

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

ACC

10000/109/1571

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

10000/109/1571

THEFT & VIOLATION OF MAIL
DEC. 1943 - MAY 1944

Subject: Remittance of funds received.

To: CIA Director.

ATT/54161/AM

27

No. 2 Receipt.

1. Your letter of 20 May 31, and your letter of same subject, dated

1 July 31, 1954, were referred to you this date because to the

1. Your letter was taken to the Director of Defense Intelligence, and was referred to him for action.
2. A copy of Director's letter was forwarded with this communication for your information.

3. The sum of remittance will be as follows:

Two hundred twenty five dollars and forty seven cents and four thousand three hundred and twenty nine thousand eight hundred and twelve dollars and twenty two cents.

4. In addition to any other amounts that may be due, you will be entitled to receive an additional amount of

one thousand five hundred dollars and twenty four cents.

5. Your letter was referred to you this date because to the

Director of Defense Intelligence, and was referred to him for action.

6. Your letter was referred to you this date because to the

Director of Defense Intelligence, and was referred to him for action.

7. Your letter was referred to you this date because to the

Director of Defense Intelligence, and was referred to him for action.

In view of the facts above, it is recommended that the information be withheld from disclosure under the Freedom of Information Act, a copy of which was forwarded to you with this letter of the 10th December 1968.

2. The terms of reference will be as follows:-

To record all relevant evidence concerning the allegations made by Captain ALBRECHT, Captain WAGNER, Captain GROTH and Captain CASALINI on diverse dates (1945) which contained, to begin with, and other articles the property of the British Army captured by Indians, but also to furnish witnesses of these.

In addition to any other witness who may be able to give statement in accordance with the following witnesses should be called before the Committee:-

Colonel G. R. HASTH, 72 General Transport Company, 1940.

(This witness will be presented to deal with the allegations made by Captain ALBRECHT in his statement that the British paratroopers were located by British soldiers from the training in the K.P. Camp before the inventory was made. It is noted that Captain WAGNER in his statement to the 1st Interrogation Bureau was located up when he first went to it. He should be presented to state if it is the case that this initiation was volontary or involuntary and that there was no opportunity for voluntary or involuntary acts by any one of the paratroopers before the inventory was taken).

One P.M. (who should produce the statements made by Colonel ALBRECHT, Captain CASALINI, Captain GROTH and Captain WAGNER).

Interrogator:-
Capt. Harry Kennedy, WAGNER.
Sgt. Major John WAGNER, ALBRECHT.
Sgt. Major Leo GROTH, GROTH.
Sgt. Major Francisco CASALINI, CASALINI.
Sgt. Major George HASTH, HASTH.
Sgt. Major James GROTH, GROTH.
Sgt. Major James WAGNER, WAGNER.

In addition to persons mentioned above, the evidence at the disposal of each parrot witness is left to be arranged by means of liaison with them.

41A

- 2 -

5. All the accused persons must be present during the proceedings and the constitution and procedure of the Court will be strictly in accordance with the instructions given in the above-quoted AMHQ letter, evidence will be taken on oath.
6. The officers condemned are reported to be in 571 now Chap. Any necessary arrangements will be made by you with HQ No 3 District and HQ Allied Control Commission for their transfer to your District.

0307/60.

Ott/Ptne
Brigadier,
DAD.

Copy to:- Protective Commissions,
Allied Control Commission;
HQ No 3 District;
NAMIC.

3360

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

785017

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
ACO 324

2
4 March 1944.

Ref/279/21/CA

SULLIVAN: Theft of Mail

TO : HQ, AGMP (Admin. Melalon) GMF.

Reference your 5047/A.2 of 30 January 1944, a copy
of a report on the case of PASTORI Giovanni is enclosed, in
accordance with the request in the last paragraph of your
letter under reference.

REGINALD B. PRIMB,
Colonel, Cavalry,
Deputy Executive
Commissioner.

Incl
As above.

3509
PMK

27 27 FEB Recd

AIR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

AMC/4083/L

RHS/jpl

25 February 1944

SUBJECT : Mail Thefts.

TO : Deputy Executive Commissioner.

1. In accordance with letter of Colonel Spofford then D.A.C.C.O. dated 31 January 1944, AMG/319, I am reporting the case of PASTORE Giovanni.

2. The accused was arrested in MATERA, Region II, where he was found with certain Allied Property, the result of a mail theft in Bari on 4 January 1944. The accused was tried on two charges:

(a) Interference with communication by mail. Proclamation No. 2, Article I, Section (1);

(b) Being in possession of Allied Property. Proclamation No. 2, Article II, Section (4).

3. A General Military Court convicted the accused on both charges and on the first charge sentenced him to death. On his second charge there was an alternative sentence of 20 years.

4. As the act under the first charge was committed at Bari, unoccupied territory, where the Proclamation had no effect, the reviewing authority has found it necessary to reverse the conviction under the first charge because of the lack of jurisdiction. The 20 year sentence under the second charge has been affirmed.

5. The first charge apparently was based on interference with communication rather than on robbery, because it was felt that as the mail might be destined for occupied territory, the act of interference in unoccupied territory became a continued offence in occupied territory, thus giving an Allied Military Court jurisdiction. This theory could not be supported, and there was no proof of destination.

6. Under powers reserved upon restoration of territory Allied Military Courts may now function in territory restored to the Italian Government. This includes Apulia where Bari is located, but only for crimes committed after 10 February 1944. While it is not expected that Allied Military Courts will function extensively in territory under the administration of the Italian Government, one can always be convened to try a case of extraordinary importance affecting the Allied interest, when it is not thought that an Italian Court can efficiently deal with it.

3307

- 2 -

7. The record in the PASTORE case indicates that the mail cars which were robbed were not under proper guard and one of them was left unlocked. 11

Richard H. Wilmer

RICHARD H. WILMER

Lt. Col. C.A.C.
Deputy Chief Legal Officer.

300

*Extract from (file 279)
The Star's St. p. Feb 23/44*

18

Five Neapolitans Jailed For Theft

NAPLES, Feb. 23.—Found guilty of attempted theft of military mail, five Italian civilians today began jail sentences ranging from 18 months to five years, following trial in the AMG superior court.

The five-year term was meted out to Vincenzo Baccio, 26, who was convicted of throwing a mail sack out of a government truck. The four other civilians were jailed for removing pieces of mail from a sack still within the hold of a ship in which they were working. All five were residents of Campaniano, a small Neapolitan suburb, and their ages ranged from 18 to 33 years.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION.
LEGAL SUB-COMMISSION.
APO 394.

279
19 Feb Recd

1173

1

18th February, 1944.

REFERENCE : ACC/4083/L.

TO : R.C., M.G. Section, H.Q., Allied Control Commission.

SUBJECT : Theft of Allied Mail.

1. Reference your 279/9/CA of 8 Feb 1944, attached in copy of my letter addressed to the Under Secretary of Justice on the above subject.

2. I shall keep you posted on further developments.

A. R. THACKRAY.
Major,
for Chief Legal Officer.

EE/naw.

16

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

18th February, 1944.

AAC/4083/L.

SUBJECT : Theft of Allied Mail.

TO : H.E. The Under Secretary of State.
Ministry of Pardon and Justice.

My attention has been called by the Allied military authorities to the prevalence of thefts of Allied mail perpetrated at railway sidings of Bari and in other localities under control of the Italian Government. I am informed that the following Italian civilians have been arrested by Allied authorities on 17 Dec 1943 for theft of Allied parcel mail and handed over to Italian civil authorities :-

PALMIOTTO GIUSEPPE	Via Grossis No. 1 GIOVINAZZO.
CIRBATTINI RAIDER	Via Imbriani No. 15 BARI.
TRENTADUE VINCENZO	Via Martulli No. 4 MODUGNO
DARBOI NICICO	Via Biancani No. 21 BARI.
VITUCCI GIUSEPPE	Via Ravanas No. 12 MODUGNO
GIORDANO VINCENZO	Via Carulli No. 7 BARI

In order to establish an effective deterrent the above accused who have been released from arrest pending trial, should be reconsigned to prison, their trial expedited and heavy sentences imposed if charges are sustained. A report on the outcome of each case is requested.

In view of the serious consequences which are bound to follow such thefts I wish to solicit your assurance that rigorous means of both preventive and punitive character will be applied forthwith to forestall any recurrence of such offences.

May I suggest that, following the practice adopted by you in the past in an analogous situation, a directive be issued by you on this subject to all P. Procuratori residing within the territory under Italian control. Such directive would emphasize the necessity of handling all similar offences in the manner indicated in the above cases. Furthermore, the directive would instruct the Procuratori to proceed with utmost rigor and expediency and to report to you all cases of such thefts which have occurred or which may occur in the future within their districts, indicating the outcome of each proceeding. I shall then be able to obtain from you any information received in response to the above directive and route it to the interested military authorities.

(Sgd) A. R. THACKRAH.

A. R. THACKRAH,
Major,
for Chief Legal Officer.

333

785017

10 FEB Recd

HEADQUARTERS

ARMED FORCES
REGION XII

279

C A Bn

1545

5 Feb 44

15

Reft: 2201/51/3

Subject: Theft and Violation of Mail

To : 200AD AMB

1. Ref LWD/AMC/ard of 1-2-44, the importance attaching to the thefts in question had already been appreciated, and one of the culprits is to be tried on Feb 8th by a General Court at Matera consisting of

Chief Judicial Officer AM

RCAD Region II

RCD Region XI

2. Investigations by the AMI give hope that shortly others implicated may be brought to trial. But since those are in King's, Italy, difficulty may arise as to the matter of jurisdiction. Since the investigations and preparation of the prosecution will be intricate, application has been made for the loan of an officer from the Special Prosecutions branch to report to this R.

It was notified sometime ago that this branch is fully occupied for the present, but it would be greatly appreciated if in view of the seriousness of the matter one of its officers could be spared. When names of the persons implicated are known, a list will be forwarded.

L.R.L. b.l.c.t.

6 - J. H. McCARTHY
Lt. Col., Infantry
RCAD

b.s.d. 4

Copy sent to Legal 1/2

279

9 FEB Reed

7 FEB 1944

495

14

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394.

ACC/000.5/AS

7 Feb 44

SUBJECT: Theft of Mails.

TO: Exec. Commissioner, for attention Col. C.M. Speofford.

Attached for your information are copies of letters showing the action taken on receipt of your OSI/327 of 1 Feb 44.

A trial for theft of mail bags is taking place in Region II today. We will let you have particulars as soon as they have been received.

J. H. White Jr.
R.R. CRIPPS.
Lt. Colonel.

for the Vice President, Administrative Section.

12

HEADQUARTERS
ALLIED CONTROL COMMISSION
APC 394
Administrative Section

ACG/000.5/AS

2 February 1944

SUBJECT: Theft and Violation of Mail.

TO : Legal Sub-Commission
Public Safety Sub-commission.

1. Reference D.C.C.A.C. letter to Regions I, II, III, IV, dated 1 February 1944 (OSI/327), copies direct to you.

2. Will you please advise this office of any action taken by you and of any information you may receive in the matter in the future.

R.R. CHIFFS,
Lt. Colonel,
for Vice President Administrative Section

3302

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

12

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUBCOMMISSION

ACC/4083/L

2 February 1944

SUBJECT: Theft and Violating Mail

TO : RCLO's (through PCAO's) Region 1, 2, 3, and 4

1. Reference /MSL/327 from Col Spofford to PCAO's dated 1 February 1944.

2. Your monthly reports henceforth should contain details of any mail theft cases whether they are tried in Allied Military Courts or Italian Courts. Any case of particular importance should also be reported to the Legal Subcommission promptly and separately.

RICHARD H. WILMER,
Lt. Col.
Deputy Chief Legal Officer

3301

C_O_N_F_I_D_E_N_T_I_A_L

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety Sub-Commission
APO 394

ACG/14612/Ps

2 February 1944

SUBJEC.: Theft and Violation of Mail

TO : RGAPO, Reg's I, II, III, IV.

1. The C in C is disturbed at the prevalence of thefts of mails, apparently by Italian civilians, especially at BARI and FOGGIA railway sidings, where three notable cases have occurred during Jan'44.

2. Certain Italian civilians have been arrested in connection with these thefts. In consideration of the effect on the morale of the Troops caused by failures in the delivery of mails, and also of the security aspect, I have to request that the serious view taken of these cases may be made known to those of your officers who are responsible for dealing with such matters, as a guide to them in regard to the action to be taken.

3. It is desired that you take special precautionary measures to prevent the occurrence and repetition of such offences within the area subject to your jurisdiction, and that severe penalties be urged when any offenders are brought to trial.

PAUL G. KIRK
Colonel, Infantry
Chief, Public Safety
Sub-Commission

C O N F I D E N T I A L

3350

10

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety Sub-Commission
APO 394

ACC/14612/RS

SCOGGETTO: Furti e Violazioni delle Poste

AL : Gen. Pieche.

1. Il Capo Commandante e' molto disturbato in riguardo ai furti della posta, apparentemente commessi da borghesi italiani, specialmente nelle stazioni ferroviarie a Bari e a Foggia dove tre casi notevoli hanno avuto luogo durante il mese di Gennaio 1944.

2. Alcuni borghesi italiani sono stati arrestati per questi furti. In considerazione dell'effetto sulla morale delle truppe per via della mancanza della loro posta e anche nell'aspetto di sicurezza, debbo richiedere che questo grave aspetto sia fatto noto a tutti gli uffici di cui che hanno responsabilita' in questi affari come una guida nel corso di prenderne a proposito.

3. E' desiderato che precauzioni speciali siano prese ad impedire le occorrenze e ripetizioni di tali offese nel territorio sotto la sua giurisdizione e che severe condanne siano inflitte agli imputati portati dinanzi ai tribunali per le sopradette violazioni.

PAUL G. KIFFE,
Colonel, Infantry,
Chief, Public Safety
Sub-Commission.

3.16.44

785017

ADQUACTIONS
AU.D.D. COMINT COORDINATION
R.C.C. & R.G. Section
APO 394

9

8 February 1944

REB/RCB/R/34

SUBJECT: Theft of Allied Mail.

TO : Legal Sub-Commission

1. Attention is invited to letter of this office dated
31 Jan 1944, REC/NND/339.

2. Attached is copy of letter from A.P.M. Mr. Wm. Neale,
C.M.F., 334Z/A dated 5 Feb 1944 with enclosure.

3. It is requested that every effort be made to bring the
accused to trial at a very early date and that this office be advised
of the steps which have been and are being taken in the process.

NORMAN K. PERRY.
Col., Cavalry.
D/Comint Coordinations.

Copies to: Lt. Col. Drayton
Public Safety Sub-Commission.

B/H
W
3/3/44

SUBJECT:-

Theft and Violation of Mail

279 R.R. A. 522600

AFHQ, Adv.adm.Echelon,
CMF
SO47/A
5 Feb '44

The D.C.C.A.O.,
Headquarters Allied Military Government,
A.P.C. 394.

1. With reference to your letter Ref/031/327 of 1 Feb '44,
the action taken is appreciated.

2. Particulars of a previous case which occurred in Dec '43
are attached. It is understood that owing to congestion
in the Italian Courts there is liable to be some three
months delay before trial and that the accused have been
released from arrest, pending trial.

3. It is most desirable, from the military point of view,
that the individuals concerned should be dealt with as
promptly as possible, and that if convicted, a serious view
should be taken of their cases. Such action will then act
as a deterrent.

G. O. T. Brig
J. J. T.
Major-General,
D.C.A.O.

CMF/AH.

Particulars of Case.

17 Dec '43. Theft of Canadian parcel mail Civilians arrested and handed
at BARI. over to Italian Civil Authorities.

PALMIOTTO GIUSEPPE	Via Grossis No.1 GIOVINAZZO.
CIEBATTINI WALTER	Via Imbriani No. 15 BARI.
TRENTADUE VINCENZO	Via Martulli No.4 MODUGNO.
BARBONI ENRICO	Via Pisacani No.21 BARI.
VITUCCI Giuseppe	Via Ravanas No.12 MODUGNO.
GIORDANO VINCENZO	Via Carrulli No. 7 BARI.

279
6 FEB Recd

2514
RC-MG
~~See 6~~

HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
A.F.O. 394, U.S. Army

RMC/PV
3/6042/L

4 February 1944

Subject: Theft and violation of mail.

To : Hq. A.M.G., A.F.O. 394, U.S. Army.

1. Reference is made to letter your
headquarters to R.C.A.O.s, Region I, II, III, IV, 1
February 1944, subject as above (LVD/AMG/mrd).

~~Revised Version~~

2. Inclosed is a copy of instructions
based on the reference letter put out today by
this headquarters.

For the Regional Civil Affairs Officer:

Douglas N. Batson
DOUGLAS N. BATSON,
1st Lt., C.M.P.,
Actg Asst Adj Gen.

1 Incl:
Copy of letter.

*per b) staff off.
334/ja*

785017

- a. All the available evidence in this type of case
is limited to statements made by the
defendant or to statements made by
witnesses of the defendant.

- b. In cases where there is no direct evidence
of the defendant's conduct, the facts
are established by inference from
the conduct of other persons.

- c. In consideration of the effect on
the accused of the charge of
conduct which may be inferred from
the conduct of other persons, the
court may take into account
the conduct of other persons.

- d. In consideration of the conduct of other
persons, the court may take into account
the conduct of other persons.

- e. In consideration of the conduct of other
persons, the court may take into account
the conduct of other persons.

- f. In consideration of the conduct of other
persons, the court may take into account
the conduct of other persons.

- g. In consideration of the conduct of other
persons, the court may take into account
the conduct of other persons.

- h. In consideration of the conduct of other
persons, the court may take into account
the conduct of other persons.

Handwritten

3/5017

1. Instructions received from Headquarters
Allied Military Government under date of 1 February 1944
on the above subject are reproduced for your guidance
as follows:

" 1. P.M.G., Adm. Colonel has reported--
" a. that a number of thefts of Allied mail have
" occurred, apparently by Italian civilians, at
" Sora and Foggia military stations there were three
" notable ones reported during January. Certain
" Italian civilians have been arrested in connection
" with these thefts.

- " 2. In consideration of the effect on
" the morale of the troops caused by failures in
" the delivery of mails, and also of the security
" aspect, a serious view must be taken of such
" cases.
" 3. Accordingly, it is requested that
" special efforts be exerted to apprehend the
" perpetrators of such thefts, and also that,
" after their convictions, substantial sentences
" be meted out for this type of offense.
" 4. Report of sentences passed both by
" Allied and Italian courts in this type of case
" will be submitted through the legal subdivision.
" 5. You will take the necessary action to carry
the above instructions into effect.
" 6. The reports required by the last paragraph
of the instructions quoted above will be made by you in
the case of A.M.G. courts in your respective provinces,
and will be forwarded to this headquarters in duplicate.
Reports as to Italian courts will be handled entirely by
the officer of the legal division of this H. in charge
of Italian courts.
By order of Lieutenant Colonel MARCHANT

2/1

Douglas R. Marchant
Lieut. Col. U.S.A.R.
Legal Agent Adj Gen.

Copy to Major Holt,
W.M.C.

3/4

Copies of all documents
were sent to Col. Appeals and
Public Safety and legal
Sub-Commissioners.

Feb. 1

UD

3341

3
SUBJ: Theft and Violation of Mail

To: 1 Lt. Col. Griggs;

Here are the documents which we sent from this office. I have sent a copy of each to public safety and legal without comment. Will you please follow up?

LEWIS H. VAN DUSEN, Jr.
Major, USA

for CHARLES S. ANDERSON
Colonel, U.S.A.
D.C. Office

3342

gill C

2

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/28

1 February 1944

162-11627.

Subject: Theft and Violation of Code

of Conduct, England L, M, N, S, IV

1. Mr. who was engaged in a mission of
service of allied naval forces reported, according to English civilians,
that he and his party during their tour were often treated
unfairly by the Germans. Some 8 American civilians have been arrested
and condemned with long terms.

2. In consideration of the effect on the morale of all American
troops in the battle to be fought, and also of the records
covered by failure to turn back to the Allies, and also of the record
of serious view must be taken of such cases.

3. Considered, it is requested that certain actions be directed
to prevent the recurrence of such Justice, and that, if any similar
situation, substantial sentence be passed on the basis of severity
of offense of punishment imposed with the same and duration required
in this type of case will be fully cited during the trial. All recommendations

Frank G. Gale

Colonel R. A.
Commander-in-Chief
U.S. Forces

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
APO 394

Ref/OSI/327.

LVD/AMG/mrd

1 February 1944

SUBJECT: Theft and Violation of Mail

TO : A.F.H.Q., Adv. Adm. Echelon, C.M.F.

1. Attention is invited to letter of your office dated 30 January 1944, reference 3047/A.2.

2. A most serious view will be taken of cases of the nature mentioned; and action will be instituted through this office to assist in apprehending offenders and bringing them to justice.

3. Instructions will be issued so that your Headquarters will be informed of any sentences passed on civilians who are convicted in the Allied Military Courts and, as far as possible, also in the Italian Courts, of thefts of this nature.

CHARLES M. SPOFFORD
Colonel, G.S.C.
D.C.C.A.O.

J.B.P.

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

785017

279.

original letter from
A. J. K. on Holob.
Cuppos for Depa 14
Public Safety in
Salerno.

Feb. 1 1960

HEADQUARTERS
ALLIED CONTROL COMMISSION
ACTION SHEET

Date _____

Suspense _____

FROM	TO
Deputy President	
Chief of Staff	
Vice Chief of Staff (Col. 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	
Hq. Commandant	

FOR:

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

REMARKS: _____

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

1A

CONFIDENTIAL

HEADQUARTERS
ARMED FORCES IN ASIA

ATTACHMENT

REF ID: A6562
DRAFTED
31 January 1945

1. DRAFT AND VIOLENCE OF INDIA

2. LEGAL JURISDICTION

3. Attached is copy of letter of 30 January 1945 on this subject.

4. It is requested that appropriate action be taken in accordance with the suggestions made in the basic letter.

Colonel, * * *

WILLIAM L.

CONFIDENTIAL

333

1B

CONFIDENTIAL

SUBJECT: Theft and Violation of Mail.

APR, Mr. M. Schlesinger,
C.I.A.
3047/A.2
2 Jan '44.

The Deputy Resident,
Allied Control Commission.

1. The C in C is disturbed at the prevalence of thefts of mail, apparently by Italian civilians, especially at mail and post office railway sidings, where three notable cases have occurred during Jan '44.
2. Certain Italian civilians have been arrested in connection with these thefts. In consideration of the effect on the morale of the troops caused by failures in the delivery of mail, and also of the security aspect, I have to request that the serious view taken of these cases may be made known to heads of your officers who are responsible for dealing with such matters, as a guide to them in regard to the action to be taken.
3. It would be appreciated if instructions could be issued so that this ... is informed of the sentences passed on civilians who are convicted of thefts of this nature.

Ola /AB.

3337

