

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

785017

ACC

10000/109/1455

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

785017

10000/109/1455

CLAIMS & HIRINGS
DEC. 1943 - SEPT. 1944

785017

1567
HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

CAB 34

TN/SR/Claims

22 September 44

25 SEP Recd

SUBJECT : Claims

TO : H.Q. Region IV. (Att. Executive Officer)

32-20-200-33
Your letter of 15 Sept re claims is without sufficient detail for me to take action.

It is presumed that these trucks or truck, unidentified and with no owners name, were impounded by the Carabinieri or some other Italian agency acting on the Regional Commissioners order. All such trucks were held in the garage of the Ufficio Trasporti della Campania and not in the A.C.C. garage, and to the best of my knowledge were never used or interfered with while there.

With no details of this claim before me I am unable to decide on the validity of the claim, or even against whom it is made, but I can say that all such trucks impounded, quite apart from the commodities they were carrying, were legally impounded for breach of Regional Order No 42 of Region 3, i.e. were circulating without the official "Permesso di Circolazione".

I will endeavour to clarify the particular case if you let me have fuller details.

J.A.N. GILES
Lt. Colonel
Regional Tptn. Officer

JG/td.

5023

Copy to: Transportation Sub-Commission
RC & MG Section H.Q. A.C.C.

HEADQUARTERS
24 SEP 1944
A. C. C.

PMK

1567
HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

CAP 34

TN/SR/Claims

22 September 44

25 SEP Recd

SUBJECT : Claims

TO : H.Q. Region IV. (Att. Executive Officer)

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With no details of this claim before me I am unable to decide on the validity of the claim, or even against whom it is made, but I can say that all such trucks impounded, quite apart from the commodities they were carrying, were legally impounded for breach of Regional Order No 42 of Region 3, i.e. were circulating without the official "Permesso di Circolazione".

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Lt. Colonel
Regional Tptn. Officer

JS/ta.

5023

Copy to: Transportation Sub-Commission
RC & MG Section H.Q. A.C.C.



PMT

785017

W.D.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Transportation Sub-Commission
APO 394

33
CWAF/jr

Tele: 378

19 September 1944

ACC/Ta/R/47

2 SEP Recd

SUBJECT: Claims.

TO : Hq. Southern Region (Att: Lt. Col. Giles)

1. The attached copy of letter from Hq. Region IV, reference R/5945 dated 15 Sept. 44 is forwarded herewith.

2. Please reply direct, copies to R.C. & M.G. Section, Hq. ACC and Transportation Sub-Commission, Hq. ACC.

22
Chittenden, Galt

for D. S. ALANG,
Colonel, CZ.
Director, Tpn. Sub-Comm.

Copy to:
R.C. & M.G. Section

5022

P/A

785017

R/3345

13 September, 1944

SUBJECT: Vehicle held in Region III.
TO : HQ Allied Control Commission.
RC and MC Section.

1. At the beginning of August a number of trucks were sent down to Naples to fetch seed potatoes for Littoria.

2. In accordance with an order from HQ Region III and a Decree of the Prefect export of potatoes had been blocked on August 1st.

The deal had been arranged between the Agricultural Officers and the drivers carried ACC permits and were acting in good faith.

3. The trucks were held in ACC Garage Naples for 34 days and, although verbal agreement was reached on the telephone to their release, great difficulty was experienced in obtaining it. They were used for some purpose in Region III and when finally returned were, it is alleged, in very bad condition.

4. The owner now seeks redress for :
(a) 34 days loss of benefit
(b) cost of repairs
(c) loss of time on repairs.

5. There is clearly sound basis for the claim and we would be very grateful for your advice as to how to proceed further.

For the Regional Commissioner:

A. D. BONHAM-CARTER-Lt. Col.
Executive Officer (Provinces)

5021

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

785017

Subject:- Hirings Directions

HQ AAI
AFA HQ AAI
HQ 1 District
HQ 2 District
HQ 3 District
HQ ACC (2)
VPOC and Dir of Hirings, AFHQ (2)

Herewith
information.

2 ^{Copy} ~~copy~~ of HIRINGS DIRECTION No 25, dated 1 Sept 44, for

Copy to:- War Diary (3)

156 *C.A. B.N.*
Claims Commission and
Hirings Directorate (Br)
HQ AAI CMP
CH/41/H/26
2 Sept. 44

W.D.
27-305 SEP Recd

5620

copy to War Diary
+
HEADQUARTERS
15 SEP 1944
A.C.C.
F.S.D.
Capt
for Colonel
DD Claims and Hirings

30

HERMES DIRECTORIO NO 25

HOTELS - PAYMENTS ON ACCOUNT

1. The provision of premises for Welfare, Rest and Transit purposes is a responsibility of the Italian Government under the terms of the Armistice. AAI letter 72/2/Q2 dated 1 March 1944 is the authority for requisitioning hotels for these purposes, which may be taken fully furnished and equipped. This letter is also the authority for the employment of the civilian staff at the prescribed rates of pay.
2. Up to the present, payment of wages of civilian staff has been from Military Funds. It has now been agreed, to ensure continuity of service to the Allied Forces, that payments on account shall be made to the hotel proprietors, pending the assessment and settlement of the full indemnity to which they may be entitled under Italian Requisitioning Law.
3. Payments on account will be made under Article 55 of the Italian Requisitioning Law, and will be an amount approximating to the working expenses or running costs of the establishment, excluding any element of profit, rent or dilapidations. While these payments will not be in discharge of particular items of expense, the amount to be paid will be based on a calculation made up of the following items:-
 - (a) wages paid to civilian staff, at fixed rates
 - (b) replacements of crockery, cutlery, linen, etc
 - (c) minor repairs necessary to maintain service
 - (d) purchase of cleaning materials
 - (e) laundry charges (if additional to (a) and (d) above)
 - (f) essential insurances
4. Payments for public services such as water, gas, electricity, telephones, will be paid direct by the Comando Genio Militare under AAI No 43. If, however, hotel proprietors have paid such accounts for public services, these amounts will be admitted in making the calculation under para 3 above. When hotel bars and wine services remain under the civilian arrangement, no refund can be claimed in respect of any running costs of such services, and the necessary adjustments will be made.
5. Method of Payment. The first account to be submitted will cover the period from the date of occupation of the premises until 30 June 1944, and thereafter accounts will be submitted monthly. The Military Manager of the establishment will certify the accounts, and pass them to the Military Officer for general transmission to the Requisition Office of the Comando Genio Militare. The Military Manager will certify that the wages paid are correct, and that the other items included in the account were required and authorized. Any payments on account which have already been made will be deducted from the first payment under this new procedure by the Comando Genio Militare. Arrangements have been made for the financial return to officers of the Comando Genio.

2. Up to the present, payment of wages of civilian staffs has been from Military funds. It has now been agreed, to ensure continuity of service to the Allied Forces, that payments on account shall be made to the hotel proprietors, pending the assessment and settlement of the full indemnity to which they may be entitled under Italian Requisitioning Law.

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- (a) wages paid to civilian staff, at fixed rates
- (b) replacements of crockery, cutlery, linen, etc
- (c) minor repairs necessary to maintain service
- (d) purchase of cleaning materials
- (e) laundry charges (if additional to (a) and (d) above)
- (f) essential insurances

4. Payments for public services such as water, gas, electricity, telephones, will be paid direct by the Comando Genio Militare under LAL No 40. If, however, hotel proprietors have paid such accounts for public services, these amounts ~~paying~~ be admitted in making the calculation under para 3 above. When hotel bars and wine services remain under the civilian management, no refund can be claimed in respect of any running costs of such services, and the necessary adjustments will be made.

5. Method of Payment. The first account to be submitted will cover the period from the date of occupation of the premises until 30 June 1944, and thereafter accounts will be submitted monthly. The Military Manager of the establishment will certify the accounts, and pass them to the H.Q. Officer for general transmission to the Requisition Office of the Comando Genio Militare. The Military Manager will certify that the wages paid are correct, and that the other items included in the account were required and authorized. All payments on account which have already been made will be deducted from the first payment under this new procedure by the Comando Genio Militare. Arrangements have been made for the delegation of the necessary financial powers to officers of the Comando Genio Militare, to ensure speedy payment. As payments are made in arrears, there may be cases where hotel proprietors are unable to meet the running costs for a month. In such cases arrangements can be made for an advance payment on account.

6. H.Q. Officers will ensure that accounts are passed for payment without delay, that the Military Manager is thoroughly acquainted with the procedure for compiling the accounts, and is conversant with the position regarding the employment of civilian labour by the Allied Military Authority. H.Q. Officers will be the channel of communication between the Hotel Management, Military and civil, and the Comando Genio Militare.

7. All information called for under LAL Letter 2072/2/42 dated 12 Aug 44 will be passed to appropriate H.Q. Officer through normal channels. Thereafter, submission of accounts will be direct.

8. The recovery of monies paid to date out of Allied Funds and by Voluntary Organizations will be dealt with centrally by Headquarters, LAL.

785017

- 2 -

9 References

- (a) Instructions herein to Requisitioning Officers (see copy attached)
- (b) Art. 55. Official Gazette No 1742 dated 2 Jan 41 (copy attached)
- (c) AAI letter 72/2/42 dated 1 Mar 44 forwarded under CH/42/1/46 dated 21 Apr 44.
- (d) CH/42/1/46 dated 8 May 44.
- (e) AAI letter 2072/2/42 dated 12 Aug 44., forwarded under CH/42/1/46 dated 17 Aug 44.
- (f) HQ AAF memo Mar 1944 "Instructions regarding the employment of Civilian Labour (Italy and Sicily)" or any later amendments applicable to hotel staffs.

IP Claims and Holdings. AAI
1 Sept 1944.

(TRANSLATION)

DIREZIONE GENERALE DEL CERVO ITALIANO
Central Office for the Control of Requisitions

30 August, 1944.

To ALL Requisition Offices
and copy to:

ALL the Comandi Genio
ALL the Genio Work Directorates

SUBJECT: - Requisitions of Hotels and Restaurants. Method of payment on account.

To assure the continuity of the services of Hotels and Restaurants requisitioned for the needs of the Allies, and to put the civil managers in the position to meet the necessary expenses in time, in agreement with the Ministry of Treasury, with HQ AAI., and with Finance Sub-Commission ACC., the orders given in circular letter No 40116/Req of the 21 May 44 are modified, and the following orders are given:

(A) HOTELS

1. Pending decision on method of indemnity, payments on account will be made to those having right to them, applying Art. 55 of the Royal Decree 18 Aug 1940, No 1741.
2. The amount of the payments on account will be decided by the Requisition Offices, and will be in relation to the out-of-pocket expenses. The bill of these expenses, reviewed by the Allied Officer in charge, will be given to the Italian Requisition Office by the competent Allied Office (Hirings Office)

The admissible expenses that are to be taken into consideration in defining the payment on account are the following:

- (a) Salaries and wages to the civilian staff.
- (b) Compulsory social insurance and various provisions in favour of the civilian staff.
- (c) Cost of replacements of Hotel linen, cutlery, crockery, glassware, and anything else necessary for the services of the hotels.
- (d) Small repairs necessary for keeping the rooms, installations and furniture in good condition for use.
- (e) Expenses for washing the hotel linen (if additional to (a)), and always including the personal washing for the people occupying the hotel.
- (f) Insurance expenses against fire, and third party risks.
- (g) Expenses for telephone, water, gas and light, always for the exclusive use of the hotel.
- (h) Heating expenses.

Therefore in the payments on account, any other point referring to these

to meet the necessary expenses in time, in agreement with the Ministry of Treasury, with HQ AAI., and with Finance Sub-Commission AOC., the orders given in circular letter No 40116/Roc of the 28 May 44 are notified, and the following orders are given:

(A) HOTELS

1. Pending decision on method of indemnity, payments on account will be made to those having right to them, applying Art. 55 of the Royal Decree 16 Aug 1940, No 1741.
2. The amount of the payments on account will be decided by the Requisition Offices, and will be in relation to the out-of-pocket expenses. The bill of these expenses, reviewed by the Allied Officer in charge, will be given to the Italian Requisition Office by the competent Allied Office (Hirings Office)

The admissible expenses that are to be taken into consideration in defining the payment on account are the following:

- (a) Salaries and wages to the civilian staff.
- (b) Compulsory social insurance and various provisions in favour of the civilian staff.
- (c) Cost of replacements of Hotel linen, cutlery, crockery, glassware, and anything else necessary for the services of the hotels.
- (d) Small repairs necessary for keeping the rooms, installations and furniture in good condition for use.
- (e) Expenses for washing the hotel linen (if additional to (a)), and always including the personnel washing for the people occupying the hotel.
- (f) Insurance expenses against fire, and third party risks.
- (g) Expenses for telephone, water, gas and light, always for the exclusive use of the hotel.
- (h) Heating expenses.

Therefore in the payments on account, any other point referring to lease of premises, profits of the firm, taxes etc., is excluded.

Likewise, any material damages done to the premises, installations and furniture will not be taken into consideration, as they will be paid by those who are responsible for the damage, and the owner reimbursed by the competent Allied Offices.

It is also specified that the control of the note of current expenses by the Allied Officer in charge is confined to the quality and quantity of the services received, and does not include the prices exhibited by the managers of the hotels, the estimation and valuation of which by the Italian Military Authorities remain unprejudicial; and that the payment on account does not mean acknowledgment and reimbursement of the expenses enumerated in the note, as these have a merely informative value.

....Taking by/

- 2 -

Taking in consideration that the amount of the ordinary expenses above-mentioned must only be used as a guide in defining the amount of the payment on account, to be able to make a summary judgment on the reliability and normality of this amount it will be sufficient to compare it with the estimated monthly gross income of the hotel, determined by multiplying the number of beds by the price per room at current rates, plus the service percentage.

From this comparison, it is possible to deduce the approximate percentage represented by these expenses, and you will be able to judge the reliability of these expenses, and therefore see if they are in conformity with a good and normal hotel administration, and can therefore be taken as a basis in establishing the amount of the payment on account.

If you do not find the above-mentioned "data" reasonable in defining the payments on account, you will send to this Ministry as quickly as possible, and in any case not later than three days after you have received them, the bills of expenses, with your recommendations referring to the case for decision.

3. The payments on account will be made at the beginning of each month, as soon as the bills of expenses handed in by the managers of the hotels are verified.

4. In the definition and payment of the first account, the amount of the expenses incurred in all the preceding period of requisition will be taken into consideration.

In cases where payments on account have already been made, you will deduct them from the first payment.

If the sum to be deducted should be so high as to prejudice the continuity of the services, you will immediately send to this Ministry recommendations as to the amounts to be deducted or suggestions showing other means of guaranteeing the continuity of the hotel services.

5. For the regularization of payments already made by the Allies to ensure the continuity of the hotel service, or for other reasons inherent to the above-mentioned service, we will give further instructions as soon as the corresponding agreements have been made.

6. In exceptional cases in which it is proved to be necessary, an advance of part of the expenses can be awarded so as to give the manager of the hotel the capital required to meet the current expenses of a month. The sum advanced will be deducted from the amount of the monthly payment on account, established by the above-mentioned method.

7. If to the requisitioned hotel, a restaurant, also requisitioned, is annexed, they will be considered as one management, and the payments on account will be made with the same method as for hotels only, and will therefore include the same items of current expenses, as it is difficult, if not impossible to divide the expenses pertaining to both services.

and normal hotel administration, and can therefore be taken as a basis for establishing the amount of the payment on account.

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3. The payments on account will be made at the beginning of each month, as soon as the bills of expenses handed in by the managers of the hotels are verified.

4. In the definition and payment of the first account, the amount of the expenses incurred in all the preceding period of requisition will be taken into consideration.

In cases where payments on account have already been made, you will deduct them from the first payment.

If the sum to be deducted should be so high as to prejudice the continuity of the services, you will immediately send to this Ministry recommendations as to the amounts to be deducted or suggestions showing other means of guaranteeing the continuity of the hotel services.

5. For the regularization of payments already made by the Allies to ensure the continuity of the hotel service, or for other reasons inherent to the above-mentioned service, we will give further instructions as soon as the corresponding agreements have been made.

6. In exceptional cases in which it is proved to be necessary, an advance of part of the expenses can be conceded so as to give the manager of the hotel the capital required to meet the current expenses of a month. The sum advanced will be deducted from the amount of the monthly payment on account, established by the above-mentioned method.

7. If to the requisitioned hotel, a restaurant, also requisitioned, is annexed, they will be considered as one management, and the payments on account will be made with the sum intended as for hotels only, and will therefore include the sum item of current expenses, as it is difficult, if not impossible to divide the expenses appertaining to both services.

8. In cases in which the above-mentioned instructions cannot be applied, because the managers or proprietors of the hotel have not been re-employed, or for other reasons, the accredited agent of those having right to indemnities can present his claim in writing to the Requisition Office.

The requisition Offices, in agreement with the competent Offices of the Allied Armed Forces (Military Offices) will examine such requests individually, and make their recommendations to this Ministry (Central Office) for the Control of the Requisitions for a decision.

- 3 -

(B) RESTAURANTS

When requisitioned restaurants are not annexed to hotels, but are independent and managed by firms on behalf of the Allies, no payments on account will be made as for hotels and annexed restaurants, but complete indemnity will be established and paid.

The amount of this indemnity will be obtained by multiplying the number of meals supplied by the indemnity established for each one.

The number of meals served will be stated by the manager of the restaurant, supported by tickets surrendered by Allied troops, and verified by the Allied officer in charge of the mess service.

The indemnity for each meal will be defined according to class of the restaurants, taking into consideration the services required by the Allies, and number of meals that presumably will be served.

For your information, we tell you that, for instance, in Rome, the Allies have fixed the price of 10 Lire for each meal served in a first class restaurant, with an average number of about a thousand meals per day.

The period of time for each payment will be fixed in agreement with the Requisition Office, and with the Allied officer in charge of the mess service taking into consideration the necessities of the management.

(C) METHOD OF PAYMENT

The payments will be made by the Direzione Lavori Civili Militare, or by the Ufficio Lavori del Civilo on which the Requisition Offices' Administration depends.

For this purpose the above-mentioned Requisition Offices will draw up a certificate of payment on account, in which the following items must appear:

Person entitled to payment.

Location of the requisitioned concern.

Details of the requisition order.

Class of the concern.

Period of time to which the payment on account refers.

Number of rooms and beds ratified by the ENI (Ente Nazionale Industrie Turistiche)

Number of beds added according to Allied necessities.

The certificates of the payments on account will have a general progressive consecutive number, and a consecutive and progressive number for each firm.

Consequently the Requisition Office will have to keep a General Book of Accounts and Balances, and a Book of Account for the requisitioned firm.

The indemnity for each meal will be defined according to class of the restaurants, taking into consideration the services required by the Allies, and number of meals that presumably will be served.

For your information, we tell you that, for instance, in Rome, the Allies have fixed the price of 10 Lira for each meal served in a first class restaurant, with an average number of about a thousand meals per day.

The period of time for each payment will be fixed in agreement with the Requisition Office, and with the Allied officer in charge of the mass service taking into consideration the necessities of the management.

(C) METHOD OF PAYMENT

The payments will be made by the Direzione Lavori Carlo Militaro, or by the Ufficio Lavori del Campo on which the Requisition Offices' Administration depends.

For this purpose the above-mentioned Requisition Offices will draw up a certificate of payment on account, in which the following items must appear:

Person entitled to payment.
Location of the requisitioned concern.
Details of the requisition order.
Class of the concern.
Period of time to which the payment on account refers.
Number of rooms and beds utilized by the ENI (Ente Nazionale Industrie Turistiche)
Number of beds added according to Allied necessities.

The certificates of the payments on account will have a general progressive consecutive number, and a consecutive and progressive number for each firm.

Consequently the Requisition Office will have to keep a General Book of Accounts and Balances, and a Book of Account for the requisitioned firm, similar to those kept for works.

The above-mentioned certificates must be signed by the Technic Compiler.

The bills of expenses verified by the Allied Officer and any other supporting documents useful in justifying the expenses taken into consideration in the payment on account will be kept in files, divided according to firms and concerns, at the Requisition Offices. They will be useful for establishing the final requisition indemnity.

The payment on account certificate will include the following statements of the Head of the Requisition Office:

.....To approve of this/

- 4 -

"We approve of this payment on account certificate, and give authority to the Direzione Generale Carico... (or Ufficio Lavori Genio Militare) to pay to the firm..... the sum of Lire

The Direzione Lavori Genio (or Ufficio Lavori) on the basis of these certificates will proceed to the direct payment of the firms in question, by means of orders of payment, written on the certificates themselves in this form:

"Having verified the payment on account certificate No.... of order, dated....., drawn up by the Requisition Office of, in the interest of the firm..... for the requisition of the hotel..... in occupied by the Anglo-American Authorities..... we authorize the payment of the sum of Lire..... (in numbers) (Lire..... (in words)).

Signed: The Director (or Head Officer)."

There will then be a visa, an order of payment, the receipt of the firm, the visa of payment made, and all that is necessary to complete the document.

The expenses will be transcribed by the Direzione Lavori on the bill referring to the Allies. For this purpose the Direzione Lavori, or the Ufficio Lavori competent for the territory will receive, directly, the assignments of the necessary funds.

For the restaurants, the methods to be applied are the same, except that instead of payments on account, there will be a payment covering all the expenses of the period to which the document refers.

The Requisition Offices, having established the account or indemnity to be paid, and having ordered its payment, will transmit, on the same date, the "data" referring to it, to this Ministry with a brief illustrative note.

for the Minister
(Signed)
Gen. di Divisione O. CAIVARO

24

Extract from Official Gazette No 1741 dated 2 Jan 1941

Art. 55

Per ogni requisizione è corrisposta una giusta indennità che è liquidata dall'autorità che procede alle requisizioni, secondo i criteri stabiliti dagli articoli seguenti.

Il pagamento dell'indennità deve essere effettuato senza indugio, quando non si possa determinare l'indennità al momento della requisizione, l'autorità che procede alla requisizione può disporre il pagamento di una somma a titolo di acconto.

Translation of above

For every requisition is given a fair compensation which is settled by the requisitioning-authority according to the course of law in the following articles.

The payment of compensation must be effected at once. When it is impossible to establish the compensation at the moment of the requisition, the requisitioning authority can order a payment on account.

2716

785017

26

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

Wd/156/26/GA

27 May 1944

SUBJECT: Claims against the French Army.

TO : Admin. Section (for Legal Sub-Commission.

1. Reference your AGO/4005/L of 23 May 44 it is understood that no directive has been issued.

2. It is suggested that the procedure which should be adopted for Region I is to forward all claims to American Claims Service I.B.S. who should be asked to forward to American Claims Service P.B.S. P.B.S. will then pass on the claims to 901 Base (French) through the French I.C.

3. It is suggested that on all possible occasions such claims should be verified and countersigned by the French C.O. concerned. It is appreciated that this will not be possible in many instances but it will help settlement and avoid delay if some form of endorsement by the French Commander concerned could be put in the claims.

HUGHAN E. STICKS
Colonel
Deputy Executive
Commissioner

5615

EPD

Wd/156/26/GA

1/A

34 Para maghenta
Immolated

PBS to PBS 25
Mr CEF

American Claims Service PBS ^{through 901 Base}
(Capt Barnagans Ex Officer) says that
no directives have been received
through AFHQ, MACV SA or
AAI in reference to claims against
the French Army.

Such claims presented to PBS are
referred to Maj Gen. LO-at
PBS with CEF for action.

In Sicily he suggests that such
claims be presented to American
Claims Office IBS for proper
routing - in view of the fact
that there probably are no
French troops in that area.

May 1961

10 229

Two to PBS first who will send to Naples.
901 Base (French)

Sicily I.B.S. send to 901 Base
Ipsos et Co
should be the
whole thing right.

785017

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4005/L.

/rlp.
23 May 1944.

SUBJECT : Claims against the French Army.

TO : RC & NC Section (CAR).

1. Enclosed is a copy of a letter dated 16 May 1944 from the Public Safety officer at Trapani concerning disposition of claims for damages caused by French troops. It was forwarded to this sub-commission by the RLO of Region I for advice.

2. It would be appreciated if you would advise this sub-commission as to what answer it shall send to the RLO, Region I, no directive on this subject having yet been seen by this sub-commission.



Richard H. Wilmer
RICHARD H. WILMER,
Colonel, CAC,
Deputy Chief Legal Officer.

5613/6
see 26

ARMED CONTROL COMMISSION

CIVIL AFFAIRS OFFICE
PROVINCE OF TRAPANI
13 Via Regina Margherita
TRAPANI (Sicily)

16 May 1944.

Ref: PO-2070-F

SUBJECT: Claims against the French Army.

TO : Regional Legal Officer, Region I.

THRU: Regional Commissioner, Sicily Region Hq.,
ACC, APO 394, and Pub. Saf. Div.

1. Request a ruling as to disposition of claims for personal and property damage caused by the French Army stationed in this province.
2. There is no French claims section here, but there is a section of the U. S. Army Claims service but there is no directive as to their official status in regard to claims against the French Command.
3. I have many of these claims, but do not know how to dispose of them.

/s/ Edward W. Danbury
EDWARD W. DANBURY
Major, C.M.P.,
Prov. Pub. Saf. Office 5012

EW/aa

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.O. & M.G. Section
APO 394

Ref/156/22/CA.

11 April 1944.

SUBJECT: Looting Claims - Francesco Scaffarelli.

TO : H.Q. Claims Commission, C.M.F.

1. Reference your CG 3/11/22A of 13 Mar 44, it has only been possible to obtain a report from one of the officers mentioned in para. 4 of the letter, viz. Capt. Paty. Copy of the report is forwarded herewith.
2. No trace can be found in this H.Q. of the letter of protest mentioned in Capt. Paty's report.
3. Delay in replying, owing to Capt. Paty's hospitalization, is regretted.

ROSLAN E. FINKS
Colonel,
Deputy Executive
Commissioner.

5611

785017

STATEMENT

29 March 1944

I, B.F. Pate, Captain, Army of the United States, state as follows:

The Villa Scafarelli, Potenza was requisitioned by Lord Middleton, AMB, about September 20, 1943. Lord Middleton together with Lieut. O'Toole and the writer occupied these premises for only a few days. The British 5th Division moved into Potenza, and the commanding General ousted Lord Middleton, Lt. O'Toole and myself from the Villa Scafarelli and took it over as the General's Headquarters. Lt. O'Toole and the undersigned returned to the Villa, after being ousted, at the time the Headquarters Staff took it over, to remove our personal belongings and rations we had stored in the basement of the villa, on this occasion Lt. O'Toole and myself saw the Headquarters Staff of the British 5th Division breaking open boxes and chests, containing personal belongings of the Villa's owner, and apparently engaged in a general looting. We did not see what went on, on the upper floors of the house.

It is my understanding that Lord Middleton wrote a letter of protest at that time, possibly to the Commanding General of AMB, protesting the action of the Headquarters Staff British 5th Division.

I know of my own personal knowledge that no damage was done or personal property removed from the Villa Scafarelli, during the occupancy of Lord Middleton, Lt. O'Toole and myself.

B.F. PATE
Captain.

March 1944

Witness:

5610

Major: Duffell - White

Capt. Paty & Lt. Juddell
are in England.

Lt. C. Loele is in
Potenza

P.

In Toledo Hotel 7
5655

785017

U-1861
SUBJECT: Looting aim: Francesco Scafarelli

C A B I

From: H.Q. Claims Commission,
C.M.P.

Ref: 003/11/22/A.

To: H.Q. A.M.G.

HEADQUARTERS
19 MAR 1944
A.C.C.

20

1. This Commission is dealing with a claim by Signor Francesco Scafarelli, Villa Scafarelli, Potenza. A copy of the claim intimated is enclosed from which will be seen the list of articles said to have been taken from the claimant's house. The claim is for 129,750 Lire.
2. The Villa Scafarelli is situated at Santa Maria a Potenza map reference 5229 sheet at 100 (1) Italy 150,000.
3. Attached also is a day to day summary relating to the occupation of the Villa as discovered by this Commission's investigating officer.
4. The investigating officer wrote to S.C.A.C. Potenza on 20th Jan. 44, as per the enclosed copy letter. Contact with A.M.G. Officer at Potenza Lieut. George S. Iredell resulted in his reply that he had not been able to obtain any information from Lieut. O'Toole or Capt. Paty who were part of the original A.M.G. personnel at Potenza.
5. As A.M.G. personnel are alleged to have been in occupation of the premises it will be appreciated if you will have the matter investigated and let this Commission have your report as soon as possible.

Field.
13 March 44

Wm 2-6
5608
Lieut. Colonel,
A.D. Claims.

~~Enc. 2-6 5608~~

The undersigned states as follows:-

On the 17th of Sept. he was compelled to leave his villa at S. Maria, Potenza, with his family on account of German perquisitions and pillage.

Coming back home, on the 21st Sept. he found his villa occupied by the English Officers and, as he complained, the American first lieutenant Molesta said to him that the English Headquarters would have staid there only a few days and that no inventory was to be exhibited as they would take care of everything and give it back scrupulously.

Two more Headquarters had lived in the undersigned's villa which was given back to him on the 5th of Oct. As, after the English departure, several chattels were found missing and the building was damaged, the undersigned hopes to be compensated.

List of missing chattels:-

No. 1	cupper kettle	1200
" 2	aluminium kettles with cover	2000
" 2	cupper	500
" 6	cupper baking-pan	400
" 1	mincing machine	300
" 2	frying pans	
" 1	aluminium chafing dish	
"	several kitchen dishes, knives, paste-jaguere,	
"	box-knives, aluminium coffee-pots, 1 aluminium silk	
"	boiler etc.	
"	silver dinner-set (6 covers) Christophile	1000
"	china dinner-set	5000
"	complete set of chrystal glasses (6)	3000
"	fine china tea-set (6)	1000
"	chrystal liquer-set (6)	1500
"	china coffee-set (12)	400
"	chrystal ice-set (12)	1500
"	fine leather travelling bags	1000
"	leather dressing-case bag	7000
"	mattresses (four white and two coloured)	4500
"	Kapok pillows	6000
"	woollen blankets	1000
"	woollen crimson fringed plaid	5000
"	linen sheets (two places)	5000
"	sheets	8000
"	pillow-cases	6000
"	bathing-scan	1600
"	towels	800
"	dark grey wool coat	1200
"	silken water proof	6000
"	dark grey woollen suit	2000
"	pair of black shoes	3000
"	umbrellas	1200
"	silver filigreed	1000
"	safety razor, cigarette and 5 small parcels of safety	500

No.	Description	Quantity	Value
1	Copper kettle	1	1200
4	Aluminium kettles with cover	4	2000
2	Copper	2	500
8	Copper baking-pans	8	400
1	Mincing machine	1	300
2	Frying pans	2	1000
1	Aluminium chafing dish	1	6000
1	Several kitchen dishes, knives, paste-ladders,	1	3000
1	box-knives, aluminium coffee-pots, 1 aluminium milk	1	1000
1	boiler etc.	1	400
1	Silver dinner-set (5 covers) Christophle	1	1500
1	China dinner-set	1	1000
1	Complete set of crystal glasses (6)	1	7000
1	Fine china tea-set (6)	1	4500
1	Crystal liquor-set (6)	1	6000
1	China coffee-set (12)	1	1000
1	Crystal ice-set (12)	1	1500
2	Fine leather travelling bags	2	400
1	Leather dressing-case bag	1	1500
6	Mattresses (four white and two coloured)	6	1000
5	Kapek pillows	5	5000
5	Woolen blankets	5	5000
1	Woolen crinon fringed plaid	1	6000
3	Linen sheets (two places)	3	1800
12	Sheets	12	800
16	Pillow-cases	16	1200
1	Bathing-gown	1	6000
12	Towels	12	2000
1	Dark grey wool coat	1	3000
1	Silken water proof	1	1200
1	Dark grey woollen suit	1	6000
1	Pair of black shoes	1	1000
2	Umbrellas	2	1000
1	Silver filigreed	1	500
1	Safety razor Gillette and 5 small parcels of safety	1	300
1	Razors blades	1	4000
5	White woollen overcoat	5	7000
5	Coloured linen lady's dresses	5	1000
1	Green woollen lady's jersey	1	2000
1	Lady's woollen overcoat	1	2000
1	" blue woollen overcoat	1	4000
1	Lady's linen	1	300
1	Pair of lady's shoes	1	800
1	" " sandal	1	300
1	" " lady's	1	2400
1	" " "	1	1000
4	" young lady's shoes	4	2000
1	White leather bag	1	1000
1	Black	1	1000
1	Seal skin bag	1	850
2	Linen bags	2	500
1	Golden watch (marca Hausmann)	1	4000

No	1	gold armoire	2500
"	"	several lady's tiaras	2000
"	2	silver hangings for dining room	2000
"	"	dining room table crystal (broken)	4000
"	1	wood frame for the dining room window (broken)	500
"	"	several keys and 1 view list of the basement room (7)	1000
"	1	crystal pane of cupboard	1500
"	1	plaster of the gate in the garden	500
			<u>129750</u>

FRANCESCO SCARFELLI
VILLA SCARFELLI - POMEZIA.

CC3/11/22/A.

607118

List of Events.

- April 43. Villa Scafarelli Requisitioned by Italian Army. Chattels etc. locked in rooms.
- April 43. Villa Padula was given to Sign. Scafarelli in lieu of his own as above mentioned as from date of Requisitioning by Italian Army.
- Sept. 9/43. Villa Padula bombed.
- Sept. 9/43. Villa Scafarelli handed back by Italians. Col Scafarelli returns to Villa Scafarelli, and brings with him all the furniture from bombed villa Padula, opens up locked rooms in villa Scafarelli and makes use of furniture and Chattels.
- Sept. 18/43. Col Scafarelli leaves his Villa owing to German perquisites and bombing and goes to Dragonara 8 Kms. from Potenza.
- Sept. 21/43. Col Scafarelli returns to villa and finds it occupied by A.M.G. Asks for inventory which is refused.
- Oct. 5 or 6 Villa is returned less chattels and furniture.
- Col Scafarelli states that no Canadian have ever occupied this villa of his.

21/1/1944.
JAT/TDS.

Capt.
Claims and Hirings Officer,
Potenza-Province.

5656

785017

SUBJECT: Looting - Potenza. Sept. Oct. 1943.

From: Claims and Hirings - Potenza.

To: S.C.A.O. A.M.G.O.T. Potenza-Province.

Reference above and this office minute CC3/11/22/A dated 15-1-44.

It is now alleged that Villa Scafarelli Potenza was first occupied by A.M.G. H.Q. on 20/9/43.

Col. Scafarelli asked for a inventory to be made of the furniture but it is alleged this was refused as the A.M.G. H.Q. would only be in occupation a few days.

On Sept. 25th or 26th the claimant alleges that the premises was taken over by Lord Middleton of A.M.G. and afterwards many chattels were found to be missing.

I should be obliged if a report be forwarded to this office concerning the above and any information you may have that might help to dispose of this matter.

It is thought perhaps there are still officers under your command that may be familiar with the a/m case.

20/1/1944.
JAT/TDS.

Capt,
Claims and Hirings Officer,
Potenza-Province.

5635

785017

BEST COPY POSSIBLE

1 APR Recd C.A. Br

U-2639

Allied Force
MILITARY RAILWAY SERVICE
Office of Director General

A. W. O. 400
25 March 1944

Subject: Final Report, TA-125

To: Director General

1. At 1415 hours, 25 February 1944, Extra 740427 Mast, Engineer Canada, Conductor Murphy, struck British truck being driven by Leslie [Name] road crossing west of Bovino.

2. The crossing gate at this point was out of order at the time but watchman was on duty. Regulation whistle was sounded by engineer approaching grade but vision of vehicular traffic is limited to approximately 33 feet.

3. No damage resulted to engine or truck and no personnel injuries, but truck was totally demolished.

4. Immediate action was taken by Military Railway Service personnel to have gate repaired and night signals placed in operation.

CHARLES P. DUNN
Colonel, T. C.
Assistant General Manager
Transportation Department

CFO/SFO

1st Ind.
Allied Force Military Railway Service, APO 400, US Army

To: Allied Claims Committee, A.A.I. Adm. Sec.

Forwarded as matter involving possible claims against U. S. government.

For the Commanding General:

5804
J. B. [Signature]
Major, T. C.
Adjutant

cc - Executive Commissioner,
Allied Control Commission,
APO 394, US Army

A. P. O. 400
23 March 1944

Subject: Final Report, 74-123

To: Director General

1. At 1416 hours, 28 February 1944, Extra 740427 East, Engineer Canada, (Commander) Murphy, struck British truck being driven by Leslie McNeil, road crossing west of Boyino.

2. The crossing gate at this point was out of order at the time but watchman was on duty. Regulation whistle was sounded by engineer approaching grade but vision of vehicular traffic is limited to approximately 30 feet.

3. No damage resulted to engine or track and no personnel injuries, but truck was totally demolished.

4. Immediate action was taken by Military Railway Service personnel to have gate repaired and night signals placed in operation.

CHARLES F. CONNERY

Colonel, T. C.

Assistant General Manager
Transportation Department

1st Ind.

Allied Force Military Railway Service, APO 600, US Army

CPD/SPC

To: Allied Claims Committee, A.A.I. Adm. Sec.

Forwarded as matter involving possible claim against U. S. government.

For the Commanding General:

5804

[Signature]

S. H. HARRIS
Major, T. C.
Adjutant

cc - Executive Commissioner,
Allied Control Commission,
APO 394, US Army

PA

74p

15
Allied Force
MILITARY RAILWAY SERVICE
Office of Director General

A. P. C. 400
28 March 1944

Subject: Final Report, TA-141

To: Director General

1. At 1815 hours, 22 February 1944, Extra 1260 West, with 1 load, 59 empties, 451 tons, in charge of Conductor Sgt. W. W. Christensen, Engineer T/4 H. M. Manasil, doubleheading with Engine 1200, Engineer T/4 F. T. McPheters while moving at a speed of 8 miles per hour struck British lorry at first road crossing east of Sparanise Depot.

2. Investigation develops that lorry Driver W. Hart, ASN 76364425 Tipper Company, brought his vehicle to a stop at crossing while train was approximately sixty yards away and then, for some unknown reason, started across track at which time the lorry stalled. Engineer Manasil whistled repeatedly for the crossing and had assumed Driver Hart had stopped to wait for train. When Sgt. Manasil saw the lorry start across the track he applied and whistled for brakes. It was too late to stop, however, and engine struck left front end of truck, damaging body and wheel and shoving truck clear of track. There was no damage to engine or track and no personal injuries. Extra 1260 West delayed 08" to make inspection.

3. There is no crossing guard at this point but range of vision for approaching vehicle drivers is such, that with proper whistle signal, there is not reason for an accident of this nature, other than carelessness on the part of the driver. In this case, Engineer Manasil and McPheters had train under control, moving approximately four car lengths past crossing after unexpected movement of lorry.

CHARLES F. DOWNHARTY
Colonel, T. C.
Assistant General Manager
Transportation Department

1st Ind.

Allied Force Military Railway Service, APO 400, US Army

To: Allied Claims Committee, A.A.I. Adm. Bch.

Forwarded as matter involving possible claim against U. S. government.

For the Commanding General:

cc - Executive Commissioner,
Allied Control Commission,
APO 394, US Army

56-3
CFO/SFC
S. R. McPheters
S. R. McPheters,
Major, T. C.
Adjutant

14
Allied Force
MILITARY RAILWAY SERVICE
Office of Director General

A. P. O. 400
28 March 1944

Subject: Final Report, TA-164

To: Director General

1. At about 1330 hours, 29 February 1944, Engines 91 and 914, while pushing 18 cars of ammo into No. 1 track, "A" Dock, Naples, collided with three trucks parked next to the track, considerably damaging them.

2. This track had just been pulled and they notified that they were returning with 18 loads of rushed ammo for unloading. One engine was unable to handle these loads, so the other yard engine helped him to shove them in. They were proceeding very slowly and the conductor was walking ahead of the train. He managed to get one truck from the track and gave the engineer a stop signal. Brakes were immediately applied, but due to wet track and a heavy train they could not stop before colliding with the trucks.

3. Truck 4132169, C-219, was driven by Casadei Eduardo, Italian, Badge No. 485; truck C-485 was driven by Villani Virgelo, Italian, Port Pass No. 22289. Both of these men were driving for P.R.S. Truck L-4608657 was driven by Dvr. A. G. Sellers, British soldier, of the 248 Q. T. Coy. R.A.S.C.

4. No personal injuries and no damage to locomotive or cars.

CHARLES F. DOUGHERTY
Colonel, T. C.
Assistant General Manager
Transportation Department

1st Ind.

CFD/SFC

Allied Force Military Railway Service, APO 400, US Army

To: Allied Claims Committee, A.A.I. Adm. Bch.

Forwarded as matter involving possible claim against U. S. government.

For the Commanding General:

cc - Executive Commissioner,
Allied Control Commission,
APO 394, US Army

S. R. Began
S. R. Began,
Major, T. C.
Adjutant

56.2

785017

28 JAN 1944

CIRCULATION SLIP
Please pass file QUICKLY

[illegible]

ALL NATIONS
Circled

REMARKS
Initial HERO and FOLIO referred.

~~Ream~~ see 13

5231

There is another copy of Case No. 19 on some for awaiting decision of Col. Br. as to informing Regional. Please trace. L.A. *OLD*

File 42/3 attached

1/2 - P/A

27 FEB Recd 156 6
U.S. RESTRICTED Equals British RESTRICTED

HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 534

CIRCULAR)

NUMBER 19)

14 February 1944

UNITED STATES CLAIMS SERVICE

Establishment Under Operational Control of Chief Claims Officer I
Functioning in French Africa and Corsica II
Functioning in Italian Territory III

I ESTABLISHMENT UNDER OPERATIONAL CONTROL OF CHIEF CLAIMS OFFICER

1. a. The administration of claims shall, subject to the directions of this headquarters, be under operational and technical control of a Chief Claims Officer. The Theater Judge Advocate shall, in addition to his other duties, perform the duties of Chief Claims Officer. The administration of claims in French Africa and Corsica shall, subject to the supervision of the Chief Claims Officer, be under the operational and technical control of a Deputy Chief Claims Officer.

b. The administration of claims in Italian territory shall, subject to the supervision of the Chief Claims Officer, be under the operational and technical control of a Deputy Chief Claims Officer.

2. In order that a uniformly descriptive term may be employed which is easily recognized by local inhabitants and at the same time distinguished from like services of other forces, the administration of claims shall be conducted under the name of "U.S. Claims Service".

3. Personnel assigned or attached to the U.S. Claims Service are, effective on the date of such assignment or attachment, attached to the headquarters of the base section in which they operate for issuance of all necessary travel orders within the base section as may be requested by the Deputy Chief Claims Officer, rations and messing, suitable billets and office space, and supplies. When travel orders for travel outside the base sections or travel between base sections are necessary request for such orders will be made to this headquarters.

4. Motor vehicles necessary for the proper conduct of the U.S. Claims

UNITED STATES CLAIMS SERVICE

Establishment Under Operational Control of Chief Claims Officer	I
Functioning in French Africa and Corsica	II
Functioning in Italian Territory	III

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4. Motor vehicles necessary for the proper conduct of the U.S. Claims Service, will be procured by the Deputy Chief Claims Officer in accordance with existing procedures.

5. Deputy Chief Claims Officers are authorized to requisition from the respective base sections stationary, office supplies, equipment and services necessary to the efficient operation of the claims service in the territorial area of the respective base sections. When branch offices of the U.S. Claims Service are established in an area outside of any base section, such requisitions may be made upon the nearest U.S. installation of issue in that area.

51/

Cir 1419
HQ Netoussa

U.S. RESTRICTED Equals British RESTRICTED

II FUNCTIONING IN FRENCH AFRICA AND CORSICA

6. The settlement of claims on account of damage to or loss or destruction of public property, both real and personal, or on account of damage to or loss or destruction of private property, both real and personal, or personal injury or death of inhabitants of French Africa and Corsica, when such damage, loss destruction or injury is caused by Army forces, or individual members thereof, or otherwise incident to non-combat activities of such forces, will be considered, determined, adjusted and paid in accordance with the provisions of the Act of Congress approved 2 January 1942, as amended by the Act of Congress approved 22 April 1943, and Army Regulations 25-90.

7. The Claims Commissions heretofore appointed by the Secretary of War to adjust claims under the above acts of Congress and Army Regulations will continue to function under this directive.

III FUNCTIONING IN ITALIAN TERRITORY

8. Claims will not be considered or paid under the Act of Congress approved 2 January 1942, as amended by the Act of 22 April 1943, but shall be investigated, processed, approved and delivered to the Italian authorities as hereinafter provided.

9. The U.S. Claims Service in Italian territory will investigate, consider, determine and adjust claims of the same kind and nature as would be considered, determined, adjusted and paid under the Act of 2 January 1942 as amended, if such Act were applied in Italian territory.

10. The U.S. Claims Service in Italian territory will comprise a Deputy Chief Claims Officer, who shall be an officer of the Judge Advocate General's Department; a legal review board of not to exceed three officers who shall be detailed for duty in the Office of the Deputy Chief Claims Officer, and such field investigators, clerks, interpreters and other personnel as may be duly assigned thereto or employed for duty with said service.

11. Copies of reports of investigations made pursuant to Circular Number 100, this Headquarters, 1943, by unit investigating officers will be forwarded to the most convenient office of the U.S. Claims Service by the units concerned. Investigating officers assigned to the claims service, upon completion of their reports of investigation,

785017

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12. The Deputy Chief Claims Officer in charge of the U.S. Claims Service in Italian territory is authorized to approve for payment any claim in an amount not in excess of \$ 500.00.

13. The Chief Claims Officer, U.S. Claims Service, is authorized to approve for payment any claim in an amount not in excess of \$2,500.00

CLP # 10
HQ NATOUA

US RESTRICTED Equals British RESTRICTED

Declassified E.O. 12356 Section 3.3/NND No. 785017

14. Any claim in an amount in excess of \$ 2,500.00 must be approved by the Theater Commander.

15. When any claim is properly approved by the Deputy Chief Claims Officer, he shall pass the claim to the representative of the Italian Government designated by the Minister of Finance who shall acknowledge receipt of the approved claim. By arrangement with the Minister of Finance, the accounting office of the Italian Treasury will notify the claimant of the award and will furnish the claimant an order on the Treasury in the amount of the award. Upon presentation of this order to a Treasury cashier, the claimant will receive the amount of the award upon condition that he sign a release by which he releases the United States and its officers and representatives from any further claim growing out of the incident. The Italian paying officer will transmit this release to the Office of the Deputy Chief Claims Officer for file with the retained papers.

16. Any claim approved by the Chief Claims Officer or the Theater Commander will be returned to the Deputy Chief Claims Officer to be passed to the Italian authorities as set forth above.

17. Due to terms of the armistice and to arrangements made with the Italian authorities, claims on account of use of real estate or damage occasioned or attributable to such use and claims on account of use of movable property will not normally be considered for adjustment by the U.S. Claims Service, but will be handled as procurement matters by existing procurement agencies in accordance with existing procurement directives.

By command of Lieutenant General DEVERS:

DAVID G. BARR
Brigadier General, GSC,
Chief of Staff

OFFICIAL:

H.V. ROBERTS
Colonel, AGD,
Adjutant General.

785017

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By command of Lieutenant General DEVERS:

DAVID G. BARR
Brigadier General, GSC,
Chief of Staff

OFFICIAL:

H.V. ROBERTS
Colonel, AGD,
Adjutant General.

DISTRIBUTION:

"Z"
SO - JA

785017

D.C. of Staff
 HEADQUARTERS
 ALLIED CONTROL COMMISSION
 ACTION SHEET
 4 FEB 1945
 Date

Suspense

FROM	TO
☒ Deputy President	☒
☒ Chief of Staff	☒
☐ Vice Chief of Staff	☐
☐ Public Relations Officer	☐
☐ Liaison Section	☐
☐ Military Section	☐
☐ Political Section	☐
☐ Econ. & Admin. Section	☐
☐ Communications Section	☐
☐ Administrative Directorate	☐
☒ Economic Directorate	☒
☒ Finance Sub-Commission	☒
☐ Public Works-Mines Sub-Commission	☐
☐ Agric., Forests-Fisheries Sub-Com.	☐
☐ Legal Sub-Commission	☐
☐ Education Sub-Commission	☐
☐ Executive Officers	☐
☐ G-1	☐
☐ G-4	☐
☐ Adjutant General	☐
☐ Files	☐
☐ Personnel	☐
☐ Publications	☐
☐ Message Center	☐
☐ Miscellaneous	☐
☐ Pool of Interpreters	☐
☐ Archives & Reference Library	☐
☐ Ho. Commandant	☐

FOR:

Signature _____
 Remarks / Recommendation _____
 Information only _____
 Approval / Disapproval _____
 Appropriate Action _____
 Investigation & Report _____
 Dispatch _____

REMARKS: *LA BARRIAR of Claims Br.*
called on me a week ago and
said that directives, & orders
were being issued in a day or
so. Have these come to you by
any chance, please. HHH

785017

Sp. Spofford

9

- PK Lt Col. Miller (Finance) reports that
- a) he has been in touch with Brig. Gen. Richmond and Col. Lewdon - JAN 13.
 - b) He advised a visit to BRINDISI for discussions with Mr. JUNG + Mr. Post.
 - c) Advice was accepted and visit made.
 - d) It is expected that further conversations will take place today (19) or tomorrow. (The final form of our instructions should result from these)

1000
1000
1000

1000

19 JAN

has range Commission
of BANIGAN. 1369

785017

principles which should ensure solution of the problem involved. The letter may be attached to the Committee minutes and the points raised be considered to be covered by the said minutes and orders resulting therefrom.

3. Would you signify your consent, and at the same time indicate your willingness to act as a member of the Committee?

4. I have to thank you for the expression of confidence in the last para. of your letter and to further express the hope that the Conference will have not been misplaced. Our united efforts should solve the problem.

785017

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
ACTION SHEET

15 JAN

Subject

FROM	TO
✓ C.O., A.M.G.	
G. of Staff	
D.C. of Staff for (M&I)	
D.C. of Staff Admin.	
Industrial Plan	
Int. Sec.	
Pol. Sec.	
Plan & Admin. Sec.	
Communications Sec.	
Records Director	✓ ①
Administrative Dir.	
Executive Off. Admin.	
G-1	
G-4	
Adjutant General	
Personnel	
Publications	
Miscellaneous	
Supply Officer	
Billposting Officer	
Transportation Off.	
Co. Commandant	
Camp Commandant	
Message Center	
Sub-Commissioner	
FINANCE	✓ ②

For: Signature _____
 Recommendation _____
 Information _____
 Approval or Disapp. _____
 Appropriate Action _____
 Investig. & Report _____
 File _____
 Return to Sent. Files _____
 Transmission _____

Comments:
 Please Comment on MEMOS
 of 30 DEC and 11 JAN
 (cancelled by G. of Staff)
 We should be prepared to
 discuss with German officers
 on Wednesday JAN 19.

785017

Mr. Spence

Ref. attached.

Take up of 2 Finance for 2
 Commission. 2 House, Craft, Carter.
 Nothing up paying office etc.

1. He shall need to notify Repairs T. T.
 of the provisions of para 5 (a) (b) + (c)

2. Before this is done it would be well to ascertain

2 House T. T. 3. a) Whether separate Regional paying office
 + staff will be necessary.

Take up with Finance b) Whether the whole job can be done
 by Finance sub-commission

Mr. Oliver to Finance c) Where the Pro. & Am. Claims carried
 office is located in Naples.

The Claims Commission d) Whether claims shall be dealt with on a
 day to day basis or at set times to
 cover previously fixed periods. 5537

Representatives e) Is Sicily to be included.

3. There seems to be no objection to concurrence
 in the proposals though it would appear
 to be easier, under Amos, for Amos to settle
 meritorious claims + debit the Nations
 Govt. He latter to change the amounts
 to the budget concerned. This would
 save staff, perhaps.

MUS 1 JAN

785017

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
ACTION SHEET

HEADQUARTERS

Date
11 JAN 1944

AMG.

Suspense

FROM

C. & A. M. G.
C. of Staff
D. C. of Staff for (G-1)
D. C. of Staff Admin.
Industrial Plan
Mil. Sec.
Pol. Sec.
Econ & Admin. Sec.
Communications Sec.
Economic Director
Administrative Dir.
Executive Off. Admin.
G-1
G-2
Adjutant General
Personnel
Publications
Miscellaneous
Supply Officer
Piloting Officer
Transportation Off.
Hq. Commandant
Camp Commandant
Message Center
Sub-Commissioner

For: Signature
Recommendation
Information
Approval or Disapp.
Appropriate Action
Investig. & Report
File
Return to Comd. Files
Transmission

Remarks:

Copies(2):
Hq AGO, APO 394
Hq AMG, APO 394
Hq AMG, 15 Army Group

HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
Office of the Theater Judge Advocate
UNITED STATES ARMY
APO 534



30 December 1943

MEMORANDUM FOR: Military Government Section, AFHQ.

Subject: Payment of certain claims in Italian territory.

1. By Administrative Memorandum No. 72, Headquarters, AFHQ, there was established a Joint Claims Committee, the purpose of which is to coordinate the procedures of the British and United States with reference to the adjustment of claims in Italian territory.

2. Certain categories of claims have already been taken care of, that is, claims for rents and dilapidations of real estate; claims for the taking of certain kinds of movables and claims for death, injury or sickness of employees.

This memorandum is limited to those claims which would (1) as affecting the United States, fall in the category covered by the United States Foreign Claims Act if that act were applied to enemy occupied territory, and (2) as affecting the British, fall within the jurisdiction of the British Claims Commission.

3. It has heretofore been announced as an AFHQ policy that claims as herein contemplated would not be paid either by the British or United States forces but that such claims would be investigated, examined as to their legal sufficiency, and those which are meritorious would be approved and passed to the Italian Government for payment.

4. The British and United States Claims Services are now operating in Italian territory. Investigations are being made and reports received at the office occupied jointly by the heads of the British and United States Claims services in Naples.

5. It is now necessary to consummate the necessary arrangements with the Allied Military Government, the Allied Control Commission and the Italian Government, whereby the claims approved by the British and United States Claims Services may be passed to the Italian authorities for payment.

The arrangements which the Joint Claims Committee recommend are as follows:

a. That the Allied Military Government Section, AFHQ, approve the inclusion in the Italian budget, in the same manner in which other

MEMO FOR: Military Government Section, AFHQ
30 December 1943 (Continued)

items are now included, of an estimated number of lire to cover the item of claims approved by the British and United States Claims Services.

b. That the Allied Military Government Section, AFHQ, authorize the Allied Military Government in occupied territory, and the Allied Control Commission, to take such action as will accomplish the object set forth above.

c. That to facilitate the prompt settlement of approved claims by the Italian authorities, such authorities establish at the headquarters of the British and American Claims Services office a paying office with such personnel as the Italian authorities may desire.

6. The two members of the Joint Claims Committee propose to visit Italy on or about 11 January 1944 for the purpose of making final arrangements for the disposition of the claims referred to in this memorandum.

7. The purpose of this memorandum is to secure concurrence in the above proposals before the departure of the Joint Committee in order that reference of the matter back to Allied Force Headquarters by those in the field will not be necessary.

JOINT CLAIMS COMMITTEE

By _____

James F. Richmond
Mg, AFHQ USA

1st Ind. *63*

Colonel
V.P.S.C.

MEMO, AFHQ 5 Jan. 1944
To: Allied Control Commission.

The foregoing is approved and is referred to ACC for such action as may be proper to facilitate the Joint Claims Committee.

A. T. MAXWELL,
Colonel,
Acting Chief, Military Government Section.

785017

info D. City S. (081)
696
HEADQUARTERS PENINSULAR BASE SECTION

2/8
CONFIDENTIAL

10 JAN. /44

CONFIDENTIAL

ROUTINE

CG PBS

NONE

SIGNED CG NATOUA

081458 A

091324A

25555

NAAGE



ADAM RICHMOND BRIGADIER GENERAL USA THEATER
JUDGE ADVOCATE AND COLONEL CAWDRON (BRITISH) WILL VISIT
NAPLES APPROXIMATELY 12 JANUARY TO COMPLETE ESTABLISHMENT
OF CLAIMS PRECEDURE IN ITALIAN TERRITORY.

Orig: 2-1
info *E. Off.*
Adm Dir
Econ Dir

Those officers are in area
but not likely to see us
until Wednesday 19 JAN
at earliest

CONFIDENTIAL

785017

3

REC 151

Received from Security Region HQ
Date 8/2/44

Ref/156/11/CA

2d Ind.

HEP/mrh

Regional Control & Military Government Section, A.G.O., AFO 394, 23 Feb 44.

To: Regional Commissioner, Region I, A.G.O.

1. Attached correspondence is forwarded, the following facts should be established:

- a. Is the claimant in possession of a requisition form.
- b. If so, by whom was the form issued.

2. The above information having been obtained, the matter should be referred to the proper authorities i.e. I.B.S. or No. 1 District whichever is responsible for settling of Requisition.

3. It would help considerably if the matter could be dealt with by a Liaison Officer visiting I.B.S. or No. 1 District whichever is concerned.

By Command of Lieut General MASON MACFARLANE:

Norman H. Fiske
NORMAN H. FISKE,
Colonel, Cavalry,
Deputy Executive Commissioner.

Incl
As above.

P/A

785017

REQUEST FOR COPIES
OF PROclamATIONS
BY ALLIED
CLAIMS COMMITTEE

From: Lt. Col. ~~BOWMAN~~

To: ~~MATTHEW~~
VAN DUSEN

MATTER DISPOSED OF
BY LIAISON. IMPOSSIBILITY
OF COMPLIANCE EXPLAINED
TO COL. MILES, AND FACILITIES
OF OUR INFORMATION
DIVISION MADE AVAILABLE
TO HIM. REQUEST
ORALLY WITHDRAWN.

WES

21 FEB 1944

PA
UB

785017

HEADQUARTERS
ALLIED CONTROL COMMISSION
ACTION SHEET

12 Feb

Date

Suspense

FROM	TO
Deputy President	
Chief of Staff	
Vice Chief of Staff	
Public Relations Officer	
Liaison Section	
Military Section	
Political Section	
Econ. & Admin. Section	
Communications Section	
x Administrative Directorate	
Economic Directorate	
Finance Sub-Commission	
Public Works-Mines Sub-Commission	
Agric., Forests-Fisheries Sub-Com	
Legal Sub-Commission	
Education Sub-Commission	
Executive Officers	
G-1	
G-4	
Adjutant General	
Files	
Personnel	
Publications	
Message Center	
Miscellaneous	
Pool of Interpreters	
Archives & Reference Library	
Hq. Commandant	
NC-MSG	x

FOR:

Signature
Remarks / Recommendation
Information only
Approval / Disapproval
Appropriate Action
Investigation & Report
Dispatch

REMARKS: The information furnished is as to orders
issued in the past. Approved and Army units
will use previous only.

4027

New file claims - Himp 2949
156
Adm Sec 2

HEADQUARTERS
ALLIED CLAIMS COMMITTEE
APO 782 U. S. Army

9 February 1944

12113
14757
11369

151.

SUBJECT: AMG Proclamations, Etc. Affecting Civilians.

9 via

TO : Commanding General, Allied Military Government, APO 394, U. S. Army.

1. It is this Committee's function to pass upon claims made by Italian nationals against Allied Forces for alleged injury or damage, primarily of a tort nature.

2. It is essential that this Committee, in passing upon such claims, have knowledge of regulations imposed by your Command and by AMG Regional Commands on the civilian population as such regulations have the force of law and, in many instances, a given AMG regulation may, and often will, materially affect this Committee's determination of the merits of a civilian claim.

3. It is, for instance, the policy of this Committee not to grant awards on claims made by civilians for injuries received in traffic accidents occurring during curfew hours, on the grounds that at such times the civilian is on the streets unlawfully (unless on pass) and thereby assumes all risks and should not recover for damages arising in the course of his own illegal conduct.

4. "Disorgimento", issue of 6 February 1944, and "Stars and Stripes", issue of the same date, carried stories to the effect that curfew hours for civilians had been changed. There are at this time claims to be passed upon, the merits of which will be determined, at least in part, by the curfew hours in effect at the time of injury.

5. It is accordingly requested that this Committee be furnished, as expeditiously as possible, with

5552

(a) A copy of each proclamation, regulation and the like so far issued by your Command or subordinate commands regulating the activities of the civilian population

(b) A copy of each of those issued in the future; and that this Committee be placed on the distribution list of AMG Headquarters, AMG Region III, AMG Region IV, Naples Province and AMG, 5th Army.

785017

6. Acknowledgment of this request is asked.

Clarence W. Miles
CLARENCE W. MILES,
Lt. Colonel, J.A.G.D.,
Executive Officer.

Copies to:

Adj's, AMB Region III
" Region IV
" 5th Army
" Naples Province

5551

SEEN	TO	INT
ADMIN DIRECTOR		
HEF STAFF O.	✓	
STAFF O 1	✓	
STAFF O 2	✓	101
STAFF O 3		
CHIEF CLERK		
DA		

