority. In the Ministry of Interior there is, for instance, a Commission to deal with the cases of public security personnel, and in the Ministry of War, one to deal with the CC.NN. (Carabinieri).

3. The Italian authorities are entirely responsible for dealing with all cases under the decrees against Fascism but the Allies will, if requested, assist them where they can reasonably do so by supplying such information as may be given without breach of security requirements. There can normally be no justification for asking Allied personnel to give evidence in person in such proceedings and evidence will not be given by Allied personnel without sanction from higher authority.

4. Authority may be granted through the releasing authorities (in the case of internees from Number 1 Internee Camp through G-2 of AFHQ, in the case of Number 2 Internees, also through GSI(b), 15th Army Group)

a. For accredited representatives of the Italian Government to visit Number 1 Internee Camp and Number 2 Internee Camp for the purpose of interrogating internees in order to procure evidence;

b. For internees to be released temporarily from the above mentioned camps to Italian custody to proceed to Rome or elsewhere with the object of giving evidence at trials;

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CONFIDENTIAL
CONFIDENTIAL

CONFIDENTIAL

Ltr. AFHQ, AG 000.5/003 GSI-O,
dated 4 January 1945 (Cont'd)

4837

c. For internees in the custody of the Allies to be handed over to Italian custody in order that they may stand trial before any of the Commissions mentioned above.

5. In any such case, the releasing authority will reserve the right to reintern any person if the sentence received by him is insufficient to meet Allied security needs. The releasing authority will make this fact clear to the accused before release. It will also be a condition of any such release that the Italian authorities shall not, after any hearing or completion of any sentence imposed, release any internees before obtaining the consent of the releasing authorities to such release.

6. The channel of communication for applications should be from the Italian authorities through the Allied Commission to the releasing authorities (G-2 of AFHQ in the case of Number 1 Internee Camp, and GSI(b) 15th Army Group in the case of Number 2 Internee Camp). The releasing authority can then, if deemed advisable, consult the internment authorities concerned (district, base section headquarters, etc.).

7. When authority is given for the temporary release of internees under the terms of paragraph 4 b and c above, the Italian authorities will be responsible for making the necessary arrangements to provide transportation and escort for the internees from, and if necessary, to the Internee Camps, and for their safe custody while they are at the disposal of the Commission of the Italian authority concerned.

By command of Field Marshal ALEXANDER:

A. B. King
A. B. KING,
Major, AGO,
Asst Adjutant General

DISTRIBUTION:

- 3 - Addressee
- 3 - No 1 Internee Camp
- 3 - No 2 Internee Camp
- 2 - SIV/HE Liaison Officer, Rome
- 5 - G-1 (A)
- 2 - G-1 (B)
- 6 - G-2
- 6 - G-3
- 3 - P/O
- 2 - AG Neutras
- 1 - AG A.D.
- 3 - 15th Army Group
- 3 - PHS
- 3 - No 5 District
- 3 - Rome Area

CONFIDENTIAL

CONFIDENTIAL

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

HEADQUARTERS ALLIED COMMISSION
 AND 394
 CIVIL AFFAIRS SECTION

13/1/45

10 Jan 45

Your Excellency,

I refer to your 7 a.m. 2419 of 4 Jan requesting the opinion of the Allied Commission on the proposed appointments of Drs. ~~ROTH~~ and ~~FISCHER~~ to the High Court.

While the Allied Commission has no objection to the appointments so far as the two gentlemen themselves are concerned, it nevertheless feels that there are serious objections to core judges being taken away from their normal work.

The administration of Justice has already been seriously affected and large numbers of prisoners have been and are being kept an unreasonable time in prison awaiting trial. In consequence, prisons are seriously overcrowded, which, quite apart from being a source of disturbances such as have recently occurred at Regent Hotel Prison, causes many other administrative difficulties.

This difficulty has more than once been discussed with your Most High Commissioner and it is essential that some solution be quickly found. Various suggestions have been made including one that advocates of experience and standing should be authorized to conduct the investigatory stages of War-crimes and preside over Expiration Commissions and possibly even sit on the High Court itself.

It is considered that a rapid solution of this question is a matter of importance and it is suggested that you might consult with the Minister of Justice on the whole question to find judicial personnel for expiration without taking core judges and possibly even to release some of the judges to their normal work.

Believe me, Your Excellency,
 Yours truly

A. S. Monti Carlo SPERZA
 Alto Commissario per le sanzioni
 contro il Fascismo,
 Palazzo del Viminale
 Roma

G. H. WILKINSON
 VP in East
 13/1/45

4645

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

HIGH COMMISSIONER FOR SANCTIONS AGAINST FASCISM

30A

8 JAN 1945

7 a.g. 2419

Rome, 4 Jan 1945

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

Dear General,

Dr. Lorenzo MARONI having been appointed President of the High Court of Justice and Dr. Eugenio HEALE appointed Under-Secretary of State for Foreign Affairs, it has become necessary to complete the High Court with two more permanent members.

The persons chosen are Dr. Giovanni PROVERA and Dr. Aurelio FIDENZI, Councillors of the Supreme Court of Cassation.

However I would first appreciate your opinion as regards the above appointments.

/s/ SPORZA

*2 more
you want*

4642

(303)
L'ALTO COMMISSARIO PER LE SANZIONI CONTRO IL FASCISMO - PALAZZO DEL VIMINALE - ROMA

7a. g. 2419

Roma, 4 gennaio 1945

Mio caro Generale,

Con la nomina del Dott. Lorenzo Maroni a Presidente dell'Alta Corte di Giustizia e del Dott. Eugenio Reale a Sottosegretario di Stato per gli Affari Esteri, si è reso necessario integrare la composizione dell'Alta Corte con due nuovi membri effettivi, che sono stati scelti nelle persone dei Signori Dott. Giovanni Truvara e Dott. Aurelio Fidenzi, Consiglieri della Corte Suprema di Cassazione.

In merito, alle nomine suddette gradirei pre-
viamente conoscere il Suo apprezzato parere.

Al Generale G.R. WFS:HW
Administrative Section
Allied Commission

- R O X 2 -

[Signature]
[Signature]
4641
[Signature]

Transl. no 400

DF/4.5/CA

29A

HIGH COMMISSARIAT FOR SANCTIONS AGAINST FASCISM

File No. 1204

SUBJECT: DIL No. 159 of 27 July 1944

TO : GENERAL PROCURATORS OF THE COURTS OF APPEAL

FIRST PRESIDENTS OF COURTS OF APPEAL

As Your Excellencies are aware, DIL of 27 July 1944 containing, under Part I, the punishment of crimes of fascism, became effective on 29 last. The Allied Sub-Commission facilitates its pursuance also in the regions under its own jurisdiction.

The democratic Government by art. 4, 3rd. para of said DL intended to confirm the trust of the population in the Magistrature, entrusting it with the application of the law which punishes the crimes of fascism. In fact, the Country expects from the Magistrature justice and rehabilitation which is the basis of national reconstruction.

The High Commissariat (art. 41) carries on directing and controlling functions over all the competent organs which have the authority to apply sanctions against fascism. However, it does not intend to follow the bad practice of fascism, that is, of influencing, through instructions, the full liberty of judgment of the Magistrate in the exercise of his most delicate functions.

It is advisable to establish one and for all this point in order to prevent judicial authorities from applying to the High Commissariat and request interpretations of the law.

We only wish to recommend absolute speed in the pre-trial enquiries and in the proceedings. Public opinion demands that these proceedings be carried out with absolute priority. Prompt judgment on fascist crimes can prevent reprisals of irresponsible individuals, and contribute to the war effort of the Corps of Liberation and of the partisans, and at same time intimidate the traitors beyond the battle line.

It is superfluous to recommend an accurate choice of magistrates to head such a task; it would indeed be very regrettable that the vigilant public opinion, which is finally free in its role of control and criticism, should deplore the entrusting of trials against fascism to one of those few magistrates who have been subject to epuration and in any way been connected with fascism.

Such a fact would not only create mistrust in the new government,

4640

Under Part I, the punishment of crimes of fascism, became effective on 25 last. The Allied Sub-Commission facilitates its pursuance also in the regions under its own jurisdiction.

The democratic Government by art. 4, 3rd. para of said DL intended to confirm the trust of the population in the Magistrature, entrusting it with the application of the law which punishes the crimes of fascism. In fact, the Country expects from the Magistrature justice and rehabilitation which is the basis of national reconstruction.

The High Commissariat (art. 41) carries on directing and controlling functions over all the competent organs which have the authority to apply sanctions against fascism. However, it does not intend to follow the bad practice of fascism, that is, of influencing, through instructions, the full liberty of judgment of the magistrate in the exercise of his most delicate functions.

It is advisable to establish one and for all this point in order to prevent judicial authorities from applying to the High Commissariat and request interpretations of the law.

We only wish to recommend absolute speed in the pre-trial enquiries and in the proceedings. Public opinion demands that these proceedings be carried out with absolute priority. Prompt judgment on fascist crimes can prevent reprisals of irresponsible individuals, and contribute to the war effort of the Corps of Liberation and of the partisans, and at same time intimidate the traitors beyond the battle line.

It is superfluous to recommend an accurate choice of magistrates to head such a task; it would indeed be very regrettable that the vigilant public opinion, which is finally free in its role of control and criticism, should deplore the entrusting of trials against fascism to one of those few magistrates who have been subject to epuration and in any way been connected with fascism.

Such a fact would not only create mistrust in the new Government, but would bring discredit to the magistrature which has generally opposed strongly and resisted with dignity every kind of pressure of fascism.

In order that this High Commissariat may exercise its directing, I wish you to furnish immediately the following information, with communications every 15 days, excepting grave cases for which individual and immediate communications must be made:

- 1) Annulments of sentences (acquittals, dismissals and indults);
- 2) Annulments of sentences (acquittals, dismissals and indults);
- 3) Proceedings commenced for the offences referred to in article 3;
- 4) Sentences pronounced by Pretori, by Tribunale and by the Courts of Assises for offences mentioned in article 3 and 5, within the jurisdiction mentioned in article 4;
- 5) Compilation of lists of popular trials; this is urgent if we consider the new rules for the constitution of the Courts of Assises in pursuance of article 4.

6) The date of condemnation, the respective lists (ruoli) and the cases

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of direct and very direct citation (according to the consolidated text 1899 of 4 October 35 and of the new rules on the Courts of Appeal).

7) Declarations revealing annulment and indults (Art. 6, 1st para).
8) Proposals revealing persons already granted (Art. 6, 3rd para).
9) Sentences declared juridically non-existent by the Supreme Court of Cassation (Art. 6, 3rd para).
10) Proceedings for offences contemplated by Art. 3 whenever they have been committed by civilians and proceedings for confiscation mentioned in art. 3.

Since these are not statistical communications but of verification, kindly specify at all times the particulars of the accused, the charges, giving a summary of the offence involved in the proceeding.

I shall appreciate your immediate acknowledgment.

THE ASSISTANT HIGH COMMISSIONER
/s/ SCHLINGEN



ALTO COMMISSARIATO PER LE SANZIONI CONTRO IL FASCISMO

Proc. N. 1/1904

Allegati

Risposta al foglio N.

del

Roma, 15/1/1944

2194

OGGETTO: D.L. 17 luglio 1944 n. 135.

Al

LA

ALLA

secondo quanto alle l.u.d., il 17 u.e. è entrato in vigore il D.L. 17/7/1944 che comprende, al titolo I, la punizione dei delitti del fascismo. La sottocommissione all'atto se essa vuole l'applicazione anche nelle regioni sottoposte al suo controllo.

Con l'art. 1 e con l'art. 4 del D.L. 17/7/1944, il governo democratico ha inteso confermare la fiducia del popolo nella amministrazione affidando ad essa l'applicazione della legge che punisce i delitti del fascismo. Della amministrazione, infatti, il paese attende quelle opere di giustizia e di risarcimento che sono della sua struttura nazionale.

L'Alto Commissariato (art. 41) ha funzione di direzione e di vigilanza su tutti gli organi cui spetta l'applicazione delle sanzioni contro il fascismo. In esso non interviene il solo potere fascista influendo con istruzioni sulla sua libertà di giudizio del ministero nell'assolvimento delle sue funzioni.

[illegible]

rendere il tutto alla M. S. Il 12 u.s. è entrato in vigore
re il 1.1.11. 27/7/1948 ore comprese, al titolo 10, la modifica-
ne dei delitti del 3° comma. Le sottocommissioni allentate ne sono
vola l'op. l'istruzione anche nella regione sottoposta al suo con-
trollo.

Con l'entrata in carica dell'attuale governo, il lavoro
volontario ha preso maggiore impulso e si è diffuso nelle
varie strutture sociali ed economiche della regione che
realizza i risultati del lavoro. Nella struttura, infatti, il
lavoro volontario realizza opere di pulizia e di riassetto del ter-
ritorio e della ricostruzione sociale.

5. Alto Comendario (art. 12) ha funzione di direzione e di vigilanza su tutti gli organi del partito applicando nelle sue sedi contro il fascismo. Ne può non intendere, né il male o stato sociale facendosi con interventi sulla linea politica. 6. Alto del ha potere esecutivo e di controllo della vita politica e delle funzioni.

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Unico padrone assoluto, capitale, territorio e nel
presente etc. La società politica, esige che i processi nel
nuovo condottosi in questo campo con criteri di assoluta yorocosa
za, il resto politico sul delitto fascista può evitare nel
già si irraggiungibili, contrivire allo sforzo bellico del capo
co di liberazione - del partito anti e servire, al tempo stesso;

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

di intimidazioni ai traditori oltre le linee di battaglia.

Superfluo è raccomandare un'accurata scelta dei magistrati preposti a tale compito, sarebbe infatti profondamente irragionevole che la vigile opinione pubblica, ora finalmente libera nella sua funzione di controllo e di critica, dovesse dolere l'affidamento di processi contro fascisti e taluni di quei pochi magistrati che erano stati soggetti ad epurazione o comunque siano stati compromessi nel periodo fascista.

Tale fatto non solo creerebbe fiducia nell'opera del nuovo Governo ma porterebbe discreto alla magistratura stessa, nella sua generalità, un cospicuo fiera e dignitosa resistenza alle pressioni fasciste.

Perché questo Alto Commissariato possa esercitare la sua opera direttiva, urge voler segnalare immediatamente, proseguendo le segnalazioni ormai giudici giurati, salvo per i casi più gravi nei quali si dovranno essere fatte singole ed immediate segnalazioni:

- 1) - gli annullamenti di sentenze (di assoluzione, di proscioglimento e di condanna) di cui all'art. 1 della legge citata.
- 2) - gli eventuali casi di cui all'art. 2 facendo seguire immediatamente alla segnalazione la trasmissione degli atti.
- 3) - I procedimenti iniziati per i delitti di cui all'art. 3.
- 4) - Le sentenze pronunciate dai Pretori, dai Tribunali e dalle Corti di Assise, in ordine ai reati di cui agli art. 2 e 3, nei limiti della competenza di cui all'art. 4.
- 5) - La formazione degli elenchi dei giudizi popolari, che ha carattere di assoluta urgenza tenendo presente le nuove norme per la costituzione delle Corti di Assise in attuazione all'art. 4.
- 6) - La data di convocazione delle sessioni e rispettive ruoli ed i casi di citazione diretta o direttissima (ai sensi del T.U. 4/10/935 n. 1899 e delle nuove norme sulle Corti di Assise).
- 7) - Le dichiarazioni di revoca di amnistie e indulti (art. 6 l. c.p.v.)
- 8) - Le proposte di revoca di grazia sovranamente concesse (art. 6 c.p.v. 2).
- 9) - Le sentenze dichiarate giuridicamente inesistenti dal supremo Corte di Cassazione (art. 6 c.p.v. 3).

Art. 5. Allorché siano

lato fatto non solo creerebbe fiducia nell'opera del nuovo Governo ne porterebbe discreditato alla registrazione stessa, nella sua generalità, la nostra fiera e dignitosa resistenza alle pressioni fasciste.

Perché questo Alto Commissariato possa esercitare la sua opera direttiva, prego voler segnalare immediatamente, proseguendo le segnalazioni ogni quindici giorni, salvo per i casi più gravi nei quali li dovranno essere fatte eleggere ad immediata segnalazione:

- 1) - Gli annullamenti di sentenze (di annullamento, di pronogliamento e di condanna) ai cui all'art.1 della legge citata.
- 2) - Gli eventuali casi di cui all'art.1 facendo seguire immediatamente alla segnalazione la trasmissione degli atti.
- 3) - I procedimenti iniziati per i delitti di cui all'art.3.
- 4) - Le sentenze pronunciate dai Pretori, dai Tribunali e dalle Corti di Assise, in ordine ai reati di cui agli art. 3 e 5, nei limiti della competenza di cui all'art.4.
- 5) - Le forniture degli elenchi dei giudici popolari, che ha carattere di assoluta urgenza tenendo presente le nuove norme per la costituzione delle Corti di Assise in attuazione all'art.4.
- 6) La data di convocazione delle sessioni e rispettive rubriche ed i casi di citazione diretta e direttissima (ai sensi del R.U. 4/10/95 n.1899 e delle nuove norme sulle Corti di Assise).
- 7) - Le dichiarazioni di revoca di amnistia e indulti (art.6 I° capv.)
- 8) - Le proposte di revoca di grazia sovrana già concesse (art.6 capv. 2).
- 9) - Le sentenze dichiarate giuridicamente inesistenti dal e impugnate Corte di Cassazione (art.6 capv.3).
- 10) - I procedimenti per i reati previsti dall'art.5 allorché siano stati commessi da civili, e i provvedimenti di confisca di cui all'art.9.

Poiché trattasi di non segnalazione statistica e di precisazione, prego specificare nelle le generalità degli imputati, l'imputazione narrando in forma succinta il fatto per il quale si procede.

Gradirei collocate risposta di amministrazione.

L'ALTO COMMISSARIO AFFIDATO
Z. TO BELLIGERA

HIGH COMMISSIONER FOR THE PURSUIT OF FASCIST CRIMES

ROME, 26 Sept 1944

The Assistant High Commissioner for the pursuit of Fascist crimes, with circular No 1204 of 12 August 1944 concerning the imminent date (15 August) in which the law becomes effective in the newly liberated provinces, called the attention of your office to the necessity of giving absolute priority to cases of Fascist crimes in investigations, and establishing the date of the proceedings, pointing out the absolute necessity, felt by the Italian people and the democratic government, for prompt justice, and requesting a communication every 15 days on the work done.

Many hundreds of proceedings, most of which have been forwarded by the High Commissioner for jurisdictional reasons, are under way in the ordinary and judicial authorities. But, hitherto, we have been notified of only an some hesitations on their part and fear of the requested communications have been received.

I therefore, wish to insist that rapid action be taken, calling the attention of your offices to the necessity for prompt justice.

The ordinary military courts are to-day requested to give proof of their understanding of the highest necessities of this task entrusted to them, as well as of their patriotism.

In spite of a regrettable and inevitable scarcity of personnel they must be inspired by a spirit of sacrifice and devotion to duty equal to that of the man fighting for the liberation of Italy; only in this way can they receive the trust of the country.

I await immediate communications.

The Assistant High Commissioner

proceedings, most of which have been forwarded by the High Commissioner for Jurisdictional reasons, are under way in the ordinary and judicial authorities.

But, hitherto, we have been notified of only a few hearings on them and few of the requested communications have been received. I therefore, wish to insist that rapid action be taken, calling the attention of your offices to the necessity for prompt justice.

The ordinary military courts are to-day requested to give proof of their understanding of the highest necessities of this task entrusted to them, as well as of their patriotism.

In spite of a regrettable and inevitable scarcity of personnel they must be inspired by a spirit of sacrifice and devotion to duty equal to that of the men fighting for the liberation of Italy; only in this way can they receive the trust of the country.

I admit immediate communications.

The Assistant High Commissioner

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10/10/1943

LE LL. ES. I PROMOTORI GENERALI DEL REGNO
AI SIGNORI PROCURATORI MILITARI DEL REGNO

L'Alto Commissariato ha rinviato per la punizione dei delitti fascisti con circolare n. 1204 del 12/8/1944, e cioè nell'immunità dell'entrata in vigore della legge sulle nuove provincie libere (15 agosto) richiamò l'attenzione di codesto ufficio sulla necessità di dare l'assoluta precedenza nell'istruzione e nella fissazione dei dibattimenti ai casi di delitti fascisti, ponendo in rilievo la inderogabile esigenza sentita da tutto il popolo italiano e dal governo democratico di una giustizia pronta, e richiedendo una segnalazione quindicinale dell'opera svolta.

Molte centinaia di procedimenti sono in corso presso l'autorità giudiziaria ordinaria e militare, la gran parte trasmessi dall'Alto Commissario per competenza, ma dove ed ora non si va oltre a ciò che per alcune di essi sia stato celebrato il dibattimento e non sono pervenute che poche segnalazioni richieste.

Dove perciò insistere personalmente perché si agisca con la massima rapidità e richiamare ancora l'attenzione di codesti uffici sulla necessità assoluta di una giustizia rapida.

La struttura ordinaria militare è chiamata oggi a dare

ALTO COMMISSARIATO PER LA
PUNIZIONE DEI DELITTI DEL

FASCISMO

Roma, 26 settembre 1944

ALLA IL.LE. I PROCURATORI GENERALI DEL REGNO
AI SIGNORI PROCURATORI MILITARI DEL REGNO

.....

L'Alto Commissario Aggiunto per la punizione dei delitti fascisti con circolare n. 1204 del 12.8.1944, e cioè dell'imminenza dell'entrata in vigore della legge nelle nuove province liberate (15 agosto), richiamò l'attenzione di codesto ufficio sulla necessità di dare l'assoluta precedenza nelle istruzioni e nelle fissazione dei dibattimenti ai casi di delitti fascisti, prendo in rilievo la inderogabile esigenza, sentita da tutto il popolo italiano e dal governo democratico, di una giustizia pronta, e richiedendo una segnalazione quindicinale dell'opera svolta.

Molte centinaia di precedenti sono in corso presso l'autorità giudiziaria ordinaria e militare, in gran parte trasmessi dall'Alto Commissariato per competenza; ma sinora non si ha notizia che per alcune di esse sia stato celebrato il dibattimento e non sono pervenute che poche delle segnalazioni richieste.

Devo perciò insistere personalmente perchè si agisca con la massima rapidità e richiamare ancora l'attenzione di codesti uffici sulla necessità assoluta di una giustizia rapida.

La magistratura ordinaria e militare è chiamata oggi a dare prova di comprensione delle esigenze superiori di questo compito ed essa affidato e del suo patriottismo.

L'Alto Commissario Aggiunto per la punizione dei delitti fascisti con circolare n. 1204 del 12.8.1944, e cioè dell'imminenza dell'entrata in vigore della legge nelle nuove provincie liberate (15 agosto), richiamò l'attenzione di codestp ufficio sulla necessità di dare l'assoluta precedenza nelle istruzioni e nella fissazione dei dibattimenti ai casi di delitti fascisti, prendo in rilievo la inderogabile esigenza, sentita da tutto il popolo italiano e dal governo democratico, di una giustizia pronta, e richiedendo una segnalazione quindicinale dell'opera svolta.

Molte centinaia di precedenti sono in corso presso l'autorità giudiziaria ordinaria e militare, in granparte trasmessi dall'Alto Commissariato per competenza; ma sinora non si ha notizia che per alcune di esse sia stato celebrato il dibattimento e non sono pervenute che poche delle segnalazioni richieste.

Devo perciò inasostere personalmente perchè si agisca con la massima rapidità e richiamare ancora l'attenzione di codesti uffici sulla necessità assoluta di una giustizia rapida.

La magistratura ordinaria e militare è chiamata oggi a dare prove di comprensione delle esigenze superiori di questo compito ad essa affidato e del suo patriottismo.

Malgrado una penosa non evitabile scarsità di personale, essa deve inspi-
rarsi ad uno spirito di sacrificio e di dedizione al dovere che sia pari a quello del combattente per la liberazione dell'Italia, soltanto così essa potrà sentirsi circondata dalla fiducia del Paese.

Attendo perciò immediata segnalazione.

L'ALTO COMMISSARIO

F.to: Sforza

27A

18/

HIGH COMMISSARIAT ON SANCTIONS AGAINST FASCISM

File No 1804/GA/og

ROME, 12 August 1944

TO: THE CHIEF OF THE ITALIAN ARMY
THE CHIEF OF THE AIR FORCE

REL No 159 of 27 July 1944, containing sanctions against fascism became effective on 29 July. The Allied Control Commission facilitates the surveillance also in the regions still under the jurisdiction of the military Government.

The High Commissariat orders the law be applied very promptly since it presents an urgent and unavoidable necessity for justice in the country, which cannot hope for an earnest and radical reconstruction unless it be through an immediate, inflexible but serene work of justice and of moral rehabilitation.

Your Excellencies and the Police agencies have an opportunity to show that you understand the necessity for justice and moral rehabilitation of the whole country, and return the prestige to the Police Force. The new law establishes the jurisdiction of the High Commissariat for the offences mentioned in Art 2; that of the ordinary judicial authority for the offences mentioned in Art 2 and for those mentioned in Art 5 whenever they have not been committed by military; finally the military judicial authority has the jurisdiction over the crime contemplated by article 5 and committed by military. Your Excellencies will therefore send out the proper instructions so that relative denunciations will be immediately forwarded to the competent authorities according to the criteria outlined above.

Cases of considerable gravity, after an account has been taken of the nature of the charge and the personality of the accused, must be communicated with the transmission of the documents to the competent authorities for the jurisdictional action referred to in the second paragraph of art 41.

Periodical reports (every 15 days) will be sent to this High Commissariat for any other case; particulars of the accused, and the offence for which proceedings are being taken will be specified.

I wish to urge Your Excellencies to see that the Police organs act in strict legality, avoiding arbitrary action but at the same time taking a prompt, efficient and disciplinary one.

4635

in accordance with the provisions of the law, the High Commissioner facilitates the necessary measures for the rehabilitation of the military personnel.

The High Commissioner orders the law to be applied very promptly since it answers an urgent and unavoidable necessity for justice in the country, which cannot hope for an efficient and radical reconstruction unless it be through an immediate, inflexible but serene work of justice and of moral rehabilitation.

Your Excellencies and the Police Agencies have an opportunity to show that you understand the necessity for justice and moral rehabilitation of the whole country, and return the prestige to the Police Force. The new law establishes the jurisdiction of the High Commissioner for the offences mentioned in art 2; that of the ordinary judicial authority for the offences mentioned in art 3 and for those mentioned in art 5 whenever they have not been committed by military; finally the military judicial authority has the jurisdiction over the crimes contemplated by article 5 and committed by military.

Your Excellencies will therefore send out the proper instructions so that relative demarcations will be immediately formulated to the competent authorities according to the criteria outlined above.

Cases of considerable gravity, after an account has been taken of the nature of the crime and the personality of the accused, must be communicated with the transmission of the documents to the competent authority for the jurisdictional action referred to in the second paragraph of art 41.

Periodical reports (every 15 days) will be sent to this High Commissioner for any other case; particulars of the accused, and the officers for which proceedings are being taken will be specified.

I wish to urge Your Excellencies to see that the Police organs act in strict legality, avoiding arbitrary action but at the same time taking a prompt, efficient and disciplinary one.

The Assistant High Commissioner.

4635

ALTO COMMISSARIATO PER LE SANZIONI CONTRO IL FASCISMO

Prot. N° 1204/GA/26

Roma, 12 agosto 1944

AL DIRETTORE GENERALE DELLA P. S.
AL SIGG. QUESTORI DEL REGNO

Il 29 luglio è entrata in vigore la D.L. 27 luglio 1944 n. 159, contenente le sanzioni contro il fascismo. La Sottocommissione Nazionale di Controllo ne agevolò l'applicazione anche nelle regioni ancora sottoposte alla sovranità del Governo militare.

Questo Alto Commissariato intende che la legge sia applicata con assoluta prontezza perché essa risponda, ad una urgente, inderogabile esigenza di giustizia del Paese il quale non potrà sperare in una seria e radicale ricostruzione se non attraverso una immediata, inflessibile, ma serena opera di giustizia e di risanamento morale.

Lo SS. LL. e gli Organi di polizia hanno così occasione di dimostrare di comprendere e condividere l'esigenza di giustizia e di risanamento morale di tutto il Paese e di ridare prestigio alla funzione della Polizia.

La nuova legge stabilisce la competenza di questo Alto Commissariato per i delitti previsti dall'art. 2; quella dell'Autorità Giudiziarie ordinaria per i delitti di cui all'art. 3 e per quelli di cui all'art. 5 quando siano stati consumati da non militari; spetta infine la competenza all'Autorità Giudiziarie militare per i reati previsti dall'art. 5 qualora i delitti stessi siano stati commessi da militari. Lo LL. SS. provvederanno, pertanto, ad impartire opportune disposizioni perché le relative denunce vengano immediatamente trasmesse alle Autorità competenti, secondo i criteri enunciati.

Nei casi di notevole gravità, tenuto conto della natura della imputazione e della personalità degli imputati dovrà essere data notizia, con la trasmissione degli atti all'Autorità competente, affinché possa valersi della facoltà di cui al 2° cap. dell'art. 41.

Per gli altri casi verranno trasmessi periodiche, quindicinali segnalazioni a questo Alto Commissariato, al quale verranno presentate le generalità degli imputati ed il fatto per il quale si procede.

Richiamo l'attenzione dello LL. SS. perché gli organi di Polizia

La Commissione Alianti
 toposte alla sovranità del Governo militare.

Questo Alto Commissariato in caso che la legge sia applicata con assoluta prontezza perchè essa risponde, ad una urgente, inderogabile esigenza di giustizia del Paese il quale non potrà sporcarsi in una seconda radicale ricostruzione se non attraverso una immediata, inflessibile, ma serena opera di giustizia e di risanamento morale.

Le SS. LL. e gli Organi di Polizia hanno così occasione di dimostrare di comprendere e condividere l'esigenza di giustizia e di risanamento morale di tutto il Paese e di ridare prestigio alla funzione della polizia.

La nuova legge stabilisce la competenza di questo Alto Commissariato per i delitti previsti dall'art. 2; quella dell'Autorità Giudiziarie ordinaria per i delitti di cui all'art. 3 e per quelli di cui all'art. 5 quando siano stati consumati da non militari; spetta infine la competenza all'Autorità Giudiziarie militare per i reati previsti dall'art. 5 qualora i delitti stessi siano stati commessi da militari.

Le LL. SS. provvederanno, pertanto, ad impartire opportune disposizioni relative denuncio vengano immediatamente trasmesse alle Autorità competenti, secondo i criteri enunciati.

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Per gli altri casi verranno trasmesso periodiche, quindicinali e mensili a questo Alto Commissariato, al quale verranno precisate le generalità degli imputati ed il fatto per il quale si procede.

Richiamo l'attenzione delle LL. SS. perchè gli organi di Polizia agiscano in piena legalità, evitando arbitri ma spiegando nel tempo stesso pronta ed efficace opera repressiva.

Attendo immediato cenno di riscontro ed assicurazione.

L'ALTO COMMISSARIO ADIUNTO

Maria Fontana

4634

0974

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

From S.H. White, Lt Col,
CA Section,
HQ AC

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

18 Nov 44.

DE/L.S/CA

Your Excellency,

Brigadier Upjohn is absent from Rome. On his return, which is expected immediately, the various papers and articles you have sent will be placed before him.

Believe me Your Excellency,
Yours truly,

H E BERLINER,
Alto Commissariato per le Relazioni
contro il Fascismo
Palazzo del Viminale
ROMA

4631

DZ/A.5/5A

18 Nov 44.

Your Excellency,

Brigadier Upjohn is absent from Rome. On his return, which is expected immediately, the various papers and articles you have sent will be placed before him.

Believe me Your Excellency,
Yours truly,

H E BENVENUTI,
Alto Commissariato per le Sensioni
contro il Fascismo
Palazzo del Viminale
R. I. M. A.

4631

01514

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

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

From : S.H. WHITE Lt Col
CA Section
HQ AC

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

25a
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Ref DF/4.5/CA

18 Nov 44

Your Excellency

24a

Reference your 02734 dated 13 Nov 44.

It is regretted that the attached letter was not
enclosed with our DF/4.5 dated 5 Nov 44.

Believe me Your Excellency,
Yours truly

10a

H E Count Carlo SPORZA
Alto Commissario per le Sensazioni
contro il Fascismo,
Palazzo del Viminale
ROMA

4633
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4459

This document is to be handled as follows: All the items in the file should be handled as follows:
14 NOV 1944
M. G. P. 01134

COMMISSION FOR THE PURSUIT
OF FASCIST CRIMS

13 NOV 1944

Dear Brig. Upjohn

I am directed to refer to your letter of 5 Nov. '44
 LR/4.5/CA. The copy of a letter by the Provincial Commission at
 Ancona was not attached to the upon mentioned letter; will you
 please send it to this office for necessary and close examination.

Very truly yours

G. R. UPJOHN BRIG.
 VP CA Section
 DOCS AC

Count C. Sforza
 High Commis. for Sun. P.C.
 Viminale Building
 ROME

4632

I am directed to refer to your letter of 5 nov. '44
DP/4.5/CA. The copy of a letter by the Provincial Commission at
Alcona was not attached to the upon mentioned letter; will you
please send it to this office for necessary and close examination.

Very truly your

Count C. Sforza
High Commis. For Fun. P.E.
Viminale Building
ROME

G.R. UPJOHN BRIG.
VP CA Section
ECOS AC

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

785016



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

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

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DE/4.5/2 ✓

16 Nov 44

Your Excellency,

Herewith are records which I have had made of the meeting with
Your Excellency and myself on 6 Nov.

I would be greatly obliged if you would inform me whether
there is any part of these records which does not quite represent your
views.

Believe me Your Excellency,
Yours truly,

H E BERLINGUER
Alto Commissariato per le Sanzioni
contro il Fascismo
Palazzo del Viminale
R O M A

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Declassified E.O. 12356 Section 3.3/NND

No. 785016

HEADQUARTERS

GROSSETO PROVINCE- TOSCANA REGION

ALLIED MILITARY GOVERNMENT

File Ref. GO/4.

Grosseto Province
22.10.44.

To: Regional Commissioner

Toscana Region

Delay in trials of Fascists

1. The long and inexplicable delay in the setting up Assize Courts to try offenders under the "Legge Sforza" is having the following effects:-

(a) Criticism and mistrust of the Bonomi Government. This reflects upon A.C.C. when it is explained that it is a purely Italian Government affair, we are still blamed for not bringing pressure to bear upon that Government to implement the law.

(b) An increased desire on the part of irresponsible elements to take the law into their own hands. This in turn throws heavy responsibility upon local police forces.

(c) Distrust of the real intentions and effectiveness of the occupying powers, springing from comparisons of the speed of the Fascist purge in France under the French and in Italy under the Allies, which are difficult to answer in the Provinces

2. This is countered by a genuine desire on all sides to avoid embarrassing A.C.C., which in the Provinces, while criticisms exit, holds the affection and respect of intelligent people of all classes.

3. The principal losers at this time by the delay are the Italian Government. This is most regrettable from every point of view and one is left with the feeling that that Government does

4629

Italian Government affair, when it is explained that it is a purely pressure to bear upon that Government to implement the law.

(c) An increased desire on the part of irresponsible elements to take the law into their own hands. This in turn throws heavy responsibility upon local police forces.

(e) Distrust of the real intentions and effectiveness of the occupying powers, springing from comparisons of the speed of the Fascist purge in France under the French and in Italy under the Allies, which are difficult to answer in the Provinces

2. This is countered by a genuine desire on all sides to avoid embarrassing A.C.C., which in the Provinces, while criticisms exit, holds the affection and respect of intelligent people of all classes.

3. The principal losers at this time by the delay are the Italian Government. This is most regrettable from every point of view and one is left with the feeling that that Government does not fully appreciate the unfortunate results of the delay of Fascist trials, which is causing a grave loss of public confidence.

Hamilton

R.A.E. HAMILTON
Lt. Col. P.O.
Grosseto Province
Toscana Region.

RMH/19/56

Int Ind.

JES/gm.

Headquarters, TOSCANIA Region, Allied Military Government.

27 Oct 44.

TO : HQ, AC.

1. Forwarded and strongly recommended.

9/18

REDOUBTERS
A.C.C.

0000
00000000

Hamilton
R.A.E. HAMILTON
Lt. Col. P.O.
Grosseto Province
Toscana Region.

Declassified E.O. 12356 Section 3.3/NND No. 7850161. 1st: Defection2. 2nd: Defection

Order to: 1st Indian Indian Region,
 W. H. H. H. H.
 W. H. H. H. H.

1. Report to this on 24/12 or 27 put 1. to my Allied Commission,
 (see also Indian Region). ALI ALBERTO was subsequently taken
 over by 7th Division as a security arrest and evacuated to no. 2. Internment
 Camp 7850.

2. Internment for Surinam has been recommended in his case.

1st Lt.
 1st Lt.
 1st Lt.
 1st Lt.
 1st Lt.

4628

CA Sec

2805

21a

GLADOUR/12/12/1945

18a 919a

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DE/L.S/CA

5 NOV 44

Your Excellency,

I confirm that at your request Cav. Uff. Luigi VOCI former manager of the Banca d'Italia at Urbino is to be handed over for trial to the Italian Court. I attach the report which we received regarding him from the Bank Manager.

I am Your Excellency,
Yours truly

S.H. WHITE Lt Col,
for VP CA Section

H E Count Carlo SPORZA
Alto Commissario per le Sanzioni
contro il Fascismo
Palazzo del Viminale
R O M A

Copy to P.S.

4627

3724

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel: 489051

5 Nov 44

17/4.5/CA

Dear Count Sforza:

*1943 - Sent to Count Sforza
1971/44*

Herewith copy of a letter received by the Provincial Commissioner at Ancona. Will you please say whether or not you require Alessandrini Alberto to be handed over to the Italian Government for trial for "fascist" offenses.

Very truly yours

G.R. UPJOHN Brig.
VP CA Section
DOOS AC

H E Count Carlo SFORZA
Alto Commissario per le Sanzioni
contro il Fascismo
Palazzo del Viminale
R O M E

4626

34

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

SUBJECT: Defascistization.

C. A. Section
ASG Fourteenth Army.

DA/22

27 Oct 44.

1879

28/ 31 OCT 1944

Re Allied Control Commission.

Copy to H. Lazio-Umbria Region.

1. Herewith for information is copy letter from PG Ancona together with a copy of the Denunciation.

2. It is requested that the Italian authorities be advised that Alexandrini Alberto is now subject to their jurisdiction.

30071 344

A. C.

Major,
SCATO,
Group Captain,
Officer Commanding,
ASG Eighth Army.

4625

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DE/4.9/CA

5 Nov 44

Your Excellency,

I confirm that at your request Cav. Uff. Luigi TORTI former manager of the Banca d'Italia at Urbino is to be handed over for trial to the Italian Court. I attach the report which we received regarding him from the Bank Manager.

I am Your Excellency,
Yours truly

S.H. WHITE Lt Col,
for VP CA Section

H E Count Carlo SPORZA
Alto Commissario per le Sanzioni
contro il Fascismo
Palazzo del Viminale
R G H A

4624

Copy to P.S.

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

16a
From : Lt Col S.H. WHITE
CA Sec HQ AC

28 Oct 44
20a

✓
Ref HQ/4.5/CA

Your Excellency

I confirm the telephone message received from
Your Excellency's officer that H E Berlinguer desires the in-
dicated persons to be handed over to the Italian Govt
for trial for "fascist" offenses.

VIRGILIO CASARSA
MARTINI LORRINO
CURRINI VIRGILIO

The necessary instructions have been issued.

Believe me, Your Excellency,
Yours truly

H E Count Carlo SPINZA
Alto Commissario per le Sanzioni
contro il Fascismo,
Palazzo del Viminale
R O M A

4622

SUBJECT: Defascistation.

C.A. Section
CONFIDENTIAL

AMC Rear Eighth Army.

GA/22

21 Oct 44.

1474/5
15a 25/
21 OCT 1944

Hq Allied Control Commission.

Copy to IC Pesaro.

1. GUSLERMI Vincenzo, Italian Consul to SAN MARINO until 21 Sep 44, and who supported Fascism in its most extreme form, has been handed over to AMC by the SAN MARINO authorities at our request.

2. He is now in the civil prison at URBINO.

3. There is no specified charge against GUSLERMI and he is merely held on account of his fascist record.

4. In confirmation of signal on 20 Oct 44, it is requested you signal disposal instructions regarding this man as soon as possible to this HQ.



E. Puller
Major,
SCAF,
for Group Captain,
Officer Commanding,
AMC Eighth Army.

4623

3169

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

From Maj G.R. UPTON
V.P. Sec. HQ AC.

HEADQUARTERS
ALLIED COMMISSION
APO 394
CA SECTION

DE/4.5/CA ✓

27 Oct 44

Your Excellency,

Your Excellency will remember that at our last meeting I expressed concern at the number of persons held in jail pending trial for "fascist" offences and it was agreed that where the offence permitted prisoners would be brought before tribunals rather than wait for an assize. I shall be glad to know what progress has been made as to this and if Your Excellency would send me a copy of the instruction which Your Excellency said had already been sent to Procuratori and of any further instruction you find it necessary to issue to implement the agreement arrived at.

I am most concerned with conditions in Grosseto and shall be obliged if Your Excellency will direct the attention of your officers particularly to the improvement of matters there.

Believe me Your Excellency,
Yours truly,

J. R. Upton
H E Count Carlo SPORZA
Alto Commissario per le Sanzioni
contro il Fascismo,
Palazzo del Viminale
R O M A

4622

5241

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

From : G.R. URJOHN Br.
VP CA Sec, INJ. A.M.

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
CIVIL AFFAIRS SECTION

13a

Ref : DE/4.5/CA ✓

24 Oct 44

Dear Count Sforza,

I thank you for your letter of the 19 Oct
enclosing the charges against Generals Ponticelli and Del Tetto.

Yours sincerely

G. R. Urjohn

H E COUNT CARLO SFORZA
Alto Commissario per le Sanzioni
contro il Fascismo,
Palazzo del Viduale

ROMA

SHW/er

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

TRANSLATION NO. 372

HIGH COMMISSIONER FOR SANCTIONS AGAINST FASCISM

Palazzo del Viminale, ROME
ROME, 19 October 1944

Dear General,

I forward you, enclosed, the charges imputed to Generals Riccardo PENTIMALLI and Ettore DEL TETTO, who will appear, as I have already said, on 23rd October before the High Court of Justice which will hear the case at the "Accademia dei Lincei" - Palazzo Corsini, at 9 hours.

/s/ illegibile

TO: General G.B. UPJOHN
Vice President of the A.C.C.
ADMINISTRATIVE SECTION
R O M E

4620

PENAL PROCEEDINGS AGAINST:

- 1) - Pentimalli Riccardo, fu Luigi and fu Giuseppina Contestabile, born in Palmi di Calabria on 29 February 1934, completely discharged in 1945, formerly commanding the XIX C.A., imprisoned;
- 2) - Del Tetto Ettore fu Domenico and fu Proia Angela, born in Torino on 21 April 1909, retired Major General, formerly commanding the Corps Area of the XIX C.A., imprisoned;

CHARGED

Both of them, with the offence contemplated in article 5 of the L.D.I. of 27 July 1944, No. 159, for having collaborated with the Germans on 8 September 1943, and later at Naples and in the vicinity, giving them help and assistance, neglecting all defensive preparations and issuing orders intended to prevent all action on the part of Italian troops and favour German action, suppressing even the reaction of the troops of the Italian people against attacks from the enemy, with whom they were in continual relation, complying with its requests, ordering the evacuation of barracks where Italian units were resisting, the destruction of arms and the release of German prisoners, abandoning their command, dressing in civilian clothes and taking refuge in various private houses, and lastly directing the formation of mixed patrols of Italian and German soldiers intended to safeguard the security of the enemy, and threatening with warning placards, reprisals and even capture of 60 innocent and guilty citizens "who would have to pay for everybody", succeeding by such conduct, contrary to the rules of honour and military defence, in rendering possible or at least facilitating the German occupation.

and also

the first, with the following offences, contemplated in the Military Penal Code of War:

Art. 51 m.p.c. of war, for having committed acts intended to favour the military operations of the enemy or otherwise hinder the armed forces of the Italian state;

Art. 52 m.p.c. of war, for having committed acts intended to favour the military operations of the enemy or otherwise hinder the armed forces of the Italian state;

4619

Both of them, with the offence contemplated in article 5 of the L.D.L. of 27 July 1944, No. 189, for having collaborated with the Germans on 8 September 1943, and later at Naples and in the vicinity, giving them help and assistance, neglecting all defensive preparations and issuing orders intended to prevent all action on the part of Italian troops and favour German action, suppressing even the reaction of the troops of the Italian people against attacks from the enemy, with whom they were in continual relation, complying with its requests, ordering the evacuation of barracks where Italian units were resisting, the destruction of arms and the release of German prisoners, abandoning their command, dressing in civilian clothes and taking refuge in various private houses, and lastly directing the formation of mixed patrols of Italian and German soldiers intended to safeguard the security of the enemy, and threatening with warning placards, reprisals and even capture of 50 innocent and guilty citizens who would have to pay for everybody's succeeding by such conduct, contrary to the rules of honour and military defence, in rendering possible or at least facilitating the German occupation.

and also

4619

the first, with the following offences, contemplated in the Military Penal Code of War:

Art. 51 m.p.c. of war, for having committed acts intended to favour the military operations of the enemy or otherwise hinder the armed forces of the Italian State;

a) - ordering by telephone Gen. Del Tette, ~~area~~ area commandant of the XIX C.A., on the evening of 10 - 9 - 1943, to tell Gen. Carlino Commandant of the Naples anti-air defence, whose troops were firing on the Germans, not to "provoke the Germans";

b) - ordering on 11-9-1943 Gen. Marino Commandant of the Naples Port defence (who having learnt from German sources that the troops of the Goering Division had occupied Naples during the night, had requested him for subsequent orders) to "shut up the troops in the barracks, to prevent any interference on the part of Italian troops and to permit on duty in the city only the troops necessary to keep the public order;"

c) - giving the generals present at the meeting of the Corps Area Command of the XIX C.A., when it was announced that the Germans demanded the arms to be handed over, instructions to burn them (trans: it appears that the words "instead of" are omitted) the only order conforming to military honour, to use them in defence to the last;

Art. 51 m.p.c. 1st para., for having on the evening of 10-9-1943, abandoned the command of the XIX C.A. which had previously been transferred to the

- 2 -

site of the area command, expressly declaring to the area commander of the XIX C.A. "You must not mention my name or say that I am here, you set along with the Germans, I'll see it out with the Americans coming along"; and taking lodging on 11-9-1943 in a private house in Via Sennazzaro, No. 11, then on 11 September 1943 in another private house in Via Morelli, No. 37, lastly on 13-9-1943 (again in a private house) in Via Francesco Crispi, No. 144, this last time saying to his chief of Gen. Staff and other officers "we'll meet again when the situation is clearer".

Art. 96 No. 1 m.p.c. of war, for having omitted to attack the enemy and avoided combat since the evening of 8-9-1943 without justification and even though he had received precise orders with war "order (memoria) No. 14" of 4-9-1943 from the commandant of VII Army, from Marshal Badoglio's radio message of 8-9-1943 at 19.45 hours, and later also with the marconigram signed by Gen. Roatta, which he received on 11-9-1943 at 11 hours;

Art. 98 c.p.m. of war, in reference to art. 96 No. 3 for having wilfully omitted to resist eventual attacks from whatever source, after 8-9-1943, date in which he received the "memoria 44" sent him by the commander of the VII Army and in which Marshal Badoglio transmitted a radio order to the same effect; for having omitted to give orders for the defense of the Piazza di Napoli, which he, as Commandant of the XIX C.A., had control of, and where he had been stationed since the afternoon of 9-9-1943, and for having neglected to set up an adequate defense to resist the enemy which resulted in the loss of the square;

Art. 100 m.p.c. of war for having omitted, without justification, to carry out the above orders given in the "memoria 44", in Marshal Badoglio's radio message and also in Gen. Roatta's marconigram;

Art. 104 m.p.c. of war for having omitted to make the necessary provisions for the defense and resistance against the enemy, causing the surrender of piazza di Napoli;

Art. 114 m.p.c. of war, for not having used every means possible to prevent and check the units under his command from breaking up;

the second, of the following offences contemplated in the military penal code of war;

Art. 51 m.p.c. of war for having committed acts intended to favour the military operations of the enemy and hinder the operations of the armed forces of the Italian State;

to the

Art. 38 c.p.m. of war, in reference to art. 29 No. 3 for having wilfully omitted to resist eventual attacks from whatever source, after 5-9-1943, date in which he received the "Memoria 44" sent him by the commander of the VII Army and in which Marshal Badoglio transmitted a radio order to the same effect; for having omitted to give orders for the defence of the piazza di Napoli, which he, as Commandant of the XIX C.A. had accepted, and where he had been stationed since the afternoon of 9-9-1943, and for having neglected to set up an adequate defence to resist the enemy which resulted in the loss of the square;

Art. 100 m.p.c. of war for having omitted, without justification, to carry out the above orders given in the "Memoria 44", in Marshal Badoglio's radio message and also in Gen. Roatta's memorandum;

Art. 104 m.p.c. of war for having omitted to make the necessary provisions for the defence and resistance against the enemy, causing the surrender of piazza di Napoli;

Art. 114 m.p.c. of war, for not having used every means possible to prevent and check the units under his command from breaking up;

the second, of the following offences contemplated in the Military penal code of war;

Art. 51 m.p.c. of war for having committed acts intended to favour the military operations of the enemy and hinder the operations of the armed forces of the Italian State;

a) - transmitting on 9-9-1943 to the 40th Infantry Deposit Command, to the Naples District Command, to the Port Inspectorate, a phonogram prohibiting soldiers in uniform take part in public demonstrations aimed at ceasing hostilities, and ordering them to use the greatest respect and regard toward the German military personnel and even defend them if necessary from the actions of the civil population;

b) - proposing to the German Command on 10-9-1943, the formation, mixed of Italian-German patrols and directing on the following day the formation of ten such patrols;

c) - sending on 10-9-1943 at the request of the German Col. Schell, a group of R. Carabinieri to defend a German battery at Marigliano and besiege the crowd which was attacking it;

d) - ordering on the evening of 10-9-1943 the exchange of 100 German prisoners with only a few Italian prisoners;

e) - ordering on 11-9-1943, the Naples area commandant to evacuate the barracks of the same area where the Germans were being resisted and to

burn all the arms there;

(.) - ordering on 11-9-1943 two notices to be stamped and posted in Naples, one of which warned the public that whoever was found in possession of arms in a public place would be immediately imprisoned, while the other threatened the population to the effect that if even a minor act was committed against the German troops, 50 citizens would be arrested and held at the disposal of the military authorities to answer for the act, even if innocent.

Art. 94, 1st para c.p.m. of war, for having abandoned the command and taking cover in a private house on 11-9-1943 at 15 hours and again in the late afternoon of the same day in another private house, in which places it was already practically impossible for him to carry out his duties as commander, and finally taking refuge on 16 September 1943 in the "Della Palma" convent (where he remained until 11 October, date of his arrest) thus exposing the military forces under his command to risk, and bringing all practical liaison with them to cease at 17 hours on 11-9-1943;

Art. 96 No. 1 m.p.c. of war for having omitted to attack the enemy and avoided combat since the evening of 8-9-1943 without justification and even though he had received precise orders with "memoria No. 44" of 8-9-1943 from the XIX A.C., from Marshal Badoglio's radio message of 8-9-1943 at 19,45 hours and later also with the memorandum signed by Gen. Roatta, which he received on 11-9-1943 at 11 hours;

Art. 98 c.p.m. of war, in reference to Art. 99, No. 2 for having willfully omitted to resist eventual attacks from whatever source, both before and after 8-9-1943, date in which he received the memorandum "44" sent him by the commander of the XIX C.A., and after 8-9-1943 Marshal Badoglio transmitted a radio order at 19,45 hours to the same effect, for having omitted to give orders for the defence of the piazza di Napoli which was under his command, and for having neglected to set up an adequate defence to resist the enemy, which resulted in the loss of the square;

Article 100 m.p.c. of war, for having omitted, without justification, to carry out the above orders given in the "memoria 44", in Marshal Badoglio's radio message and also in Gen. Roatta's memorandum;

Art. 104 m.p.c. of war for having omitted to make the necessary provisions for the defence and resistance against the enemy, causing the surrender of the piazza di Napoli;

Art. 114 m.p.c. of war for not having used every means possible to prevent the enemy from occupying the square, especially

the "Della Palma" convent (where he remained until 11 October, date of his arrest) thus exposing the military forces under his command to risk, and bringing all practical liaison with them to cease at 17 hours on 11-9-1943;

Art. 96 No. 1 m.p.c. of war for having omitted to attack the enemy and avoided combat since the evening of 8-9-1943 without justification and even though he had received precise orders with "memoria No. 44" of 5-9-1943 from the XIX A.C., from Marshal Badoglio's radio message of 8-9-1943 at 19,45 hours and later also with the memorandum signed by Gen. Roatta, which he received on 11-9-1943 at 11 hours;

Art. 98 c.p.m. of war, in reference to art. 39, No. 3 for having willfully omitted to resist eventual attacks from whatever source, both before and after 8-9-1943, date in which he received the message which sent him by the commander of the XIX C.A., and after 8-9-1943 Marshal Badoglio transmitted a radio order at 19,45 hours to the same effect; for having omitted to give orders for the defence of the piazza di Napoli which was under his command, and for having neglected to set up an adequate defence to resist the enemy, which resulted in the loss of the square;

Article 100 m.p.c. of war, for having omitted, without justification, to carry out the above orders given in the "memoria 44", in Marshal Badoglio's radio message and also in Gen. Roatta's memorandum;

Art. 104 m.p.c. of war for having omitted to make the necessary provisions for the defence and resistance against the enemy, causing the surrender of the piazza di Napoli;

Art. 114 m.p.p. of war, for not having used every means possible to prevent and check the units under his command from breaking up, especially the Police Force Units which were more directly controlled by him being the Naples Commissioner for public order.

4617

UFFICIO COMMISSARIO PER LE SANZIONI CONTRO IL FASCISMO

PALAZZO DEL VIMINALE - ROMA

Roma, 19 ottobre 1944

19 OCT 1944

Mio caro Generale,

Le comunico, con l'unito allegato, le imputazioni ascritte ai Generali Riccardo Fontana e al Ettore Del Poggio, i quali compariranno, come ha già scritto, il giorno 23 ottobre p.v. innanzi all'Alta Corte di Giustizia che terrà udienza all'Accademia dei Lincei - Palazzo Corsini - alle ore 9.

Amaremente suo

Fontana

Al Generale G. D. Fontana
Vice Presidente della Commissione
Alta Corte di Giustizia
Sezione Amministrativa

4616

Facile Linceo

2.10.1944

2825

PROCEDIMENTO PENALE A CARICO DI:

1) - Pertinelli Riccardo, fu Luigi e fu Giuseppe Contestabile, nato a Palermo di Calabria, il 29-2-1884, generale di corpo d'Armata in congedo assoluto già comandante

in XIX C.A., detenuto;

2) - Del Totto Ettore, fu Domenico e fu Prole Angela, nato a Torino il 21-6-1889, generale di Divisione a riposo, già comandante il Comando Territoriale del XIX C.A. detenuto;

IMPUTATI

Entrambi del reato previsto dall'art. 5 del D.L. 27-7-1944 n. 159 per avere, l'8-9-1943 e successivamente in Napoli e d'intorni collaborato con i tedeschi, prestando ed essi aiuto ed assistenza, omettendo ogni preparazione difensiva dirompendo ordini diretti ad impedire ogni azione delle truppe italiane ed a favorire l'azione tedesca, reprimendo la reazione delle stesse truppe italiane della popolazione agli attacchi del nemico, col quale tenevano continui rapporti, aderendo alle sue richieste, ordinando l'evacuazione delle caserme con reparti italiani resistevano, la distruzione delle armi e la restituzione dei prigionieri tedeschi, abbandonando il comando, vestendo l'abito borghese e rifugiandosi in varie case private, ed infine disponendo la formazione di pattuglie miste di militari italiani e tedeschi dirette a salvaguardare la sicurezza del nemico, e minacciando con manifesti, rappresaglie ed anche la cattura di 60 cittadini innocenti o colpevoli "che avrebbero dovuto pagare per tutti", pervenendo con tale condotta, contraria alle leggi dell'onore e della difesa militare, a rendere possibile o comunque ad agevolare l'occupazione tedesca;

CONCHI

il primo, dei seguenti reati, previsti dal Codice Penale Militare di guerra:

2) - Del Tette Bittore, fu Domenico e fu Prole Angela, nato a Torino il 21-4-1889, Generale di Divisione e ripreso, già comandante il Comando Territoriale del XIX S.A.

detenuto;

INTELLAZIONE

Entrambi del reato previsto dall'art. 5 del R.L.L. 27-7-1944 n. 159 per avere, l'8-9-1943 e successivamente in Napoli e dintorni collaborato con i tedeschi, prestando ad essi aiuto ed assistenza, ottenendo ogni preponderanza difensiva di armamenti ordinari e di armi ed impedire ogni azione delle truppe italiane ed a favorire l'azione tedesca, reprimendo la reazione delle stesse truppe italiane della popolazione agli attacchi del nemico, col quale tenevano continui rapporti, aderendo alle sue richieste, ordinando l'evacuazione delle caserme ove reparti italiani resistevano, la distruzione delle armi e la restituzione dei prigionieri tedeschi, abbandonando il comando, vestendo l'abito borghese e rifugiandosi in varie case private, ed infine disponendo la formazione di partigiane miste di militari italiani e tedeschi dirette a salvaguardare la sicurezza del nemico, e minacciando con manifesti, rappresentazioni ed anche la cattura di 60 cittadini innocenti o colpevoli "che avrebbero dovuto pagare per tutti", pervenendo con tale condotta, contraria alle leggi dell'onore e della difesa militare, a rendere possibile o comunque ad agevolare l'occupazione tedesca;

nonché

il primo, dei seguenti reati, previsti dal Codice Penale Militare di guerra:

Art. 61 C.P.M. di guerra, per avere commesso fatti diretti a favorire le operazioni militari del nemico ovvero a nuocere ai trimenti alle forze armate dello Stato italiano;

- 2 -

a) - dando ordine, per telefono, sera del 10-9-1943, al gen. Del Fatto Comandante territoriale XIX C.A. di dire al gen. Carlino comandante della difesa antiaerea di Napoli, le cui truppe sparavano sui tedeschi di non "provocare i tedeschi";

b) - Dando ordine l'11-9-1943 al gen. Marino comandante della difesa Porto di Napoli (il quale, avendo appreso da fonte tedesca che le truppe della Divisione Goering avrebbero nella notte occupato Napoli, gli chiedeva ordini in merito) di "tagliare le truppe in caserma", di evitare qualsiasi provocazione da parte delle truppe italiane di far rimanere in servizio in città le sole truppe destinate all'ordine pubblico";

c) - Dando al generale presenti al rapporto tenuto la mattina del 10 settembre 1943 nel comando territoriale XIX C.A. all'annuncio che i tedeschi chiedevano la consegna delle armi le direttive di bruciarle l'unica conforme all'onore militare di usare a difesa re fino all'ultimo;

Art. 91 C.F.M. I comma, per avere la sera del 10-9-1943, abbandonato il comando del XIX C.A. che aveva precedentemente trasferito nei locali del comando territoriale esplicitamente dichiarando al comandante territoriale del XIX C.A. "tu non devi fare il mio nome né dire che io sono qui, tu te la vedi con i tedeschi io me la vedrò con gli americani che stanno arrivando"; e trasferendosi il giorno 11-9-1943 in casa privata, in via Sannazaro n. 12, poi, il giorno 12 settembre 1943 in un'altra casa privata **4614** Morelli n. 37, infine il 13-9-1943, (sempre in casa privata) in via Francesco Crispi n. 144, dicendo questa ultima volta al suo capo di S.M. ed a altri ufficiali "ci rivedremo a situazione più chiara".

Art. 96 n. 1 C.F.M. di guerra, per avere, dalla sera dell'8-9-1943 in poi, senza giustificato motivo anzi pure averne ricevuto esplicito ordine con la "memoria 44" di guerra e lui comunicata il 4-9-1943 dal comandante VII Armata dalla comunicazione trasmessa per radio dal Maresciallo Badoglio l'8-9-1943 alle ore 19,45, nonché successivamente

b) - Dando ordine l'11-9-1943 al gen. Marino comandante della difesa Porto di Napoli (il quale, avendo appreso da fonte tedesca che le truppe della Divisione Goering avrebbero nella notte occupato Napoli, gli chiedeva ordini in merito) di "teppere le truppe in caserma", di evitare qualsiasi provocazione da parte delle truppe italiane di Portici e di evitare in città le sole truppe destinate all'ordine pubblico;

c) - Dando al generale presenti al rapporto tenuto la mattina del 10 settembre 1943 nel comando territoriale XIX C.A. all'annuncio che i tedeschi chiedevano la consegna delle armi la direttiva di bruciarle l'unica conforme all'onore militare di usarle a difendere fino all'ultimo;

Art. 91 c.p.m. I comma, per avere la sera del 10-9-1943, abbandonato il comando del XIX C.A. che aveva precedentemente trasferito nei locali del comando territoriale esplicitamente dichiarando al comandante territoriale del XIX C.A. "tu non devi fare il mio nome né dire che io sono qui, tu te la vedi con i tedeschi io me la vedrò con gli americani che stanno arrivando"; e trasferendosi il giorno 11-9-1943 in casa privata, in via Sarnano n. 11, poi, il giorno 11 settembre 1943 in un'altra casa privata **4614** n. 37, infine il 13-9-1943, (sempre in casa privata) in via Francesco Crispi n. 14, dicendo questa ultima volta al suo capo di S.M. ed a altri ufficiali "ci rivedremo a situazione più chiara".

Art. 96 n. I c.p.m. di guerra, per avere, dalla sera dell'8-9-1943 in poi, senza giustificato motivo anzi pure avendo ricevuto esplicito ordine con la "memoria 44" di guerra a lui comunicata il 4-9-1943 dal comandante VII Armata della comunicazione trasmessa per radio dal Maresciallo Badoglio l'8-9-1943 alle ore 19.45, nonché successivamente con il telegramma a firma del gen. Rotta, pervenutogli in data 11-9-1943 alle ore 11, omesso di attaccare il nemico ed evitato il combattimento;

- 3 -

Art. 98 c.p.m. di guerra, in relazione all'art. 99 n. 2 per avere per sua colpa, omeo do-
po tale data, nella quale ebbe conoscenza della "memoria 44", comunicatogli dal coman-
dante della Villa Arasta sin dopo l'8-9-1943 data in cui alle ore 19,45 e per conoscenza
per radio dell'ordine del Maresciallo Badoglio di resistere ad eventuali attacchi da
qualsiasi provenienza" di impartire provvedimenti per la difesa della piazza di Napoli,
che da lui, quale comandante del XIX C.A., difendeva, e dove fin dal pomeriggio del 9-
9-1943 si era trasferito, e per avere trascurato di porla in grado di resistere al nemi-
co, omissione da cui derivò la perdita della piazza;

Art. 100 c.p.m. di guerra, per avere omeo, senza giustificato motivo, di dare esecutio-
ne agli ordini come sopra contenuti nella "memoria 44" nella comunicazione fatta dal Ma-
resciallo Badoglio per radio nonché nel macrogramma del Gen. Rotta;

Art. 104 c.p.m. di guerra, per aver omettendo di provvedere ai mezzi necessari alla dife-
sa e alla resistenza contro il nemico, cagionato la resa della piazza di Napoli;

Art. 114 c.p.m. di guerra, per non aver usato ogni mezzo possibile per impedire e reprimere lo sbandamento dei corpi e dei dipendenti;

il recordo dei seguenti reati, previsti dal codice pen. militare, di guerra; **4613**

Art. 51 c.p.m. di guerra, per avere commesso fatti diretti a favorire le operazioni mili-
tari del nemico ed a nuocere alle operazioni delle forze armate dello Stato italiano;

a) - inviando il 9-9-1943 al comando deposito 409 fanteria, al comando deposito 31° fan-
teria, al comando deposito Lancieri Aosta, al comando Distretto Napoli, all'Ispektorato
di Porto, un fonogramma col quale proibiva la partecipazione dei militari in uniforme
alle dimostrazioni e far cessare le ostilità ed ordinava di usare il più alto rispetto

qualitativi provenienze" di impartire provvedimenti per la difesa delle piazze di Napoli, che da lui, quale comandante del XIX C.A., difendeva, e dove fin dal pomeriggio del 9-9-1943 si era trasferito, e per avere trascurato di porla in grado di resistere al nemico, omissione da cui derivò la perdita della piazza;

Art. 100 c.p.m. di guerra, per avere omesso, senza giustificato motivo, di dare esecuzione agli ordini come sopra contenuti nella "memoria 44" nella comunicazione fatta dal Maresciallo Badoglio per radio nonché nel teleconferenza del Gen. Rocca;

Art. 104 c.r.m. di guerra, per aver omettendo di provvedere ai mezzi necessari alla difesa e alla resistenza contro il nemico, cagionato la resa delle piazze di Napoli;

Art. 114 c.p.m. di guerra, per non aver usato ogni mezzo possibile per impedire e reprimere lo abbandono dei corpi a lui dipendenti;

il secondo dei seguenti reati, previsti dal codice pen. militare, di guerra; **4613**

Art. 51 c.p.m. di guerra, per avere commesso fatti diretti a favorire le operazioni militari del nemico ed a nuocere alle operazioni delle forze armate dello Stato italiano:

a) - inviando il 9-9-1943 al comando deposito 40^a fanteria, al comando deposito 31^o fanteria, al comando deposito Lancieri Acate, al comando Distretto Napoli, all'ispettorato di Porto, un fonogramma col quale proibiva la partecipazione dei militari in uniforme alle dimostrazioni a far cessare le ostilità ed ordinava di usare il più alto rispetto e deferenza verso il personale militare tedesco anzi se necessario difenderlo dalle azioni della popolazione civile;

- b) - Proponendo il 10-9-1943, al comando tedesco, la formazione di pattuglie miste italo-germaniche e disponendo il giorno successivo la costituzione di un numero di 10;
- c) - inviando il 10-9-1943 su richiesta del colonnello tedesco Scholl, un nucleo di CC. RR. a difendere una batteria, tedesca sita in Marigliano ad assediare la foce che la attaccava;
- d) - ordinando la sera del 10-9-1943, lo scambio di cento prigionieri tedeschi con pochi prigionieri italiani;
- e) - ordinando, l'11-9-1943 al comandante del distretto di Napoli di evacuare la caserma del distretto medesimo ove si resisteva ai tedeschi e di bruciare le armi ivi esistenti;
- f) - redigendo e ordinando di stampare l'11-9-1943, due manifesti destinati alla pubblica affissione in Napoli, in uno dei quali, si avvertivano i cittadini che chiunque sarebbe stato trovato in possesso di armi in luogo pubblico sarebbe stato senz'altro arrestato, mentre nell'altro si minacciava la popolazione che qualora si fosse ripetuto un fatto anche lieve, contro le truppe germaniche, 60 cittadini sarebbero stati fermati e tenuti a disposizione dell'autorità militare per rispondere anche se innocenti".
- Art. 94 Il comma 2.° del di guerra, per aver abbandonato il comando trasferendosi il giorno 11-9-1943 alle ore 16, in una casa privata e successivamente nel tardo pomeriggio dello stesso giorno, in un'altra casa privata, dai quali luoghi l'azione di comando già iniziata praticamente impossibile, rifugiandosi poi definitivamente, il 15 settembre 1943 nel convento "della Palma" (ove rimaneva sino all'11 ottobre successivo) del suo arresto), così compromettendo la sicurezza delle forze militari da lui dipendenti, con le quali ogni pratico collegamento cessò alle ore 17 dell'11-9-1943;

attaccava;

- d) - ordinando la sera del 10-9-1943, lo scambio di cento prigionieri tedeschi con pochi prigionieri italiani;
- e) - ordinando, l'11-9-1943 al comandante del distretto di Napoli di evacuare la caserma del distretto medesimo ove si resisteva ai tedeschi e di bruciare le armi ivi esistenti;
- f) - redigendo e ordinando di stampare l'11-9-1943, due manifesti destinati alla pubblica affissione in Napoli, in uno dei quali, si avvertivano i cittadini che chiunque sarebbe stato trovato in possesso di armi in luogo pubblico sarebbe stato senz'altro arrestato, mentre nell'altro si minacciava la popolazione che qualora si fosse ripetuto un fatto anche lieve, contro le truppe germaniche, 60 cittadini sarebbero stati fermati e tenuti a disposizione dell'autorità militare per rispondere anche se innocenti".

Art. 94 I comandi c.p.m. di guerra, per aver abbandonato il comando trasferendosi il giorno 11-9-1943 alle ore 16, in una casa privata e successivamente nel tardo pomeriggio dello stesso giorno, in un'altra casa privata, dai quali luoghi l'azione di comando già gli riusciva praticamente impossibile, rifugiandosi poi definitivamente il 10 settembre 1943 nel convento "della Palma" (ove rimaneva sino all'11 ottobre successivo) e del suo arresto), così compromettendo la sicurezza delle forze militari da lui dipendenti, non le quali ogni pratico collegamento cessò alle ore 17 dell'11-9-1943;

Art. 95 n. 1 c.p.m. di guerra, per avere, della notte dell'8-9-1943 in poi, senza giustificato motivo, anzi pure avendolo ricevuto esplicito ordine con la "memoria 44", a lui

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comunicata il 5-9-1943 dal XIX C.A., dalla comunicazione trasmessa per radio dal gen. Badoglio l'8-9-1943 alle ore 19,45, nonché successivamente con il marconigramma a firma del gen. Bonita, pervenutogli in data 11-9-1943 alle ore 11, omesso di attestare il nemico ed evitato il combattimento.

Art. 98 - in relazione all'art. 99 n. 2 c.p.m. di guerra, per avere per sua colpa omesso sia prima del 5-9-1943, sia dopo tale data, nella quale ebbe conoscenza della "memoria 44" comunicatagli dal comandante del XIX C.A. sia dopo l'8-9-1943 data in cui alle ore 19,45, ebbe conoscenza per radio dell'ordine del Maresciallo Badoglio di resistere ad "eventuali attacchi di qualsiasi provenienza, di impartire i provvedimenti per la difesa della piazza di Napoli, di cui aveva il comando, e trascurato di porla in grado resistere al nemico, omissione di cui derivò la perdita della piazza;

Art. 100 c.p.m. di guerra, per avere omesso senza giustificato motivo di dare esecuzione agli ordini come sopra contenuti nella "memoria 44" della comunicazione fatta dal Maresciallo Badoglio per radio nonché nel marconigramma del gen. Bonita;

Art. 104 c.p.m. di guerra, per avere omettendo di provvedere ai mezzi necessari alla difesa ed alla resistenza contro il nemico, cagionato la resa della piazza di Napoli;

Art. 114 c.p.m. di guerra, per non aver usato ogni mezzo possibile per impedire e reprimere lo sbandamento dei corpi da lui dipendenti e specialmente dei reparti di ordine pubblico che da lui quale Commissario di Napoli per l'ordine pubblico più direttamente dipendevano.

785016

L'ALTO COMMISSARIO PER LE SANZIONI CONTRO IL FASCISMO

PALAZZO DEL VIMINALE - ROMA

1113

Roma, 12 ottobre 1944

YASUTSUGU

Caro Gen. Wyjohn,

Il processo dei Generali Del Tetto
a Pentimilli comincerà il 23 corr.

Dev.no

Gray

4603

21. General G. S. Upjohn
Administrative Section
Headquarters A. C. C.

11 2 0 12 4 11

2520

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

(Ha)

Rome 12 Oct 44

Dear General Upjohn,

The trial of General Del Tetto and General Pentimalli
shall begin on 23 Oct.
For the others the exact dates have not yet been fixed.

Yours truly

Sforza

4610

42181/0017
Calendoli 00355 *Amici*

REPORT ON THE WORK DONE BY THE DEPUTY HIGH COMMISSARIAT FOR THE PURSUIT OF FASCIST CRIMES.

DEFUS

SECRET

On 21 and 22 September the first trial of fascist criminals took place before the High Court of Justice, ending, as well known, with the death sentence for Caruso and 30 year reclusion for Cocchetto.

On the 9 of this month, as already reported by the press, the trial of the former director of the Bank of Italy, Vincenzo Azzolini, will take place before the High Court of Justice. According to Art. 5 of the Law of 27 July 1944 Azzolini is charged with collaborating with the enemy. On 23 Oct. the Generals of Division Pentimelli and Del Tetto will appear before the High Court of Justice for not having defended the city of Naples from the German troops and for having collaborated with them.

So far 86 persons have been arrested following a warrant for arrest issued by the High Commissariat; these are detained in the Regina Coeli jails, and to them will soon be added 111 more belonging to the former Special Tribunal, against whom a warrant for arrest has already been issued.

A great number of denunciations for various crimes came to the High Commissariat every day. After these denunciations have been examined carefully they are sent, according to the particular case, to the various "Procure" of the Kingdom for judicial prosecution. In fact more than 500 denunciations have been sent to the "Procure" of the Kingdom of Rome. In the last few days the number of persons placed in trial has already risen by the judicial authorities of the liberated provinces; at any rate reports came to this High Commissariat on the transmission of trial to the proper juridical authority for the application of Art. 6 of the Law (concerning the legal non-existence of sentences which have

for not having defended the city of Naples from the German troops and for having collaborated with them.

The four Sicilians have been arrested following a warrant issued by the High Commissioner. They were detained in the Regina Lucia Hotel, and to them will now be added 100 more belonging to the former Special Tribunal, 4000
who are arrested. The arrests have already been reported.

A great number of demonstrations for justice against the High Commissioner are being held. After these demonstrations have been conducted peacefully they are now, according to the participants, to the various "syndicates" of the Kingdom for judicial matters. It is true that all demonstrations have been sent to the participants of the Kingdom of Sicily. He has now put the matter of persons placed on trial and already tried by the judicial authorities of the liberated provinces; it is the reports come to the High Commissioner as the unavailability of trial in the proper judicial authority for the application of art. 1 of the Law (concerning the legal responsibility of sentences which have been pronounced by legal bodies resulting from function) and in the request of persons already granted.

Among the former figures of the former Fascist Party, who are at present detained, appear the following: Barbi, former under secretary for foreign affairs, under secretary of Corporations, Gambelli, under secretary of Communications, Giannini, former industrial and president of the State Council.

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Del giorno 21 e 22 settembre 1944, al 1° ufficio di Milano, si è svolto il 1° corso di istruzione per i funzionari della polizia, presieduto dal 1° vice prefetto di Milano, con la partecipazione di tutti i prefetti, sottoprefetti, questori, capitani di polizia, e di tutti i funzionari della polizia.

Del 21 e 22 settembre 1944, al 1° ufficio di Milano, si è svolto il 1° corso di istruzione per i funzionari della polizia, presieduto dal 1° vice prefetto di Milano, con la partecipazione di tutti i prefetti, sottoprefetti, questori, capitani di polizia, e di tutti i funzionari della polizia.

A tutti i prefetti le persone in stato di detenzione presso la Gestapo di Reggio Emilia, arrestate in seguito a mandato di cattura dell'Alto Commissariato regio 56, alle quali, quanto prima, dovranno essere consegnate tutte le altre in consegna alla questura di Reggio Emilia Tribunale. Sono state contro i quali il 1° stato erano regolare mandato di cattura.

Di conseguenza pervennero all'Alto Commissariato in via Solferino numero di documenti per delitti vari, di cui si è dopo essere state attentamente esaminate vengono, a secondo dei casi, inviate per essere

Stesso alle diverse procure del Regno. A tutti i prefetti le sono 4607

sono ai Procuratori del Regno dell'Italia liberata sono oltre 600.

avallgerò stesso all'Alto Corte di Giustizia il processo contro l'ex Direttore della Banca d'Italia Vincenzo Arrighi imputato di collusione con il reame in base all'art. 5 della legge 27 luglio 1944. Il giorno 23 ottobre, venne davanti all'Alto Corte di Giustizia, come testimone i generali di divisione Pestivelli e Del Totto entrambi di cui aver detto la città di Napoli della trincea tedesca e di aver col loro nome non esal.

A tutt'oggi la vergogna è stato di detenzione presso la Caserma di Napoli, arrestato in seguito a mandato di cattura dell'Alto Commissariato n. 86, alle quali, questo visto, insieme a quest'altro delle altre tre persone illi appartenenti all'ex Tribunale Breziale contro i quali ' mi è stato esposto regolare mandato di cattura.

Di conseguenza pervennero all'Alto Commissariato un sollecitissimo numero di denunce per delitti vari, dovendo che dopo essere stato altrettanto esultante vengono, a secondo dei casi, inviate per essere

presente alle diverse procure del Regno. A tutt'oggi le denunce **4607** sono ai Procuratori del Regno dell'Italia liberata sono oltre 600. Non si conoscono ancora dei dati esatti circa il numero delle persone sottoposte a processo e già giudicate presso l'Autorità Giudiziaria delle province libere; in ogni caso giornalmente pervengono a quest'Alto Commissariato notizie sulla trasmissione di processi per l'applicazione dell'art. 6 della legge (decretatoria di immediata giuridica di estendere su cui abbia influito il clima di confusione morale determinato dal fascismo) e sulla revoca di grazie. Sovvengono già

comunque.

Tra le figure più in vista dell'ex Partito fascista attualmente
deputato Sigurano, è Surich, ex sottosegretario agli Interni. Negli
ex sottosegretario alle Corporazioni, Marcello Botticelli, alle
Comunicazioni, Gianni ex amministratore ed ex Presidente del Banco
di Stato.

1017

