

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

ACC

10000/109/1646

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

10000/109/1646

CONTROL OF PROPERTY
FEB. - SEPT. 1944

10 2 3 3

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

CC/HDW/1a

HEADQUARTERS
ALLIED CONTROL COMMISSION
PROPERTY CONTROL SUB-COMMISSION
APO 394
Tel. 489081, Ext. 565

ACC/403/CP

8 September 1944

9 SEP Recd

Subject: Castello Oscano - Condition of Property.

To : RC & MG Section, ACC.

1. Transmitted herewith is a report on the above subject-property which was sent to this Headquarters by the Regional Controller of Property, Region IV.

2. It is believed that this report is pursuant to a request made by Colonel Norman E. Fiske, Deputy Executive Commissioner, ACC.

for *acting, Major, Spec Res.*

CHARLES CARROLL
Lt. Col., Ord. Dept
Acting Director

9/9/44

Copies of folios 54-57 have been made and given to Col. Fiske who will deal with the correspondence

W.D

Encl: Report on Castello Oscano.

611

57

ALLIED MILITARY GOVERNMENT
ADMINISTRATION OF ALLIED PROPERTY
PERUGIA PROVINCE

Perugia, September 1 st. 1944

TO

ALLIED CONTROL COMMISSION

35
R O M E

(R.C.& M.G. Section A P O 394)

Subject:- Castello Oscano - Condition of Property.

File N. (Case N.22)

- 1.- Replying to communication of 19 July 1944
(Ref. 342/35/CA) from Colonel Norman E. Hake,
Deputy Executive Commissioner.
- 2.- The Castello Oscano, belonging to Count Leonardo
di Vitetti was visited by me on August 16 th. 1944.
- 3.- Control Notices were placed on the door of the
main entrance to the Castle as well as on five
lessor doors and one on the door of the house
occupied by the caretaker.
- 4.- With the exception of slight damage to the top
of the round tower from shell fire the Castle is
undamaged. As a result of the blowing up of the
bridge in the Valley below the Castle, practically
all the windows were broken.
- 5.- Furniture.- During occupation by German troops
minor damage was caused to furniture and furni-
shings. Attached is a list of articles missing,
(Enclosure N.1) taken either by the German troops

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bridge in the Valley below the Castle, practically
all the windows were broken.
- 5.- Furniture.- During occupation by German troops
minor damage was caused to furniture and furni-
shings. Attached is a list of articles missing,-
(Enclosure N.1) taken either by the German troops
or by local peasants - value relatively unimportant.
Articles of value were removed by the owners to
Rome for safe keeping before occupation.
- 6.- After liberation Castle occupied by British troops,
no damage. Vacated but notice served to re-occupy.
(Copy enclosed, N.2). Control notices should prevent
this.

0233

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n. 2

7.- Servants.- The following servants are still in service and are in good health:

- 1) Armellini Lorenzo - Maitre de Chambre
- 2) Armellini Stella - Femme de Chambre
- 3) Polidori Ottavia - Cook-maid
- 4) Frigerio Giuseppe - Gardener
- 5) Anticaglia Evaristo - Hostler
- 6) Gobbi Domenico - Gardian.

Lester Maynard
Lester Maynard

Administrator of Allied Property
Perugia Province.

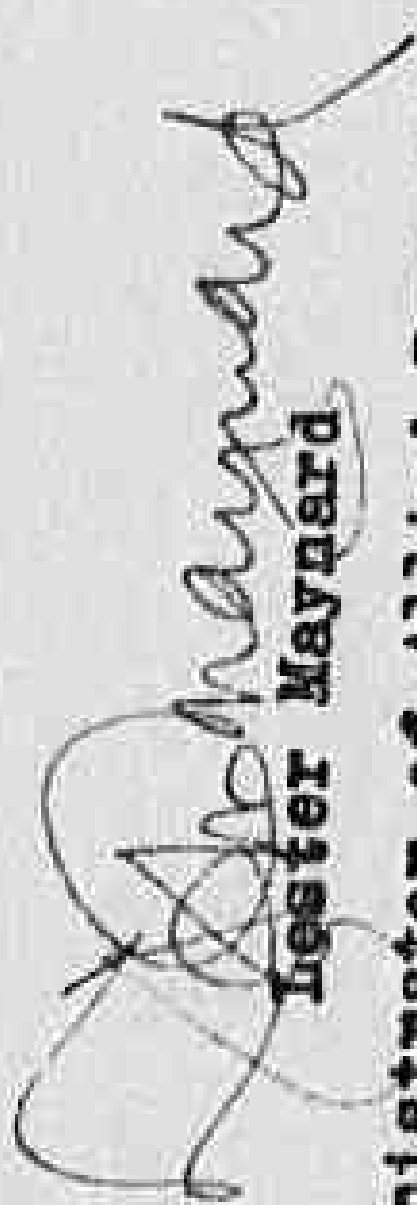
Encls. (2)

- 1.- Missing furniture
- 2.- British occupation Notice.

609

10237

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Lester Maynard
Administrator of Allied Property
Perugia Province.

Encls. (2)

- 1.- Missing furniture
- 2.- British occupation Notice.

609

ENCLOSURE N. 1

CASE N.22

MISSING ARTICLES OF FURNITURE AND FURNISHINGS.

- 7 woollen single place mattresses with a white lining,
- 1 woollen and horse-hair mattress, two places and white lining,
- 2 green silk curtains,
- 2 cinz flowered curtains,
- 1 blanket of the named cloth, one place,
- 2 raw hemp tents with flowers and oriental pictures,
- 4 cinz tents, blue background with pink flowers and green leaves,
- 4 gold coloured silk tents,
- 1 cotton blanket with drawings '800 style,
- 1 blanket (of different type),
- 1 "spaghetti" machine,
- 20 feather cushions for sofa and arm-chairs,
- 20 woollen cushions for bed,
- 1 linen-basket with various clothes,
- 1 hunting car with four wheels,
- 2 two wheels carts,
- 1 harness,
- 1 hand-cart with two wheels.

STAFF OF SERVANTS.

Armellini Loreno - Maître de Chambre
Armellini Stella - Femme de Chambre
Polidori Ottavia - Cook-maid
Frigerio Giuseppe - Gardener
Anticaglia Evaristo - Hostler
Gobbi Domenico - Gardian

0239

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

ENCLOSURE N.2

CASE N.22

To whom it may concern:

The Castello Oscano, near the Village of Cenerente, has been requisitioned by the 626 Fld.Sqn.RE of the VI^o Armoured Div. under Authority of the Town Major of Perugia number T.M.14/3/59. These premises have only been temporarily vacated, and are still (as serial n.3/59) under requisition by the above named Unit.

G.C.Byatt Sgt.R.E.
(fr.O.C. 626 Fld.Sqn.R.E.)

Le Castello Oscano, près du Village de Cenerente, a été requisitionné par le 626 Fld.Sqn.RE de la VI^{ième} Arm. Div. par autorité du Town Major de Pérouse TM/14/3/59. Ces lieux ont été évacués pour un temps limité, mais il sont toujours (comme numero serial 3/59) sous l'ordre de réquisition de la susdite Unité militaire Britannique.

G.C.Byatt Sgt. R.E.
(fr. O.C. 626 Fld. Sqn.R.E.)

0230

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NOTE

53 given to Maj
Richardson Trans. S/c.
It was a reply to
Sr 1 said that
the matter could be
handled as appropriate
to P.C. Viterbo.

L 9/5

606

10 2 4 7

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

MINISTERO DELLA CORPORAZIONI

Memorandum per

di

Il Ministro

0 2 4 2

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

52

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

Tel. 478701

20 August 1944.

Ref/542/50/CA.

SUBJECT:- Improper Disposal of Railway Property.

TO : Regional Commissioner, Region IV.

50951

1. Attached hereto are copies of letters which the Director of Military Railway Services has received from the Cape Compartments in respect of unauthorized removal of railway property.
2. General Orders 60 A.P.H.Q. 1943 series places disposal of all railway property in the hands of the Director General, Military Railway Services, and no such property, however damaged it may appear to be, shall be given to private people.

L

Norman H. Fiske,
Colonel,
Deputy Executive Commissioner.

Copy to:- Economic Section (for Tn. Sub-Com.)

see 53

605

PA

0 2 4 3

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51

COPY

MINISTRY OF COMMUNICATIONS
ITALIAN STATE RAILWAYS
COMPARTMENT CHIEF'S OFFICE

Rome, 14/8/1944.

TO: Command 704th R.G.D.

ROME.

No-6/CG/450.1/156.

On 1st of August '44 the chief of our Labour-Section, while passing GALLESE TEVERINA, saw a group of workmen near the maneuvering-handle of that station who removed from a wrecked car and load ed on two cars pulled by oxen, the carcasses of electric motors, pulleys, supports of cast-iron, motor-silencers and other iron articles.

After asking them, who had authorised to remove the above mentioned material, a man presented himself, qualifying himself as Evandro Pratesi (rich agricultural proprietor) and said, he had been authorised by an American officer and showed a note in the English language, that we have copies and annexed to this letter.-

We want you to know, that these materials come from the establishments of BOMPRINI & PARODI of Calleferro.-

We hope you will intervene, examine the possibility to avoid in future, that the materials lying in the orbit of railways be removed and given to privates, for their own use.

604

0244

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50

COPY

Soriano nel Cimino, 26th July 1944.

I hereby grant permission to Mr Evandro Pratesi to get ten hydraulic motors, burnt and left by the Germans, in locality near Gallesse Teverina and take by Gallesse to be used for agricultural purposes.

O.P. 120.
Captain, A.U.S.
Provincial Officer.

Soriano nel Cimino, 26 luglio '44.

Con la presente concedo al Sig. Evandro Pratesi il permesso di recuperare dieci motori idraulici, bruciati ed abbandonati dai tedeschi, nella località vicino a Gallesse Teverina e di portarli a Gallesse per essere usati a scopo agricolo.

P. to O.P. 120
Capitano delle Forze Armate An.
Ufficiale Provinciale.

603

0243

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

Subject: Bills.

Deputy Executive Commissioner,
H. Q. A.C.C. (R.O. & G. Section)
C.M.F.

342 QUARTERS
19 AUG 44
A C C

BILLS/A/1124

Civil Affairs
19 AUG Recd 794

With reference to your 342/34/CA dated 5 July 44 to R.O. Regional 3.
May I be informed if any decision has been arrived at.

No 8 Command Pay Office,
C.M.F.

10 August 44

1274
48
19/6

for Command Paymaster.
Central Mediterranean Force.

Chunnam
Major

602

10246

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

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

Phone
478808

48

REF : 342/48/CA

14 August 44

SUBJECT : Payment of Bills.

TO : No. 8 Command Paymaster CMF.

32
With reference to your Bills /A/1124 of 21 June 44 there is forwarded to you copy letter received from the Controller of Property dated 8 August 44. This letter gives you the information asked for.

JH

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

601

A/A

10247

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

R/4413

1st. Ind.

NCB/wv

Hq., REGION 3, (I.C., APO 394, U.S. Army, 11 August 1944.

TO: R.C. & M.G. Section
Hq., A.C.C.

32

14 AUG Recd

1. Attached please find report in response to attached letter from
Command Paymaster CMT.

For the Regional Commissioner:

W. C. Baker
WILL C. BAKER,
1st Lt., MC,
Adjutant.

RECEIVED
REGION 3
A.C.C.

PK 14/46

600

10 2 4

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

HQ. REGION 3 ACC.

6th LUG. 1944

Time in 1400
Despatched

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

4227
Control of Property

Ref/342/34/CA

5 July 1944

SUBJECT: Payment of Bills to Italians.

TO ✓: R.C. Region III

There is sent to you copy of a letter from Command Paymaster CMF dated 21 June 44. Please make enquiries and if possible say to whom the money can be paid and from whom a proper discharge can be obtained. If no responsible person can be found it is presumed the controller of property will hold the money for the firm.

Norman E. Fiske

NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

Copy to:

No. 8 Command Pay Office CMF (Your Bills/A/1124 of 21 June refers)

599

Att. Copies

0 2 4 9

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO. 394 U. S. ARMY

HQ. REGION 3 ACC.

10 10 1944

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notched

OFFICE OF CONTROLLER OF PROPERTY
122, VIA FRANCESCO CRISPI

NAPLES,

8 August 1944

Subject : Payment of bills to Italians
To : R.C.Region III

1. Letter 342/34/CA dated 5 July 1944 from the Deputy
Executive Commissioner addressed to you is Herewith returned
and also its enclosure .

2. The representatives of the Firm Costruzioni Industriale
Legno Affini of Castellamare have been contacted and the following
information has been obtained and confirmed in such respect as was
possible from the Tribunal records.-

3. The firm was constituted in 1942 and in December 1943 its
premises at Corso Vittorio Emanuele 260 were requisitioned by a South
African Engineering Unit.-

4. The partners appear to be:

Accomandatari-Garilli Mario and Brambati Carlo
Accomandanti -Bucci Amedeo, Ramella, Elisa, Olga, Malvini, Rosa,
and Brambati Carlo has authority to negotiate transations of the firm,
Brambati Carlo denies ever having been in favour of Fascism and that he
was arrested as an adherent but emphasises that he has suffered
account of being an opponent of Fascism.- 898

5. Amedeo Bucci resides at Via Materdei 2 Naples and Brambati
Carlo may be contacted at the garage "Italia" Parco Margherita which he
apparently owns.

./.

0250

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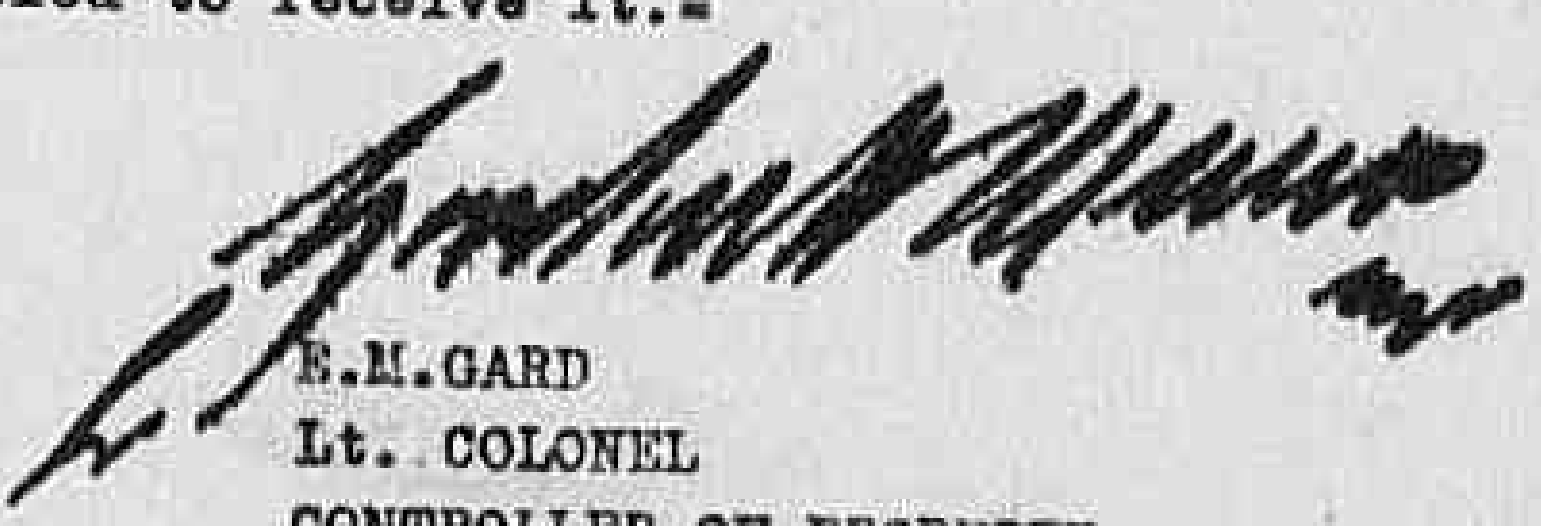
HEADQUARTERS
ALLIED CONTROL COMMISSION
APO. 394 U. S. ARMY

OFFICE OF CONTROLLER OF PROPERTY
122, VIA FRANCESCO CRISPI

continued

NAPLES,

There appears to this Office to be no reason why
the payment due should not be made direct to the representa-
tives of the Firm entitled to receive it.-


E.M. GARD
Lt. COLONEL
CONTROLLER OF PROPERTY
REGION III*

GHM/MS

0 2 5 1

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

Subject : Payment of Bills.

Bills/A/1124

Headquarters,
Allied Control Commission.
C.M.F.

The sum of 117450 lire is due to the firm of COSTRUZIONI INDUSTRIALI LEGNO AFFINI, Castellamare di Stabia, Corso Vittorio Emanuele 260, in respect of the supply of wooden floors.

The Cashier of that area reports that the firm is no longer functioning and the premises requisitioned by a South African Engineering Unit. The Director of the firm is believed to be under arrest.

In view of the above, will you kindly say what action you recommend, and whether you consider payment should be made.

No 8 Command Pay Office,
C.M.F.
21 June 44.

Colonel,
Command Paymaster.
Central Mediterranean Force.

597

10 2 5 2

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

ACC

AFSA SIGNED SIGNED
F 79633

AUG 6/1905

HEADQUARTERS
AUG 1914
A C C

49/06

REQUEST RECEIVED FROM NATURAL HISTORY MUSEUM LONDON THAT FULLEST POSSIBLE PROTECTION BE GIVEN TO IMPORTANT ETHNOLOGICAL COLLECTION HOUSED 44 VIA MASACCIO FLORENCE. HOUSE OWNED BY DR R VERITY. REQUEST ALL POSSIBLE ACTION BE TAKEN AND REPORT MADE HERE SOONEST AS TO STATE OF COLLECTION

AGC DIST
ACTION PROPERTY Control
AUG 1914 (2)

INFO A/CC
CA IN
FILE (2)
FLOAT

AUGUST 6/1905

0253

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

Col Slapp.

42.

I don't quite understand Col. Pallett's letter. This is the first I have heard of a Commission for the restoration of personal and property - Can you advise

1/8.

JK

Ring House

Rema

Col Upjohn has spoken with Capt Mansfield a Major Hunt of R D. The matter is to be allowed to die a Natural death. Action by the Committee would probably be illegal and is very much hampered with difficulties

-2451944
X-4669.

pa. 8
318.

for VP.

10 2 3 4

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

342
8
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0-1873

Q + TBW/H

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
ROME REGION
APO 394

R/2070

28 July 1944

3 1 11 Recd

SUBJECT: Commission for restoration of Personal and Real Property to
Persons Persecuted for Political and Racial Reasons

TO : Executive Commissioner - Headquarters, Allied Control Commission

1. I am inclosing, in translation, a copy of a letter received by me from the Committee of National Liberation concerning the Commission for the restoration of the use of personal and real property to persons persecuted for political and racial reasons.

2. The problem is a very serious one. This Headquarters is being pressed not only by the National Committee of Liberation but also by many citizens in Rome.

3. It would be appreciated if ACC will advise this Region how to amend or to recommend to this Region what action can be taken to solve an urgent and just request on the part of citizens persecuted by Fascism.

Charles Poletti
CHARLES POLETTI
Colonel
Regional Commissioner

INCL: 1

Letter from the Committee of National
Liberation - 21 July 1944

Lu 42

Wk

595pa

RS
A.C.C.
JUL 29 1944

40

Comitato di Liberazione Nazionale

21 July 1944

To: Col. Charles Poletti - Regional Commissioner - Rome

- 1) You have recently issued an order, whereby a special Commission is established with the purpose of examining and deciding quickly questions concerning the restoration of personal and ~~Real Estate~~ property to persons persecuted for political and racial motives by the fascists.
- 2) The publication of this order, which was issued with the purpose of effecting prompt justice on behalf of those who have been victims of the most hated persecution and who are still unable to re-enter into possession of their homes, offices and agencies from which they were thrown out after the 8th of September, has been received with full satisfaction by the population.
- 3) It is fully appreciated that the order does not affect any question of property rights: this would involve a great deal of red tape. Instead, this order in a very simple way gives assurance that justice will be done. Substantially, the order can be considered as a measure of public security intended to restore a situation which was arbitrarily changed under the German occupation.
- 4) Now the Commission has been set up and its members appointed, but to start its work, it is awaiting your approval of the administrative procedures laid down and already submitted for your approval by the above Commission.
- 5) Therefore the "Comitato di Liberazione Nazionale", interpreting the feelings of the population, ~~asks~~ you to give your approval at your earliest possible convenience, so that the Commission may start its work at once.

Signed for the

Comitato di Liberazione Nazionale

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

- 2) The publication of this order, which was issued with the purpose of effecting prompt justice on behalf of those who have been victims of the most hated persecution and who are still unable to re-enter into possession of their homes, offices and agencies from which they were thrown out after the 8th of September, has been received with full satisfaction by the population.
- 3) It is fully appreciated that the order does not affect any question of property rights: this would involve a great deal of red tape. Instead, this order in a very simple way gives assurance that justice will be done. Substantially, the order can be considered as a measure of public security intended to restore a situation which was arbitrarily changed under the German occupation.
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- 5) Therefore the "Comitato di Liberazione Nazionale", interpreting the feelings of the population, ~~begs~~ ^{asks} you to give your approval at your earliest possible convenience, so that the Commission may start its work at once.

Signed for the
Comitato di Liberazione Nazionale
Pietro Grifone

10 2 3 7

RESTRICTED *342*

filed

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
ROME REGION
APO 394

39
file
7

R/4042

26 July 1944

28 JUL Recd

SUBJECT: Property of Prince
Fabrizio Colonna at
Monte Mario.

TO : Col. Fiske,
Executive Officer.
H.Q. ACC. APO 394.

1. Colonel Fiske's secretary telephoned the under-
signed on 19 July 1944 stating that "Out of Bounds" signs
posted to protect the above property had been torn down
by Allied soldiers, quartered near by.

2. An investigation was made by Maj. Young, Civil
Affairs Officer.

38.

3. A copy of his report is enclosed herewith.

Maj. Caniffa to see
file 297

PA WC 29

Julius Byles
Julius Byles
Capt. FA.
Adjutant

RESTRICTED

0258

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

SMY/mb

38

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
ROME REGION
APO 394

24 JULY 1944.

SUBJECT: Property of Prince Fabrizio Colonna at
Monte Mario.

TO : Captain Julius Byles, Adjutant.

- 1) Directly following receipt of your memorandum I drove to the residence of Prince Fabrizio Colonna at Monte Mario.
- 2) Prince Colonna, who is seventeen years of age, was not home. I talked with De Santis Gina, an employee, and with another employee, and also with Vailati Aida, teacher, at the Prince's residence. They were markedly cordial and friendly.
- 3) There is no adjustment to be made. Evidently no damage has been done to the property other than a large urn was damaged by a truck. This they seemed to consider purely accidental and inconsequential.
- 4) They expressed warm feelings towards English and Americans.
- 5) I observed a sign that the property is under the protection of the Italian Government.
- 6) Will you kindly inform Colonel Fiske of the foregoing facts.

STEPHEN M. YOUNG
MAJOR A.U.S.
C.A.O.

0259

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

Folio 37

Transferred to File
593 Ca.

"Amendments to Instructions
for guidance of all officers"

[Signature] 30/8

591

10 2 6 6

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

342
18 JUL Recd ✓

36

HEADQUARTERS
ARMED CONTROL COMMISSION
AFC 394
ADMINISTRATIVE BROCHURE

1/19.P/AS.

SUBJECT : Executive Memorandum No. 15.

TO : RCMT Section.

18 Jul 64.

1 Further to our letter of 15 Jul. Exec. Memo. 15 has not yet appeared in its printed form. Will you please cause the following words to be added at the end of para 14c.

"These reports will not include operating statements, balance sheets or inventories".

2 Will you please also have this amendment published so that the stencil copy may be amended.

Ext. 1/19
SMW/gel

see 39

J. H. White Lt Col.

S. H. WHITE Lt Col,
for A/Rd. Adm. Sec.

Copy to Property Control Sub-Commission.

590

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

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

Phone 42065

Ref/342/35/CA

19 July 1944

Memo:

To : Regional Commissioner, Region IV

I shall be most grateful to you if you would ascertain for me the present condition of the property Castello Oscano belonging to Count Leonardo di Vitetti and located about five miles northwest of Perugia. Also news of the staff of servants.

NORMAN E. FISKE
Colonel
Deputy Executive Commissioner

389

0262

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

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

Ref/342/34/CA

5 July 1944

SUBJECT: Payment of Bills to Italians.

TO : R.C. Region III

There is sent to you copy of a letter from Command Paymaster C&P dated 21 June 44. Please make enquiries and if possible say to whom the money can be paid and from whom a proper discharge can be obtained. If no responsible person can be found it is proposed the controller of property will hold the money for the firm.

J.H.

NORMAN E. FINE
Colonel
Deputy Executive
Commissioner

Copy to:

No. 8 Command Pay Office C&P (Your Bills/A/1124 of 21 June refers)

588

see 49 11/17

10 2 6 3

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

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

CADW

33

RHW/pa

11 4213

4 June 44

TO : R.C. & E.G. Section.

The enclosed letter is being returned as this is not the type of matter in which the legal Sub-Commission has any jurisdiction whatever. It is entirely a matter for the military finance authorities to deal with.

Richard H. Willer

RICHARD H. WILLER,
Colonel, C.A.C.,
Acting Chief Legal Officer.

Sir
Enclosed me

301 Road to Regina III

known out 5/7

See 34

5/7

0264

Declassified E.O. 12356 Section 3.3/NND No. 785017Subject: Payment of Bills. *364*Headquarters,
Allied Control Commission,
C.C.F.

Blas/a/1174

Legal S.C.

4-3832 *32*

The bill of 117450 lire is due to the firm of COSTRUZIONI INDUSTRIALI BRONDO AFFINI, Castelluccio di Stabia, Corso Vittoria Emanuele 260,, in respect of the supply of wooden doors.

The Commander of that area reports that the firm is no longer functioning and the premises requisitioned by a South African Engineering Unit. The Director of the firm is alleged to be under arrest.

In view of the above, will you kindly say what action you recommend, and whether you consider payment should be made.

No. 8 Command Pay Office,

C.C.F. C.I. I.S. H.

21 June 44. *Legal matter*

A

P

L

see 48

Quintan
Colonel,
Command Paymaster.
Central Mediterranean Force.

10 2 6 5

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

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

31

Ref/342/31/GA

2 June 1944

SUBJECT: Executive Memorandum No. 15.

TO : Admin. Sect. (for Property Control
Sub-Commission.)

30

Reference your AGC/OSI/CP of 31 May,
attached are copies of Executive Memorandum
No. 15 forwarded as requested.

Major J. S. Reakes

NORMAN N. FISKE
Colonel
Deputy Executive
Commissioner

11

385

to 1000-40-1000
essentially the
will have to be
amended. I assume
you will keep copies
of all amendments. It
is some time back.

Li

Any further action

at 20

to see note

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

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31 MAG 1944

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CABr. 30

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HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
PROPERTY CONTROL SUB-COMMISSION
APO 354

ACC/021/CE

31 MAY 1944.

Subject: Executive Memorandum No. 15. 26

To : AC & MC Section, Main HQ, MCC.

1. This sub-Commission requests that 20 copies of subject memorandum be made available for it.

G. L. Hawell Capt.
for
C. R. S. HARRIS,
Lieut-Colonel,
Director of Property Control.

See 31

585

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
AFC 394

Ref/342/29/CA.

24 May 1944.

AMENDMENT No.1

to

INSTRUCTIONS FOR THE
GUIDANCE OF OFFICERS
OF THE ALLIED CONTROL
COMMISSION.

Pages 54-55.

PROPERTY CONTROL, Executive Memorandum No.30, Schedule "B".

(a) Para.9 (c) - Delete 'NNIC' and substitute 'ENIC'.

(b) Para.10 - Delete whole of 10 (a), (c) and (d)

Para. 10 (b) becomes 10 (a)

Add:

10 (b) Borrow or expend monies for the reparation of war damage, with the exception of minor repairs, not exceeding the cost of Lire 2000.

10 (c) Enter into any contract or execute a deed necessary for the exercise of any of the powers of the D.P.C., except for the purposes laid down in Executive Memorandum No.15, 22 May 1944.

JBR/RAC.

DISTRIBUTION:

R.Cs. Regions I, II, III, IV, V, VI, VII, VIII & IX.
SCAOs. 5th & 8th Armies.
Admin Section - For Property Control Sub-Commission.

NORMAN E. FISKE,
Colonel,
Deputy Executive
Commissioner.

10 2 6 8

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

Mayor Driffeld White
S. S.
Amendments should
I think, be numbered. **Yes**
Is this the form you want to
use (see A) or continue with
form at B.
3/10/68 ~~Harmon~~
Harmon

0239

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

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

May 1944.

Ref.

AMENDMENT No 1

to

INSTRUCTIONS FOR THE
GUIDANCE OF OFFICERS
OF THE ALLIED CONTROL
COMMISSION.

Pages 54-55.

1. Property Control (Ex. Memo. No 1, Schedule B.)

(a) Para 9 (c). Delete 'NNIC' substitute 'ENIC'.

(b) Para 10. Delete whole of 10 (a), (c) and (d)
10 (b) becomes 10 (a).

Add.

10 (b). Borrow or expend monies for
the reparation of war damage,
with the exception of minor
repairs, not exceeding the
cost of Lire 2000.

10 (c). Enter into any contract or
execute a deed necessary for
the exercise of any of the
powers of the DPC, except
for the purposes laid down
in Executive Memorandum No
15 of 22 May 44.

NORMAN E. FISKE
Colonel
Deputy Executive Commissioner

Handwritten notes:
If you approve this then
go out file 19/5
Get it done off
file 23/5

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

Ref/238/9/CA

10 May 1944

AMENDMENT TO EXECUTIVE MEMORANDUM)

NUMBER 56 dated 6 May 1944)

CONTROL OF EQUINE GLANDERS (Morva)

Schedule "B" Line 19.

Delete word "SIMPLY"

Insert word "SINGLY"

Line 19 then reads:-

"Animals under observation may be used SINGLY for normal work but will"

DISTRIBUTION:

Group 2 List	"A"
HQ. A.A.I.	(2)
No.1 Dist.	(2)
No.2 "	(2)
No.3 "	(2)
P.B.S.	(2)
I.B.S.	(2)
Econ. Sect.	(3)
Admin. Sect.	(3)

to Defford 6.1.44
for NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

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

Ref/342/21/CA

22 May 1944

EXECUTIVE MEMORANDUM)

NO. 337

15) Cancellation Executive Memorandum No. 15 of 14 February 1944 and Appendix "K" (Part IV)

INSTRUCTIONS TO REGIONAL CONTROLLERS OF PROPERTY

Part I - Duties

1. The Controller of Property will be responsible for the custody of:
 - a. Property of Allied Governments or Nationals.
 - b. Such property of the Italian State, including that of semi-statal institutions and the Fascist Party, as is not in the custody of some other branch of the Armed forces or AMG, or of the Italian officials responsible therefor.
 - c. Enemy State property not in the custody of some other branch of the Armed Forces or of a protecting power.
 - d. Such abandoned property or property belonging to absentee owners of whom no representative can be found in the occupied territory, as the Chief Commissioner or an officer empowered by him may direct.

For the purpose of a. above the term "Allied" will be deemed to include all the United Nations and France. With respect to c. above, the term "Enemy State property" includes all property owned, controlled or administered by any state at war with any of the United Nations, and also that of companies, institutions or bodies in control. Any such state has any substantial interest in the property.

2. He may also be required to take into his control, when directed to do so by the Chief Commissioner or an officer empowered by him:
- a. Any property the control of which is in the opinion of the Chief Commissioner or an officer empowered by him, essential to the need of the Allied Forces or inhabitants of the Occupied Territory.
 - b. The property of any person, company or institution whose activities are deemed by the Chief Commissioner or an officer empowered by him, to be prejudicial to the safety of the Allied Forces or to public order.

Part II - Powers

3. The Controller of Property will have the following powers with respect to any property taken under his control. These will be subject to the limitations

- a. Property of Allied Governments or Nationals.
- b. Such property of the Italian State, including that of semi-statal institutions and the Fascist Party, as is not in the custody of some other branch of the Armed Forces or AMG, or of the Italian officials responsible therefor.
- c. Enemy State property not in the custody of some other branch of the Armed Forces or of a protecting power.
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For the purpose of a. above the term "Allied" will be deemed to include all the United Nations and France. With respect to c. above, the term "Enemy State property" includes all property owned, controlled or administered by any state at war with any of the United Nations, and also that of companies, institutions or bodies in which any such state has any substantial interest or over which it exercises substantial control.

2. He may also be required to take into his control, when directed to do so by the Chief Commissioner or an officer empowered by him:

- a. Any property the control of which is in the opinion of the Chief Commissioner or an officer empowered by him, essential to the need of the Allied Forces or inhabitants of the Occupied Territory.
- b. The property of any person, company or institution whose activities are deemed by the Chief Commissioner or an officer empowered by him, to be prejudicial to the safety of the Allied Forces or to public order.

Part II - Powers

3. The Controller of Property will have the following powers with respect to any property taken under his control. These will be exercisable at his discretion subject to the limitations laid down in para 4 below:

- a. To sell any part of the property which consists of perishable goods, produce, growing crops, stock-in-trade or other movable property under his control, whose physical condition is from its nature likely to depreciate.
- b. To let property capable of being let.
- c. To pay any rates, taxes or other imposts due in respect of the property.
- d. To pay any mortgage interest or other charge accrued on the property.
- e. To pay any other sum necessary for the preservation of the property.
- f. To enter into any contract or execute any instrument necessary for the exercising of the foregoing powers.
- g. To carry on in person or by duly appointed agent any business or commercial undertaking.

2. To do all such things in relation to the property which he takes under his control as he could do if he held a general power of attorney from the owner.
1. With the consent of the Director of Property Control to make payments from time to time out of the assets under his control, to dependents of an absent owner for their maintenance and support.
4. The powers of the CP will be subject to the following limitations:
 - a. In all cases where it is necessary to raise money on the security of the property for its preservation or maintenance, he will before taking any action obtain the authority of the DPC. In the case of commercial enterprises no loans other than temporary advances contracted in normal ways of business shall be raised, nor shall any assets of the company be pledged without the consent of the DPC. Where it is necessary to enter into any contract, or to execute an instrument necessary for the exercise of any of his powers, other than for the purpose mentioned in para 3 above, authority of the DPC will first be obtained.
 - b. Where the expenditure required for repairs to any property exceeds the sum of Lire 20,000, the CP will, before entering into any contract or incurring any obligation, with respect to the case, submit an estimate to and obtain the approval of the DPC.
 - c. Where the income from a property is insufficient to meet the necessary expenses of maintenance, the CP will nevertheless authorize the advance of the sum necessary to pay such expenses, provided the operating net deficit of the property, plus the amount of the contemplated advance, does not exceed the value of the property established at the time of sequestration, or such lesser value as the CP believes to represent the realizable cash value of the property. If such operating net deficit plus the amount of the contemplated advance exceeds either of such values, or if the amount of the contemplated advance exceeds the sum of Lire 20,000, then before making such advance, the CP will obtain the authorization of the DPC.
 - d. Where in the opinion of the CP it is necessary to make repairs to prevent deterioration of a property damaged by military action, the CP will submit to the DPC for approval an estimate endorsed by the Genio Civile of the cost of such repairs. However, if the cost of such repairs does not exceed the sum of Lire 2,000, the CP upon obtaining the endorsement of the Genio Civile may upon his own initiative authorize such repairs to be made, in which case he will notify the DPC of his action.

Part III - Operations

- a. The task of the CP after the effective military occupation of an area will be:
 1. First, to locate and protect from damage, and their contents from looting (whether by civilians or by members of the Armed Forces), the more important properties referred to in para 1 a to c. He will arrange with SCAG:
 1. to have notices posted or signs erected stating that the premises in question are under the custody of the CP and that entrance by

for the purpose mentioned in para 3 above, authority of the DPC will first be obtained.

- c. Where the expenditure required for repairs to any property exceeds the sum of Lire 20,000, the CP will, before entering into any contract or incurring any obligation, with respect to the case, submit an estimate to and obtain the approval of the DPC.
- d. Where the income from a property is insufficient to meet the necessary expenses of maintenance, the CP will nevertheless authorize the advance of the sum necessary to pay such expenses, provided the operating net deficit of the property, plus the amount of the contemplated advance, does not exceed the value of the property established at the time of sequestration, or such lesser value as the CP believes to represent the realizable cash value of the property. If such operating net deficit plus the amount of the contemplated advance exceeds either of such values, or if the amount of the contemplated advance exceeds the sum of Lire 20,000, then before making such advance, the CP will obtain the authorization of the DPC.
- e. Where in the opinion of the CP it is necessary to make repairs to prevent deterioration of a property damaged by military action, the CP will submit to the DPC for approval an estimate endorsed by the Genio Civile of the cost of such repairs. However, if the cost of such repairs does not exceed the sum of Lire 2,000, the CP upon obtaining the endorsement of the Genio Civile may upon his own initiative authorize such repairs to be made, in which case he will notify the DPC of his action.

Part III - Operations

- a. The task of the CP after the effective military occupation of an area will be:
 - a. First, to locate and protect from damage, and their contents from looting (whether by civilians or by members of the Armed Forces), the more important properties referred to in para 1 a to c. He will arrange:
 - i. to have notices posted or signs erected stating that the premises in question are under the custody of the AMG and that entrance by unauthorized persons is forbidden.
 - ii. to request military or police guards to be posted to protect them.
 - b. Secondly, to obtain from the appropriate authorities a complete list of Allied properties in the district, with description of the same, and send this to,
 - i. the DPC.
 - ii. AD Claims and Hirings (see para (b)(v) below) and/or to the Real Estate Section of the Corps of Engineers, U.S. Army.

6. The CP will proceed to take formal custody of the properties specified in para 1 above, in accordance with the following directives.

3.

7. ALLIED PROPERTY

- a. 1 Under Italian war legislation a special department of the Ministry of Finance called "BEFEL" (Ente di Gestione e Inquadratura Immobiliare) was established to deal with real properties belonging to enemy nationals. This Department appointed as sequestrators for the same principal mortgage loan institutions (Istituto di Credito Fondiario) in the region in which the property was situated, e.g. the Banco di Sicilia for Sicily and the Banco di Napoli for southern Italy.
- On taking custody of properties the CP will normally, unless either the owner or his agent or representative legally authorized to manage the property is available, instruct these institutions to continue to manage them on his behalf. Before doing so the CP will satisfy himself that the institution has been acting in a trustworthy manner. If he has reason to be dissatisfied with their conduct he will report to the DPC, recommending the appointment of some other person or institution to manage the properties.
- ii If an agent or representative legally authorized to manage the property is available, the management thereof should, unless there are special reasons to the contrary, be entrusted to him after written verification of his authority by the Legal Officer.
- iii If the owner is available the CP should, unless there are special reasons to the contrary, place him in possession of his property after verification of his title by the Legal Officer, and a verbale di consegna should be executed by arrangement with the prefet and the Intendente di Finanza.
- iv Where an agent or representative so authorized is entrusted with management, or the owner himself is placed in possession, the CP shall
- Place in the file respecting such property a copy of the opinion of the Legal Officer verifying such authority or title,
 - notify the DPC that the property has been turned over to the owner, or a representative of the owner,
 - close the file with respect to such property.
- v Where the property of an Allied national or company has been let or sublet, it will be the duty of the CP to satisfy himself that the terms of any lease or sublease granted by the sequestrator are reasonable, and take such steps as are in his power to ensure that the terms of the lease or sublease are being duly carried out, and that the rents are paid as and when they become due. If in his opinion the said terms are inequitable the CP may, with the consent of the DPC, terminate the lease or sublease. On the expiry of such lease or sublease, the CP will make arrangements either for its renewal or for the granting of a new lease or sublease. Such renewals or new leases shall not, except with the consent of the DPC, exceed the term of one year.
- vi Where the property of an Allied national or company consists of mortgage, the CP will take custody of the mortgage deed and take such action as may be appropriate to ensure that the terms of the said contract are carried out, both as to the payment of the interest and the repayment of the principal sum. The CP may however make arrangements

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- will report to the DFC, recommending the appointment of some other person or institution to manage the properties.
- ii If an agent or representative legally authorized to manage the property is available, the management thereof should, unless there are special reasons to the contrary, be entrusted to him after written verification of his authority by the Legal Officer.
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 - b) notify the DFC that the property has been turned over to the owner, or a representative of the owner,
 - c) close the file with respect to such property.
- v Where the property of an Allied national or company has been let or sublet, it will be the duty of the CP to satisfy himself that the terms of any lease or sublease granted by the sequestrator are reasonable, and take such steps as are in his power to ensure that the terms of the lease or sublease are being duly carried out, and that the rents are paid as and when they become due. If in his opinion the said terms are inequitable the CP may, with the consent of the DFC, terminate the lease or sublease. On the expiry of such lease or sublease, the CP will make arrangements either for its renewal or for the granting of a new lease or sublease. Such renewals or new leases shall not, except with the consent of the DFC, exceed the term of one year.
- vi Where the property of an Allied national or company consists of mortgage, the CP will take custody of the mortgage deed and take such action as may be appropriate to ensure that the terms of the said contract are carried out, both as to the payment of the interest and the repayment of the principal sum. The CP may however make arrangements for the renewal of the same for a period not exceeding one year at any one time.
- vii On taking custody of any property the CP will make full note of its condition and prepare a detailed inventory of its contents, unless an inventory has been taken by the sequestrator. If such an inventory is in existence he will check it and agree a list of shortages with the sequestrator, from whom he will obtain a copy of the original inventory. The CP will obtain from the sequestrator a financial statement as at the date of the taking of custody.
- viii All expenses for management and maintenance of Allied property taken into custody by the CP will be charged against the estates in question. The CP will not employ AMG funds for this purpose unless expressly authorized to do so by the CPO.

4. In all cases where real property, including any property is taken into custody, the appropriate Ufficio del Registro should be informed and required to record the fact in his register.

b. Property requisitioned by the Armed Forces.

The following procedure has been laid down in respect of requisitioning and payments for property belonging to Allied Nationals in British Military Areas:

i. Requisition forms will be served by the Hiring Officer either on the local authorities (comune) or on the Italian Military Authority "Comdo Militare". Hiring Officer will inform the Comando Genio Militare of particulars of premises requisitioned, and the latter will be responsible for seeing that payments are made through the Banca d'Italia.

ii. Where the owner or occupier of requisitioned property is a national of the United Nations, the Hiring Officer will see that a correct schedule of condition is prepared by the Comando Genio Militare, and that a fair rental is agreed and paid promptly. Schedules of condition and hiring agreement will be prepared by the Comando Genio Militare and submitted for approval to the Hiring Officer.

iii. Payments will be made by the Italian authorities to CP, or where the property has been handed over to him, to the owner or his legal representative.

iv. On de-requisitioning, the Hiring Officer will ensure that delayations are properly assessed and compensation paid.

v. The CP will, at the earliest opportunity, furnish AD Claims and Hirings with a list of properties belonging to Nationals of the United Nations, and AD Hirings will in person inform the CP of the requisitioning or the de-requisitioning of such properties.

vi. The procedure outlined in i and ii above will also be applied in the case of properties belonging to friendly neutral states. AD Claims and Hirings will inform the CP of any such property requisitioned, and the CP will, if the owner or legal representative is absent, apply to the Italian Courts for the appointment of a curator for the same, and inform the AD Claims and Hirings of the name and address of the person appointed.

vii. Procedure in US Military areas follows in general arrangements specified in i above. CPs should make themselves acquainted with the provisions in AFHQ Administrative Memoranda No's 85 and 95.

g. Chattels. The CP will take formal custody of chattels belonging to an Allied National or company, and will satisfy himself that the arrangements for their custody are satisfactory.

ii Where the owner or occupier of requisitioned property is a national of the United Nations, the Hirings Officer will see that a correct schedule of condition is prepared by the Comando Genio Militare, and that a fair rental is agreed and paid promptly. Schedules of condition and hiring agreement will be prepared by the Comando Genio Militare and submitted for approval to the Hirings Officer.

iii Payments will be made by the Italian authorities to CP, or where the property has been handed over to him, to the owner or his legal representative.

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g. Chattels. The CP will take formal custody of chattels belonging to an Allied National or company, and will satisfy himself that the arrangements for their custody are adequate, and if not, make such arrangements, e.g., in the safe deposit of a bank, warehouse, etc.

d. Bank Balances, etc. The CP will take custody of all Bank Balances and negotiable instruments, etc., belonging to an Allied National or Company, lying in the Banks in his district. He will transfer them to his account, where they will be kept in the name of the CP for account of the owner, and where appropriate place on time deposit for such period as may seem desirable a similar procedure will be followed with respect to Postal and Savings Bank deposits. Where any such balances etc., have been transferred by the order of the Italian Government to a central institution (e.g., Banco d'Italia or Istituto Cambi), the CP will forward to DCP a list of the items so transferred, showing:

- (i) The name and where possible the address of the owner.
- (ii) The name and branch of the transferring bank.
- (iii) The date of sequestration.
- (iv) The name and address of the institution to which transferred, and
- (v) The date of transfer.

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5.

B. Securities

The CP will take custody of all securities belonging to Allied nationals or companies lying in banks and financial institutions. He will transfer any such securities as may be found elsewhere to a reliable bank. Securities will be held in the name of the CP for the account of the owner, and banks will be instructed to collect and pay into the appropriate account any sums in respect of dividends, sinking fund payments, etc. which may accrue or have accrued, where they will be held, where suitable, on fixed deposit. Where securities belonging to Allied nationals have been transferred by order of the Italian Government to a central institution, the CP will forward a schedule of securities so transferred, with details similar to those laid down in section (i) to (v) of the previous paragraph, to DEC.

2. Commercial and Industrial Undertakings.

- i The sequestration of industrial and commercial concerns and businesses was entrusted by the Italian Government to the Ministry of Corporations, who appointed individual sequestrators for each business. These sequestrators were frequently high ranking Fascist Party officials, who assumed the functions of the Board of Directors, leaving the actual conduct of the business to a manager. The CP, unless there are strong reasons to the contrary, will despatch with the services of the sequestrators and will normally retain the existing management, provided he is satisfied as to its trustworthiness and efficiency. If he is not so satisfied, he will appoint a suitable person or persons to manage the business on his behalf.
- ii On taking formal custody of an industrial or commercial business the CP will, as regards a record of condition, the preparation of inventories, etc., follow the procedure laid down in para 7 (a) (vii). He will also cause a balance sheet to be prepared, showing the financial position of the undertaking on the date of taking custody, and will submit to the DEC monthly an income and expenditure account, and such other records as may from time to time be required by the DEC. All surplus funds not required for the day to day operations of the undertaking will be paid into the CP's account.
- iii Where any Allied business or company has been put into liquidation and the liquidation has not been completed, the CP will report the facts to the DEC, together with his recommendation as to whether the liquidation should be allowed to proceed or whether the business should be re-started.
- iv Where in addition to being sequestrated, the assets of the Allied business or company have also been expropriated by the Italian Government and handed over to an Italian undertaking, the CP will report to the DEC, who will issue instructions as to the action to be taken.
- v Where any industrial or commercial concern operates in more than

3. Commercial and Industrial Undertakings.

- i The sequestration of industrial and commercial concerns and businesses was entrusted by the Italian Government to the Ministry of Corporations, who appointed individual sequestrators for each business. These sequestrators were frequently high ranking Fascist Party officials, who assumed the functions of the Board of Directors, leaving the actual conduct of the business to a manager. The CP, unless there are strong reasons to the contrary, will despoise with the services of the sequestrators and will normally retain the existing management, provided he is satisfied as to its trustworthiness and efficiency. If he is not so satisfied, he will appoint a suitable person or persons to manage the business on his behalf.
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- iii Where any Allied business or company has been put into liquidation and the liquidation has not been completed, the CP will report the facts to the DPC, together with his recommendation as to whether the liquidation should be allowed to proceed or whether the business should be re-started.
- iv Where in addition to being sequestrated, the assets of the Allied business or company have also been expropriated by the Italian Government and handed over to an Italian undertaking, the CP will report to the DPC, who will issue instructions as to the action to be taken.
- v Where any industrial or commercial concern operates in more than one region, all decisions on policy will be referred to the DPC, who may delegate to one of the Regional CPs the responsibility for the supervision of its operation.

6. ENEMY PROPERTY

a. Property of Enemy States

Except where such property has been placed under the protection of a protective power, the representative of which is in a position to exercise effective control (e.g., Embassies, Legations, Consulates, etc.) the CP will, unless otherwise instructed, be responsible for the custody of all property in occupied territory belonging to enemy states, not occupied by AMG or any other branch of the Armed Forces.

6.

b. Property of Enemy Nationals

Under international law an occupying power has no right to seize or sequester private property belonging to enemy nationals merely on the grounds of enemy ownership. Such property may however be seized or requisitioned if it is needed for military purposes, and it may be taken into custody for the reasons laid down in para 2 (a) and (b) above. The following rules will therefore be observed:

1. Real and Movable Property

Owners or their representatives will be left in possession unless otherwise directed under para 2 (b) above. When neither the owner nor a representative appointed by him is present, the property will be treated as "abandoned". (see para 11 below).

11. Commercial and Industrial Firms, etc.

Where owners or their representatives are present, they will be permitted to carry on the business, unless otherwise directed under para 2 (a) or (b) above. When neither owners nor their representatives are present the concern will be treated as "abandoned". (see para 11 below).

The above procedure will be followed also in the case of Italian registered companies in which enemy states or nationals have a controlling interest, except that in the case of branches or agencies of firms whose main offices are situated in enemy occupied Italian territory, CP will arrange with RUC to instruct the Prefect to appoint a Commissario Speciale, in accordance with Article 2 of the Royal Decree Law of 15 November 1943, No. 8/13, which has been made operative in occupied territory by order of the Executive Commissioner dated 8 April 1944.

The CP will at the earliest opportunity forward to the IIC and the FSS a list of all property belonging to enemy nationals.

9. ITALIAN STATE PROPERTY.

a. Property of the Italian State.

In general, all such property of the Italian state as is not already in the custody of AMG or of some other branch of the Armed Forces will be looked after by the appropriate Italian officials, the major portion of whom are expected to remain at their posts. There will therefore be no necessity for the CP to take formal custody. Instructions should however be given to Italian officials at the earliest opportunity to check inventories and establish lists of shortages, dilapidations, etc. Cases may occasionally arise, e.g., state premises previously occupied by the Armed Forces and subsequently evacuated by them, where the CP will have to make arrangements for their temporary custody. Liaison should be maintained for this purpose with Real Estate Branch of the U.S. Corps of Engineers.

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In general, all such property of the Italian state as is not already in the custody of AMG or of some other branch of the Armed Forces will be looked after by the appropriate Italian officials, the major portion of whom are expected to remain at their posts. There will therefore be no necessity for the CP to take formal custody. Instructions should however be given to Italian officials at the earliest opportunity to check inventories and establish lists of shortages, dilapidations, etc. Cases may occasionally arise, e.g., state premises previously occupied by the Armed Forces and subsequently evacuated by them, where the CP will have to make arrangements for their temporary custody. Liaison should be maintained for this purpose with Real Estate Branch of the U.S. Corps of Engineers and/or AD Claims and Hearings. The CP should obtain from Hearings Officer (British) and/or Real Estate Branch U.S. Corps of Engineers, a list of all government premises occupied by them, together with a record of dates of occupation and evacuation.

b. Property of the Fascist Party.

Subject to the qualifications contained in Article 5 of proclamation No. 7 the property of the Fascist Party will be treated as property of the Italian States (see (a) above), but as occasions may arise when all responsible party officials may have run away, the duty of looking after Fascist Party property may fall in some instances on the CP, who will, when so directed by the Chief Commissioner or officer empowered by him, take such steps as he deems necessary to secure the protection of such buildings and their contents as are not occupied by AMG or the Armed Forces, in the absence of any authorized officials of the Italian Government.

7.

10. MUNICIPAL PROPERTY.

Municipal property is regarded as private property under international law, and as municipalities, being bodies corporate, will not be dissolved; municipal property will be treated as private property whose owner is present. The CP therefore will not be responsible for taking it into custody unless specially directed to do so by the Chief Commissioner or an officer empowered by him.

11. ABANDONED PROPERTY

The CP will take abandoned property into his custody only in exceptional circumstances. Whenever practicable he will arrange with the Regional Legal Officer for the appointment by the Italian courts of a curator for such property, in accordance with the instructions contained in the Legal Sub-Commission's letter of 16 March 1944 (ref. JCC/4064).

12. PRIVATE INDUSTRIAL AND COMMERCIAL UNDERTAKINGS.

- a. Where private industrial or commercial undertakings are operated under the control of the CP in accordance with para 2(a) and (b) above, the procedure laid down in para 7 (a) (vii) above will be observed.
- b. If the property in question has been previously operated by any branch of the Armed Forces, the co-operation of the operating unit should be obtained in the preparation of inventories, with a view to establishing a list of any plant, machinery, etc. which may have been removed by them.

13. AGENTS AND MANAGERS.

Agents and managers appointed by the CP will not, unless authorized in writing to do so:

- a. Dispose of or contract a charge upon land.
- b. Alter the object or legal form of an undertaking.
- c. Dispose of or liquidate any undertaking.
- d. Dispose of any capital assets except in the ordinary course of business.
- e. Contract new leases.

14. REPORTS AND RETURNS.

The CPs will render to DFC, through the appropriate channels, the following returns:

- a. Lists by nationalities of all United Nations properties in their Regions, together with a brief description, location, name and address of the owner, former sequestrator and present occupier, of each property.
- b. Lists by nationalities of all enemy property in their Regions, together with a brief description, location, name and address of owner, tenant or manager.
- c. Initial reports on each commercial or industrial concern contained in

578

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- d. Dispose of any capital assets except in the ordinary course of business.
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578

The CPs will render to DEC, through the appropriate channels, the following returns:

- a. Lists by nationalities of all United Nations properties in their Regions, together with a brief description, location, name and address of the owner, former sequestrator and present occupier, of each property.
- b. Lists by nationalities of all enemy property in their Regions, together with a brief description, location, name and address of owner, tenant or manager.
- c. Initial reports on each commercial or industrial concern contained in a and b above.
- d. Monthly returns showing any changes in the disposition of properties mentioned in a and b above.
- e. Copies of Declarations of Custody.
- f. Monthly reports on the activities of CPs, to reach DEC not later than the fifth day of the succeeding month.
- g. Monthly income and expenditure or operating statements for each industrial and commercial concern under their control.
- h. Quarterly income and expenditure statements for all real properties under their control (except those of insignificant value which have been left to the custody of the owners' relatives).

15. DUTIES AND PROCEDURE ON RESTORATION OF TERRITORY TO ITALIAN GOVERNMENT.

The following are the chief modifications in the duties and powers of Regional Controllers of Property on the transfer of territory to the Italian Government:

1. Allied property.

Duties and powers of Regional CIs remain unchanged. CP will retain the custody all United Nations and French Property already taken over, and will continue to take into custody such property as still remains outside his control. The Italian Government has issued a decree law abrogating the application of the provisions of the War Law of 1938 to the property of states or nationals of the United Nations and France. They have also issued instructions to all Prefects and Intendenti di Finanza, ordering them formally to re-consign such property to the owner if present and available, or in his absence to the DFC or an officer delegated by him by special mandate in his capacity as representative of absent owners. These formalities are required to regularize under Italian law the custody of Allied property by AOC, and CP will arrange for their implementation with the officials concerned.

11. Italian Property

GP will cease to be responsible for the custody of property belonging to the Italian Government (including that of the Fascist party), to semi-statal institutions, or to Italian nationals. Such property in his custody at the date of transfer of territory will be handed back to the Italian authorities.

iii. Neutral Property

CE will cease to be responsible for the custody of property belonging to nationals of neutral states, for which in the normal course of events 'curatori' should have been appointed by the Italian courts, as laid down in para 8 above. If any such property still remains in his custody at the date of the transfer of territory, he will arrange for the appointment of a 'curatori' for the same.

AT. Entity Property.

CP's duties with respect to enemy property cease: to be executive, and he will therefore no longer be responsible for the custody of such property. If any property belonging to enemy nationals is in his custody at the date of transfer of territory he will report the same to DFC, who will make arrangements with the Italian Government for its disposal.

By Command of Lieut. General MASON MACGILLIVRAY,

M.S. LUSH
Brigadier
Executive Commissioner

(This Executive Memorandum cancels Executive Memorandum No. 15 dated 1 March 1944 and Appendix "K" part IV of the Instructions for the Guidance of officers of the Commission)

DISTRIBUTION:

To: Regions I, II, III, IV, V, VI, VII

CP will cease to be responsible for the custody of property belonging to the Italian Government (including that of the Fascist party), to semi-statal institutions, or to Italian nationals. Such property in his custody at the date of transfer of territory will be handed back to the Italian authorities.

iii. Neutral Property

CP will cease to be responsible for the custody of property belonging to nationals of neutral states, for which in the normal course of events 'curatori' should have been appointed by the Italian courts, as laid down in para 6 above. If any such property still remains in his custody at the date of the transfer of territory, he will arrange for the appointment of a 'curatori' for the same.

iv. Enemy Property.

CP's duties with respect to enemy property cease: to be executive, and he will therefore no longer be responsible for the custody of such property. If any property belonging to enemy nationals is in his custody at the date of transfer of territory he will report the same to DPC, who will make arrangements with the Italian Government for its disposal.

By Command of Lieut. General MASON MACFARLANE:

M S Lush

M.S. LUSH

Brigadier

Executive Commissioner

(This Executive Memorandum cancels Executive Memorandum No. 15 dated 1 March 1944 and Appendix "K" part IV of the Instructions for the Guidance of officers of the Commission)

DISTRIBUTION:

TO: Regions I, II, III, IV, V, VI, VII, VIII and IX.
S.C.A.O.'s 5th and 8th Armies.

10 2 8 7

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

Col Shipp.

This Memo No 15 consolidates and replaces the old Ex Memo 15 dated 14 Feb 44 and Appx. K of the Instructions recently published. I have checked it and it is in order. Please get the Ex Comr. to sign. After publication today I shall get on with the printing and necessary amendments to the Instructions.

23 May 44.

J. H. May.

577

Declassified E.O. 12356 Section 3.3/NND No. 785017Major D. W.

Ref. Folio 20 of the Admin Section
wish to issue a new Ex. Memo. 15 to replace
the one published - They wish to call it
Ex memo 15 (1st Revision).

They also wish to issue amendments
to Sec 15 of Ex memo 30.

I have read the new memo & proposed
amendments which are in order. I don't know
if you approve of this form of cancelling but
I think it is quite good and if you approve
shall get them set up in type.

I have made an addition (see top of folio 18)

J.R. 17.5.44.

Major Reuben

You please have 3 copies made

Use the usual form of Exec. Memo.
and have notice of cancellation put at
end.

When putting up for printing note if
any other Exec Memo as now printed
in the book is affected.

576

W. 17/5

0289

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

16 MAY Recd *C.A. Bu. 7244*
U 1546 20

HEAD HEADQUARTERS
 ALLIED CONTROL COMMISSION
 APO 394
 ADMINISTRATIVE SECTION

ACC/012/CP

13 May 44

SUBJECT : Instructions to Regional Property Controllers.

TO : RC & MG Section. *10-18*

1 Herewith marked A are "Instructions to Regional Controllers of Property" which it is desired should be published as an Executive Memorandum.

- a It is requested that it should be published as EM 15 - (1st Revision).
- b It replaces both the present EM 15 and Gen Admin Instruction No 10 which appears in the Handbook as Appx K and contains new matter which did not appear in either.
- c If desired a paragraph may be added to the order cancelling EM 15 and Appx K but it is thought that this instruction is best conveyed by the covering letter when the new EM is distributed. *Covering letter*
- d It is presumed that an amendment slip will be issued to give instructions for the removal of certain pages of the Handbook and the insertion of the new pages. *Yes*

2 Herewith marked B are new paras 9 and 10 of Sch B of EM 30 which it is requested should be issued in substitution of the existing paras so numbered.

R.R. CHIPPS.
 Lieut. Colonel,
 for VP Admin Section.



10293

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

2
B19

PROPERTY CONTROL

9. The following will be treated as matters of policy, and no action will be taken in the Regions except in accordance with instructions from ACC HQ.

(a) Classes of property to be taken into custody, (e.g., U.S. British, Greek, French, etc., Italian Government, Fascist Party, "Parastatal", etc.).

(b) Methods of disposal, recording and accounting for properties taken into custody, e.g., bank balances, Fascist funds, real estate, etc.

(c) Industrial concerns (whether Allied or otherwise) whose activities extend beyond a single Region (e.g., AIF, EIC, etc.).

10. The Regional Controller of Property (CP) shall have delegated to him all general powers of the Director of Property Control (DPC) with respect to properties in his Region, except that he shall not without the authority of the DPC: -

del (b) (a) In the case of commercial enterprises, etc., (i) contract any loans (other than temporary advances obtained in the normal way of business, (ii) pledge any of the assets of the company or concern, (iii) close down any business in his custody;

(b) borrow or expend monies for the reparation of war damage, with the exception of minor repairs not exceeding the cost of lire 2,000;

(c) Enter into any contract or execute a deed necessary for the exercise of any of the powers of the DPC, except for the purposes laid down in Executive Memorandum No. 15 of 22 May 44.

if then in the D.C. allotted as requested

delete para 10(a)
from 10(b) because 10(a)
add to (c) 574

10291

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

29 APR Recd

CONFIDENTIAL

342 I

CAB

13

S-2004

REAR HEADQUARTERS
 ALLIED CONTROL COMMISSION
 PROPERTY CONTROL SUB-COMMISSION
 APC 394

AGC/010.4/GP.

27 April 1944.

It was a great pleasure to attend your conference yesterday, and I am very happy that you should take such an interest in Property Control.

There is one point in connection with your arrangements on which I should like to get your agreement.

Brig. Dunlop has agreed that in view of the concentration of Allied property in the city of Rome and its immediate environs, there will be no need for him at the present stage to have a property control officer on the R. staff of Region IV. It may however be found when we get to Rome that there is a certain amount of Allied property in Region IV territory which will have to be looked after.

Since the Italian sequestering authority in charge of the property when we occupy will be either the Istituto di Credito Fondiario of Rome, or the Rome office of the Banca Nazionale del Lavoro, it appears to be logical that the property controller of Rome City should look after it. May I assume that you would have no objection to the PC officers under your command proceeding as and when required to Region IV territory to take care of such property?

I do not anticipate that the amount of such property will be great, but if it should prove to be of considerable volume, I will either make other arrangements or provide additional staff for the purpose.

I have been looking into the question of PC staff for Rome.

You have at present at your disposal Major P.D. Shriver O-520149 (A) and Major V.A. Ciannelli (B) from Region IV, and Capt. P.H. Vincent 99644V (B) (temporarily assigned to the Food Sub-Commission) will be available in about a week's time.

573

I have also made arrangements with Brig. Ingh for the following officers to be posted to you when the time comes;

Major R. L. Bennett 31529 (B))
 Major E. W. Hamilton 16564 (B)) from Region III
 2/Lt. Ira L. Manek 01309582 (A) from Region V.

Perhaps you would be as good as to inform EC & MG Section when you wish them alerted.

Major Reader
 to see - per 1/11
 P.H. P.T.O. 1/5

0292

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

- 2 -

At a later stage I hope to be able to make available and move officers who are at present in Region I, but this will not be for some weeks time, pending the recovery from a serious accident of one of the TC officers in that region.

C. R. S. HARRIS,
Lieut-Colonel,
Director of Property Control.

Brig.Gen. R. E. Buss, G.S.C.
HQ MG 5 Army (C.A.S.)
CASERTA.

Copies to:

Brig. J. K. Darlop, HQAD Region IV.
RC & MG Section, Main HQ ACC.

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & H.G. Section
APO 394

Ref/342/15/CA.

EXECUTIVE MEMORANDUM)

NUMBER 52)

TO: R.C.'s Regions III, IV, V, VIII and IX.
S.C.A.O.'s 5th and 8th Armies.

19 April 1944.

PROPERTY OF ENEMY NATIONALS ETC.

1. Under international law an occupying power has no right to seize or sequester private property belonging to enemy nationals merely on the grounds of enemy ownership. It is of course permitted to seize or requisition such property if it is needed by the Armed Forces, and under Article IV of Proclamation No.6, control may be taken of such property if it is :

- (a) being used or there are grounds for supposing that it will be used for subversive purposes, or
- (b) essential to the economic needs of the occupied territory, or
- (c) abandoned.

2. The following rules will therefore be observed with regard to the private property of German and other enemy nationals :

- (i) Real and Movable Property. This may be requisitioned if needed for military purposes, but if not so needed, owners where present will be left in undisturbed possession, unless this is considered undesirable for security reasons. If the owner is absent, the property will be left in charge of his legal representative if present, provided that there are no security reasons to the contrary. Where neither the owner nor his legal representative are present, the property will be treated as "abandoned", and application will be made to the President of the local Tribunale for the appointment of a curatore, in accordance with the procedure laid down by the Italian Civil Code (see Executive Memorandum No.15, Directive on Property Control, para.2).

- (ii) Commercial and Industrial Concerns. If the owner is present, or has left behind him in his absence a duly appointed legal representative, these will be permitted to carry on the business, subject to security considerations, unless it is decided to take control of the concern on the grounds indicated in para.1 (b).

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- (ii) Commercial and Industrial Concerns. If the owner is present, or has left behind him in his absence a duly appointed legal representative, these will be permitted to carry on the business, subject to security considerations, unless it is decided to take control of the concern on the grounds indicated in para. 1 (b) above.

Where neither owner nor legal representative are present, you will instruct the Prefect to appoint a commissario speciale by decree. Similar rules will apply in the case of Italian -registered companies whose shares are enemy owned. Where a duly appointed legal representative of the shareholders is present, he will be allowed to carry on the business. If none such are to be found a commissario speciale will be appointed.

3. You will compile and submit to this H.Q. at the earliest opportunity a list by nationalities of all properties belonging to the class specified in para. 2 (i) and (ii) above. Copies of this list will be transmitted to local representatives of CIC and FSS.


 M.S. LUSH,
 Brigadier,
 Executive Commissioner.

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

Lt Col Shappi.

(1)

Is not competent to comment on this.
 As we mine?

Capt Talbot (2)

S. 15/4.

This has not yet been cleared with legal who
 * should be asked to comment before submission to EC

(3)

S. 16/4

Lt Col Shappi.

Spoke Col Cruppi. This has been conducted
 like a legal (13) Public Supply (2) Political
 Section (1) Italian Finance Ministry. Negoti-
 ations have taken some weeks.

? mine.

* Queried on a matter of principle S. 17/4

(4)

Yes S. 17/4

(5)

C.I.L.

Issue 9 pl.

S. 18/4.

571

0-290

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

342
13 APR Recd TH 12 APR 1944

466770
10
23

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
ADMINISTRATIVE SECTION
AFC 394

ACC/038/CP.

12 April 1944.

Subject: Treatment of Enemy Property (Private)
in occupied territory.

To : RC & MG Section.

1. Herewith directive on the treatment of private Enemy property
in occupied territory.

2. I should be grateful if you would issue it to the appropriate
authorities.

C. S. M.

H. W. L. L. L.

Lieut-Colonel,
for Vice President,
Administrative Section.

1 Encl: Copy of Directive.

Subject: Property of Enemy Nationals, etc.

To : Regional Commissioners, Regions III, IV, V, VIII and IX.
SCAGS 5th Army and 8th Army.

1. Under international law an occupying power has no right to seize or sequester private property belonging to enemy nationals merely on the grounds of enemy ownership. It is of course permitted to seize or requisition such property if it is needed by the Armed Forces, and under Article IV of Proclamation No. 6, control may be taken of such property if it is (a) being used or there are grounds for supposing that it will be used for subversive purposes, or (b) essential to the economic needs of the occupied territory, or (c) abandoned.

2. The following rules will therefore be observed with regard to the private property of German and other enemy nationals:

(i) Real and Movable property. This may be requisitioned if needed for military purposes, but if not so needed, owners where present will be left in undisturbed possession, unless this is considered undesirable for security reasons. If the owner is absent, the property will be left in charge of his legal representative if present, provided that there are no security reasons to the contrary. Where neither the owner nor his legal representative are present, the property will be treated as "abandoned", and application will be made to the President of the local Tribunale for the appointment of a curatore, in accordance with the procedure laid down by the Italian Civil Code (see Executive Memorandum No. 15... Directive on Property Control, para 11).

of such property if it is (a) being used or there are grounds for supposing that it will be used for subversive purposes, or (b) essential to the economic needs of the occupied territory, or (c) abandoned.

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(ii) Commercial and Industrial Concerns. If the owner is present, or has left behind him in his absence a duly appointed legal representative, these will be permitted to carry on the business, subject to security considerations, unless it is decided to take control of the concern on the grounds indicated in para 1 (b) above.

P.T.O.

10 2 9 9

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

- 2 -

Where neither owner nor legal representative are present, you will instruct the prefect to appoint a commissario speciale by decree. Similar rules will apply in the case of Italian-registered companies whose shares are enemy owned. Where a duly appointed legal representative of the shareholders is present, he will be allowed to carry on the business. If none such are to be found a commissario speciale will be appointed.

3. You will compile and submit to this HQ at the earliest opportunity a list by nationalities of all properties belonging to the class specified in para 2 (i) and (ii) above. Copies of this list will be transmitted to local representatives of CIC and FSB.

Brigadier,
Executive Commissioner.

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

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

Ref/342/B/CA

BT/mrd
15 March 1944

SUBJECT: Arrangements for Property Control
in 8th Army Area

TO : A.M.G., HQ., 8th Army Main

1. The Controller of Property, Region V, has been made responsible for all property control arrangements within your area.

2. He has been instructed to work in consultation and by agreement with you.

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

Copy to:

Region V
V.P., Adm. Sect.

568

Declassified E.O. 12356 Section 3.3/NND No. 785017Major Driffel, White 342 ~~11~~

We make.

Herein the 'new Testament' as provided to young

people will be written like included in the new

printed canon.

Revised Standard Bible
1910.Put no
Property file

CAB Hanni 1961.

P.C.

Should this go on in the booklet

in conjunction with Exec. Memo No 15 & 30.

11/17
1967

10 3 0 2

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

42
3 MAR 1944

6

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

ACC/6062/CP

1 Mar 44

Subject: Arrangements for Property Control in VIII Army Area.
To : RCMG Sec. HQ ACC APO 394. ✓

5-4

1. Enclosed for your information is a copy of a report of a tour in 8th Army Area by the former CO of AMG 15 A Gp. The DPC approves the recommendations made at the foot of the report and I concur.
2. May the necessary instructions to AMG 8th Army and Region 5 please be issued and a copy supplied for our files.

[Signature]

STANSGATE
for VP Adm Sec.

*Spoke with C. Cripps and suggested
C. Cripps submit draft to the
DPC for speed. Pa. unacted.*

566

21 7/3 Pa

0303

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

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
PROPERTY CONTROL SUB-COMMISSION
APO 394

ACC/6062/CP.

3 MAR
29 February 1944.

Subject: Arrangements for Property Control in VIII Army Area.

To : *RCMG Sec. HQ ACAC APC 394*
Vice President, Administrative Section.

1. The recommendations made in the attached report by Major Shriver, who was PC AMG 15 Army Group, appear to be eminently practical, and I approve them.
2. It does not appear from my file that any action has yet been taken.
3. I should be grateful if you would request RC & MG Section to issue the necessary instructions to RCC Region V and SCAG 8th Army.
4. Draft letter attached.

Ch S Harris

C. R. S. HARRIS,
Lieut-Colonel,
Director of Property Control.

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ITALIAN HEADQUARTERS
ALLIED MILITARY GOVERNMENT.

Subject: - Field Trip on Property Control.

To: - C.A.A.O.

From 4 Dec 43, through 7 Dec 43, the undersigned made a field trip for the purpose of determining whether there are Allied or enemy properties in the area covered required attention, and also to discuss methods for protecting Allied properties with S.C.A.O.s and C.A.A.s. The route covered included Corigliola, Poggia, S.C.A.O. Eighth Army Hq., Caspobasso and Vasto. Inquiry was made at Poggia concerning a paper mill owned by a part-Italian corporation, at the request of Captain Batt. This trip was in the nature of a survey to determine :-

- (a) whether it is essential to have a Controller of Property assigned to A.A.C. Eighth Army Hq.
- (b) whether the proposed plan for protecting Allied property through assistance by S.C.A.O.s and C.A.A.s until C.A. are in a position to function is sound.

The following conditions were found to exist :-

- (a) No large Allied interests were discovered in the territory covered but there are numerous small holdings, largely owned by American citizens and consisting mostly of farm properties. For example, in the Province of Caspobasso there are approximately 15 such properties which have been sequestered by the Italian Government, and for which there has been no accounting since sequestrators were appointed.

- (b) C.A.A.s have inquiries made of them concerning Fascist and other properties which they are unable to answer at the present. For example there was some furniture stored at Corigliola which had been owned by a Fascist organization. The C.A.A.O. desired to make this available for an enlisted men's club. He was advised to do so, have the property inventoried, and arrange with the Podesta to make it available since it is property of the Italian Government. In Vasto the S.C.A.O. has been requested to protect property owned by one of our nationals. He recommended that the tenant put up a sign pointing out the fact.

- (c) Host officers contacted agreed with the method suggested by this Headquarters for emergency control and stated that it would not create an undue burden. Group Captain Benson stated that if the plan were followed as outlined, his Headquarters would provide for distributing the required forms and notices.

It is concluded that :-

- (a) It is not necessary to provide a Controller of Property at Eighth Army Headquarters A.M.G., but that the same arrangements should be made as that involving S.C.A.O.s and C.A.A.s whereby they attend

564
which applies?

and state by S.C.A.O.s and C.A.O.s until C.A.O. are in a position to function is sound.

The following conditions were found to exist :-

- (a) No large Allied interests were discovered in the territory covered but there are numerous small holdings, largely owned by American citizens and consisting mostly of farm properties. For example, in the Province of Caspobasso there are approximately 15 such properties which have been sequestered by the Italian Government, and for which there has been no accounting since sequestrators were appointed.
- (b) C.A.O.s have inquiries made of them concerning Fascist and other properties which they are unable to answer at the moment. For example there was some furniture stored at Pergola which had been owned by a Fascist organization. The C.A.O. desired to make this available for an enlisted men's club. He was advised to do so, when the property inventoried, and arrange with the Podesta to make it available since it is property of the Italian Government. In Vasto the S.C.A.O. has been requested to protect property owned by one of our nationals. He recommended that the count put up a sign pointing out the fact.
- (c) Most officers contacted agreed with the method suggested by this Headquarters for emergency control and stated that it would not ^{be a system?} create an undue burden. Group Captain Benson stated that if the plan were followed as outlined, his Headquarters could provide for distributing the required forms and notions.
It is concluded that :-
- (a) It is not necessary to provide a Controller of Property at Eighth Army Headquarters A.G., but that the same arrangements should be made as that involving S.C.A.O.s and C.A.O.s whereby C.A.O.s attached to Regions shall be allowed to do preliminary survey work in Eighth Army Area, by agreement with Group Captain Benson, in preparation for the time when Eighth Army rear area moves forward and the Region taken control.
- (b) That the C.A.O. this Headquarters should be directed to have printed notices to be made available to S.C.A.O.s and C.A.O.s through Group Captain Benson, together with the required information and forms as recommended in the proposed plan under date of 21 Nov 43.

What plan?

8 December 43.

W.D. BENTON, Major, A.D.C.
Controller of Property.

10306

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

HEADQUARTERS
ALLIED GROUND COMMISSION
R.C. & M.C. Section
APO 324

Ref/312/5/CA

25 February 1944.

SUBJECT: Notices to be posted by Controller of Property
TO : Vice-President, Administrative Section

1. With reference to your 6038/CZ of 22 February, will you please inform the Controller of Property that he is authorized to post the attached notice bearing the Chief Commissioner's name on premises in Italy and Sicily belonging to Nationals of the United Nations and French Nationals in his custody.

ROBERT E. PETER,
Colonel, Cavalry,
Deputy Executive
Commissioner.

Copies to: Region I, II, III

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

3A

REPORT PROPERTY OF AREA CONTROLLED BY RESERVE CONTROLLING UNIT
UNDER CONTROL OF CONTROL UNIT.

IT IS THE POLICY OF THE AREA CONTROLLED BY RESERVE CONTROLLING UNIT
TO MAINTAIN CONTROL OF ALL PROPERTY AND TO MAINTAIN REGULAR
PROPERTY RECORDS.

Regional Property
Control Officer.

Per ordine del
Comandante Generale MAJOR VACARIANE,
Chief of the Commission Allied di
Controllo

ALLEGATO

THIS PROPERTY IS IN THE CUSTODY OF THE COMMANDER OF THE RESERVE CONTROL
OF THE ALLIED CONTROL COMMISSION.

PROPERTY IS MAINTAINED IN ALL RECORDS, TO THE BEST OF HIS KNOWLEDGE.
PROPERTY OFFICER OF THE COMMISSION OF PROPERTY CONTROL, ON HIS SOLE
RESPONSIBILITY AND AUTHORITY.

Regional Property
Control Officer.

By order of
Lieut. General MAJOR VACARIANE
Chief Commr. Gen.,
Allied Control Commission.

0308

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

25 FEB Recd

343 C.A.B. 1465 2

V-214

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
ADMINISTRATIVE SECTION
APO 394

6038/CP.

22 February 1944

Subject: Notices to be posted by Controller of Property.

To : KC and MD Section, HQ. ACC. APO 394.

1. The Director of Property Control desires authorization of the Chief Commissioner to post the attached notice bearing the Chief Commissioner's name on premises belonging to Nationals of the United Nations and French Nationals in his custody, in order to prevent the intrusion of unauthorized persons.

R. R. Griffe

R. R. GRIFFE,
Lieut-Colonel,
For Vice President, Administrative Section.

1 Encl: Notice in English and Italian.

See 3

I don't believe the C.P. has the right to
have custody of any property in Italian
occupied territories. S. 25/2 561

Since writing the above I have telephoned Mr.
Griffe who says he has no objection.
but that Sub Com. the proposed notice is
in order. S. 25/2

AVVISO

QUESTA PROPRIETA' E' NELLA CUSTODIA DEL DIRETTORE CONTROLLO
BENI DELLA COMMISSIONE DI CONTROLLO ALLEATA.

E VIETATO L'INGRESSO A TUTTI, MILITARI O BORGHESI, SENZA
L'AUTORIZZAZIONE DEL DIRETTORE CONTROLLO BENI O DEL SUO
RAPPRESENTANTE REGOLARMENTE AUTORIZZATO.

Per ordine del

Ufficiale Regionale
Controllo Beni.

Tenente Generale MASON MACFARLANE,
Capo della Commissione Alleata di
Controllo.

N O T I C E

THIS PROPERTY IS IN THE CUSTODY OF THE DIRECTOR OF PROPERTY
CONTROL OF THE ALLIED CONTROL COMMISSION.

ENTRY IS FORBIDDEN TO ALL PERSONS, MILITARY OR CIVILIAN,
WITHOUT AUTHORITY OF THE DIRECTOR OF PROPERTY CONTROL OR HIS
DULY AUTHORIZED REPRESENTATIVE.

By order of

Regional Property
Control Officer.

Lieut-General MASON MACFARLANE,
Chief Commissioner,
Allied Control Commission.

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510 pms

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

14 February 1944.

EXECUTIVE MEMORANDUM

NUMBER 15

TO : Regional Commissioners,
Regions I, II, VI.

DETERMINATIONS TO CONTROLLERS OF PROPERTY
IN REGIONS TRANSFERRED TO THE ITALIAN
GOVERNMENT.

*For actual
for the
for the*

1. General.

The following are the chief modifications in the functions and powers of the Controllers of Property on the change over from A.M.G. to A.C.C.

(1) Allied Property.

The functions and powers of the Regional Controllers of Property and their assistants (hereinafter referred to as Controllers of Property (C.P.)) with regard to Allied Property remain unchanged. The Italian Government will publish Decrees laying down the functions and powers of the Director of Property Control, (formerly Controller of Property; hereinafter referred to as DPC) in respect of Property belonging to Governments or Nationals of the United Nations, and ordering all Italian Officials, if they have not already done so, to hand over such Property on demand. C.P. will remain in custody all United Nations Property already taken over, and will continue to take over such Property as yet remains outside their control.

(2) Other Property.

The C.P.'s will cease to be responsible for the custody of any property belonging to the Italian Government (including that of the Fascist Party) or auxiliary institutions, or for property of Italian Nationals or neutrals, or for the property of Enemy States and Nationals. Any of the foregoing property in his custody on the day appointed for the change over will be handed over to the appropriate Italian officials in accordance with the procedure laid down in paragraph 10 below, except such property as has been

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1. General.

The following are the chief modifications in the functions and powers of the Controllers of Property on the change over from A.M.C. to A.C.C.

(i) Allied Property.

The functions and powers of the Regional Controllers of Property and their assistants (hereinafter referred to as Controllers of Property (C.P.)) with regard to Allied Property remain unchanged. The Italian Government will publish Decrees laying down the functions and powers of the Director of Property Control, (formerly Controller of Property; hereinafter referred to as DPC) in respect of Property belonging to Governments or Nationals of the United Nations, and ordering all Italian officials, if they have not already done so, to hand over such property on demand. C.P.'s will retain in custody all United Nations property already taken over, and will continue to take over such property as yet remains outside their control.

(ii) Other Property.

The C.P.'s will cease to be responsible for the custody of any property belonging to the Italian Government (including that of the Fascist Party) or semi-statal institutions, or for property of Italian Nationals or neutrals, or for the property of Enemy States and Nationals. Any of the foregoing property in his custody on the day appointed for the change over will be handed over to the appropriate Italian officials in accordance with the procedure laid down in paragraph 10 below, except such property as has been made available to the Allied Nations by the Italian Government under the terms of the Armistice. The C.P.'s will retain custody of any such property as the Commission may direct.

(iii) Enemy Property.

The C.P.'s functions in respect of enemy property will cease to be of an executive character. He will no longer be responsible for the custody of such property (with the exception mentioned in the previous paragraph). His duty will be to supervise the carrying out by local officials of the Italian Government's legislation concerning the treatment of Enemy Property.

- 2 -

2. Options.

(i) Each C.F. subject to any further directives from the D.P.C. will take custody or give directions as to the custody of the following classes of property.

- (a) Property in his Region or area belonging to any of the United Nations or Nationals thereof, including French property whether sequestered by the Italian Government or not.
- (b) Any property which the D.P.C. orders him to take under his control, including in particular but without prejudice to the generality of the foregoing, property supplied or made available to the United Nations by the Italian Government.

(ii) Supervise the execution by Italian Government officials of the request by the D.P.C. concerning the custody of :-

- (a) Property in Italian territory belonging to any state against which any of the United Nations is at war, and not in the custody or occupation of the Allied Armed Forces, including the property of corporations, companies, associations or institutions in which any such state has any substantial interest, or over which it exercises a substantial control.

- (b) Private property in Italian territory belonging to nationals of states, other than Italy, at war with any of the United Nations.

3. Powers and Overtures.

(i) Each C.F. will have the following powers exercisable at his discretion subject to the limitations laid down in (ii), (iii), and (iv) below.

- (a) To sell any part of the property which consists of perishable goods, produce, growing crops, stock-in-trade, furniture or other movable property under his control whose physical condition is from its nature likely to depreciate.
- (b) If the property is capable of being let, to let it.
- (c) To pay any rates, taxes, or other imposts due in respect of the property.
- (d) To pay any mortgage interest or other payments accrued on the property.

(ii) Supervise the execution by Italian Government officials of the request by the D.P.C. concerning the custody of :-

- (a) Property in Italian territory belonging to any state against which any of the United Nations is at war, and not in the custody or occupation of the Allied Armed Forces, including the property of corporations, companies, associations or institutions in which any such state has any substantial interest, or over which it exercises a substantial control.
- (b) Private property in Italian territory belonging to nationals of states, other than Italy, at war with any of the United Nations.

3.

Powers and Overtures.

- (1) Each C.E. will have the following powers exercisable at his discretion subject to the limitations laid down in (ii), (iii), and (iv) below.
 - (a) To sell any part of the property which consists of perishable goods, produce, growing crops, stock-in-trade, furniture or other movable property under his control whose physical condition is from its nature likely to depreciate.
 - (b) If the property is capable of being let, to let it.
 - (c) To pay any interest, taxes, or other imposts due in respect of the property.
 - (d) To pay any mortgage interest or other payments accrued on the property.
 - (e) To pay any other sums necessary for the preservation of the property.
 - (f) To raise on the security of the property any sums required for its preservation after obtaining the permission of the Italian Courts provided that specific authorization from the D.P.C. is secured as stated in (ii) below.
 - (g) To enter into any contract or legal deed necessary for the exercising of the foregoing powers.
 - (h) If the property consists of a business or commercial undertaking to carry it on or make arrangements for other

- 3 -

- (i) To do all things in relation to the property which he takes under his control as he would do if he held a general power of attorney from the owner.
- (j) With the consent of the D.P.C. to make payments from time to time out of the assets under his control to dependents of an absent owner for their maintenance and support.
- (ii) In all cases where it is necessary to raise money on the security of the property for its preservation or maintenance, he will, before taking any action, seek the authority of the D.P.C. In the case of commercial enterprises, he loans other than temporary advances, contracted in normal ways of business shall be raised, nor shall any of the assets of the company be pledged without the consent of the D.P.C.
- (iii) Where it is necessary to enter into any legal contract, or to execute a deed necessary for the exercise of any of his powers, other than for the purposes mentioned in (a) to (j) above, the authority of the D.P.C. will be obtained.
- (iv) If the property consists of a business which is solvent he will, subject to the provisions laid down in para. 4 (vii) below, continue the existing management if he is satisfied as to its honesty and efficiency; or make, if not so satisfied, arrangements for some other person or persons to carry it on. If the business is insolvent, he will obtain the authority of the D.P.C. to close it down.

4. Allied Property.

Each C.P. will retain custody over all United Nations and French property already taken over by C.P. A.M.G., together with all records and documents pertaining to the same, and will re-use the local representatives of the Italian Government to hand over to his custody any such property as has not already been handed over to C.P. A.M.G., together with such books, records, accounts, etc. as the D.P.C. may direct.

(1) Real Property.

The C.P. will examine the accounts and records concerning all Allied properties in his Region, whether sequestered by the Italian Government or not. If in his opinion the sequester appointed by the Italian Government, or other person having the control, possession or custody of the property, has exercised his powers of trusteeship and administration efficiently and trustworthily, the C.P. will normally appoint him as his agent to manage the property. If, however, there is a duly appointed local representative of the owner present, whether the property has been sequestered or not, the management of the property should be entrusted to him, should there be no special reasons to the

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(iii) Where it is necessary to enter into any legal contract, or to execute a deed necessary for the exercise of any of his powers, other than for the purposes mentioned in (a) to (j) above, the authority of the D.P.C. will be obtained.

(iv) If the property consists of a business which is solvent he will, subject to the provisions laid down in para. 4 (vii) below, continue the existing management if he is satisfied as to its honesty and efficiency; or make, if not so satisfied, arrangements for some other person or persons to carry it on. If the business is insolvent, he will obtain the authority of the D.P.C. to close it down.

4. Allied Property.

Each C.P. will retain custody over all United Nations and French property already taken over by C.P. A.M.G., together with all records and documents pertaining to the same, and will request the local representatives of the Italian Government to hand over to his custody any such property as has not already been handed over to C.P. A.M.G., together with such books, records, accounts, etc. as the D.P.C. may direct.

(i) Real Property.

The C.P. will examine the accounts and records concerning all Allied properties in his Region, whether sequestered by the Italian Government or not. If in his opinion the sequester appointed by the Italian Government, or other person having the control, possession or custody of the property, has exercised his powers of trusteeship or administration efficiently and trustworthily, the C.P. will normally appoint him as his agent to manage the property. If, however, there is a duly appointed legal representative of the owner present, whether the property has been sequestered or not, the management of the property should be entrusted to him, should there be no special reasons to the contrary. Where the C.P. is not satisfied with the conduct of the previous sequester, it will be his duty to recommend to the D.P.C. the appointment of another person as manager, who will act as the agent of the D.P.C.

In cases where the owner of the property is resident in his Region the C.P. will, unless there are special reasons to the contrary, restore the property to the owner, subject to verification of title.

The C.P. will be responsible for seeing that the managers or agents appointed by him or by the D.P.C. do not :-

- (a) Dispose of or contract a charge upon land.
- (b) Alter the object or legal form of the undertaking.

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- (c) Dispose of or liquidate any undertaking.
- (d) Dispose of any capital assets except in the ordinary course of business.
- (e) Contract new leases.
- (f) Enter into any contracts binding for any period exceeding one year, without the special authorization of the D.P.C.

(ii) Joint Estates.

In cases where the joint interest in any estate is owned by a national (or company) of the United Nations or France and has been sequestered by the Italian Government, the C.P., after examining the accounts and records relating to same, shall, if he is satisfied with the existing administration of the estate, permit the same to continue. He will require the said administration to render periodical accounts relative to the property in question, and pay over to the account of the C.P. the proportion of the net income due to the Allied owner.

Where the C.P. is not satisfied that the joint estate is being honestly and efficiently administered, he will report the facts to the D.P.C., who shall have power to apply to the Italian Courts to appoint a new administrator agreeable to them.

(iii) Property which has been leased.

Where the property of an national (or company) of the United Nations or France has been let or underlet, it shall be the duty of the C.P. to satisfy himself that the terms of any lease or sub-lease granted by the sequesteror or other administrator are reasonable, and take such steps as are in his power to ensure that the terms of the lease or sub-lease are being duly carried out, and that the rents accruing therefrom are regularly paid into the account of the owner. If in his opinion the said terms are inequitable, the C.P. will, with the consent of the D.P.C., apply to the Italian Court for a termination of the lease or sub-lease, and any compensation due to the lessee or sub-lessee shall be payable by the Italian Government. On the expiry of such lease or sub-lease, the C.P. will make arrangements either for its renewal, or for the granting of a new lease or sub-lease. Such renewals or new leases shall not exceed the term of one year, except with the consent of the D.P.C.

(iv) Rent Charges a Canon.

When the property of any national (or company) of the United Nations or France consists of a rent charge or canon, the C.P. will take appropriate action to ensure regular payment. The C.P. will be empowered with the consent of the D.P.C. to initiate a suit in the Italian Courts

sequestered by the Italian Government, the C.F., after examining the accounts and records relating to same, shall, if he is satisfied with the existing administration of the estate, permit the same to continue. He will require the said administration to render periodical accounts relative to the property in question, and pay over to the account of the C.F. the proportion of the net income due to the Allied owner.

Where the C.F. is not satisfied that the joint estate is being honestly and efficiently administered, he will report the facts to the D.F.C., who shall have power to apply to the Italian Courts to appoint a new administrator agreeable to them.

(iii) Property which has been leased.

Where the property of an national (or company) of the United Nations or France has been let or underlet, it shall be the duty of the C.F. to satisfy himself that the terms of any lease or sub-lease granted by the sequesterator or other administrator are reasonable, and take such steps as are in his power to ensure that the terms of the lease or sub-lease are being duly carried out, and that the rents accruing therefrom are regularly paid into the account of the owner. If in his opinion the said terms are inequitable, the C.F. will, with the consent of the D.F.C., apply to the Italian Court for a termination of the lease or sub-lease, and any compensation due to the lessee or sub-lessee shall be payable by the Italian Government. On the expiry of such lease or sub-lease, the C.F. will make arrangements either for its renewal, or for the granting of a new lease or sub-lease. Such renewals or new leases shall not exceed the term of one year, except with the consent of the D.F.C.

(iv) Rent Charges a Canon

When the property of any national (or company) of the United Nations or France consists of a rent charge or canon, the C.F. will take appropriate action to ensure regular payment. The C.F. will be empowered with the consent of the D.F.C. to initiate a suit in the Italian Courts in the name of the owner for any payments due.

(v) Mortgages and Other Liens.

Where the property of an Allied national or company consists of a mortgage on property, the C.F. will take custody of the mortgage deed, and take appropriate action to ensure that the terms of the said contract are duly carried out, both as to the payment of interest and the repayment of the principal sum. The C.F. may, however, with the consent of the D.F.C., make arrangements for the renewal of the same.

(vi) Personal Property.

(a) Chattels.

In the case of chattels belonging to nationals (or companies) of the United Nations or France, etc., the ~~same~~ ^{same} ~~will~~ ^{will} be ~~in~~ ⁱⁿ custody of the Italian Government or not, the D.P.C. will take formal custody of the same, and will satisfy himself that the arrangements for their safe custody are adequate, and if not, make arrangements for their safe custody in the safe deposit of a bank, warehouse, etc.

The C.P. shall have power, where no funds are available for the custody of chattels, at his discretion to apply to the Italian Courts for permission to sell a portion of the same or to raise a loan for this purpose on the security of the goods in question, with the consent of the D.P.C.

(b) Bank Balances.

The C.P. will retain custody of all bank balances, Post Office Savings deposits and negotiable instruments, etc. belonging to nationals (or companies) of the United Nations or of France lying in the banks in his district, which have not been taken over by the C.P. AMB. Where such balances have not been taken over, he will take them into custody, and transfer them to his account, where they will be kept in the name of the C.P. for account of the owner, and placed on fixed deposit.

(c) Securities.

The C.P. will retain in his custody such securities belonging to United Nations or France, nationals (or companies) as have been taken over by C.P. AMB. Where any such securities lying in the banks or elsewhere in his Region have not been taken into custody, he will take them into custody and, unless otherwise directed by the D.P.C., will hold them in the local banks for account of the owner. He will likewise take custody of and hold any sums in respect of interest, sinking fund etc., accruing since the date of sequestration, and direct the banks to collect and pay into his account all dividend coupons, payments in respect of sinking fund, etc. These sums will be held on fixed deposit.

Securities which have been transferred to central institutions, such as the Istituto Cassi or Banca d'Italia, will be dealt with only on instructions from the D.P.C. The C.P. will forward to the D.P.C. a schedule of securities so transferred, if this has not already been done by C.P. AMB.

(vii) Commercial and Industrial Undertakings.

(a) Sequestrated but not liquidated.

(b) Bank Balances.

The C.F. will retain custody of all bank balances, Post Office Savings deposits and negotiable instruments, etc. belonging to nationals (or companies) of the United Nations or of France lying in the banks in his district, which have not been taken over by the C.F. AMG. Where such balances have not been taken over, he will take them into custody, and transfer them to his account, where they will be kept in the name of the C.F. for account of the owner, and placed on fixed deposit.

(c) Securities.

The C.F. will retain in his custody such securities belonging to United Nations or France, nationals (or companies) as have been taken over by C.F. AMG. Where any such securities lying in the banks or elsewhere in his Region have not been taken into custody, he will take them into custody and, unless otherwise directed by the D.F.C., will hold them in the local banks for account of the owner. He will likewise take custody of and hold any sums in respect of interest, sinking fund etc., accruing since the date of sequestration, and direct the banks to collect and pay into his account all dividend coupons, payments in respect of sinking fund, etc. These sums will be held on fixed deposit.

Securities which have been transferred to central institutions, such as the Istituto Cambi or Banca d'Italia, will be dealt with only on instructions from the D.F.C. The C.F. will forward to the D.F.C. a schedule of securities so transferred, if this has not already been done by C.F. AMG.

(vii) Commercial and Industrial Undertakings.

(a) Sequestrated but not Expropriated

The C.F. will retain custody and control of the assets of all industrial and commercial undertakings belonging to Allied nationals or companies of which C.F. AMG. has taken custody or control.

Where custody has not yet been taken, he will request the appropriate Italian officials in his district to transfer such properties into his custody, together with such records, accounts, and other documents pertaining to the same as the D.F.C. may direct. Copies of the Declarations of Custody, together with a report stating the nature of the business, its financial condition, prospects, etc., will be forwarded to the D.F.C. If he is satisfied that the conduct of the business by the management appointed under the sequestration procedure is efficient, he will report to this effect to the D.F.C., recommending that the business be carried on under the existing management subject to this control. When he is not so

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satisfied, he will recommend the D.P.C. to appoint a ~~new manager~~, indicating where possible a suitable person or persons. If the business be small and of no particular significance for the Allied war effort, he will himself appoint such a manager.

The C.P. will require the management of the concern to render periodically such returns and accounts as the D.P.C. may determine, and require all surplus funds to be transferred to the C.P.'s account.

Where any company or business has been placed in liquidation by the Italian Government, the C.P. will make a full report on the circumstances to the D.P.C., together with recommendations concerning the disposal of the assets.

Where a business has been closed down by the sequesteror, the C.P. will make a full report on the circumstances to the D.P.C., and will, unless otherwise directed by the D.P.C., maintain the property on a care and maintenance basis. The C.P. will be empowered where no liquid funds are available to raise the necessary monies by loans raised on the security of the property, with the previous consent of the D.P.C.

Where an enterprise is operating in more than one Region, no decisions will be taken in orders given on matters of policy without previous reference to the D.P.C.

(b) Assets of Allied companies sequestered by the Italian Government and appropriated and/or sold to or incorporated with Italian concerns.

Assets of United Nations or French companies which have in addition to sequestration been expropriated by the Italian Government, will only be dealt with by the C.P. on instructions from the D.P.C., except that if they have not already been taken into custody by C.P. AGO., the C.P. will take formal custody of the same, and render a full report to the D.P.C. on the nature and condition of assets, the name of the Italian company to which the assets have been sold and the financial condition of the same.

5. Property of Enemy States and Nationals.

The C.P. will satisfy himself that the measures taken by the local Italian officials in his district as to the administration, etc. of properties belonging to the Governments or Nationals of states at war with the United Nations are being efficiently carried out, and that the instructions issued to the Italian Government by the A.C.C. are being duly implemented. In particular he will supervise the action taken by prefects and other officials, in respect of issuing the necessary decrees of sequestration, etc., and the prompt execution of such decrees on the part of the sequesterors.

He will be entitled to request local officials and other persons concerned to furnish him with full details as to any enemy property in

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a care and maintenance basis. The C.P. will be empowered where no liquid funds are available to raise the necessary monies by loans raised on the security of the property, with the previous consent of the D.P.C.

Where an enterprise is operating in more than one Region, no decisions will be taken in orders given on matters of policy without previous reference to the D.P.C.

(b) Assets of Allied companies sequestered by the Italian Government and expropriated and/or sold to or incorporated with Italian concerns.

Assets of United Nations or British companies which have in addition to sequestration been expropriated by the Italian Government, will only be dealt with by the C.P. on instructions from the D.P.C., except that if they have not already been taken into custody by C.P. AGA, the C.P. will take formal custody of the same, and render a full report to the D.P.C. on the nature and condition of assets, the name of the Italian company to which the assets have been sold and the financial condition of the same.

5. Property of Enemy States and Nationals.

The C.P. will satisfy himself that the measures taken by the local Italian officials in his district as to the sequestration, etc. of properties belonging to the Governments or Nationals of states at war with the United Nations are being efficiently carried out, and that the instructions issued to the Italian Government by the A.C.C. are being duly implemented. In particular he will supervise the action taken by prefects and other officials, in respect of issuing the necessary decrees of sequestration, etc. and the prompt execution of such decrees on the part of the sequestrators.

He will be entitled to request local officials and other persons concerned to furnish him with full details as to any enemy property in his district, together with periodical information as to the disposal thereof, and he will make a monthly program report to the D.P.C. If he is not satisfied that these are being properly carried out, he may on minor matters make representations to the officials concerned. In cases of grave mismanagement he will report to the D.P.C.

6. Property made available to the Allied Nations by the Italian Government.

Where any property belonging to the Italian Government or Italian nationals or to enemy or neutral states or nationals has been made available to the Allied Nations under the Terms of the Armistice

the C.P. will take custody of the same if and when directed to do so by the D.P.C., and will agree with the local Italian officials or the owners or managers of the same, an inventory of the said properties together with notes as to their condition, etc. He will keep and collate such records, accounts, etc. with respect to the same as the D.P.C. may direct, and in cases of inventory undertakings, supervise the management of the same if ordered to do so by the D.P.C. Where such properties have been occupied by the Armed Forces, and are subsequently evacuated by them, the C.P. will, if so directed by the D.P.C., agree upon inventories and schedules of dilapidation and shortages with the appropriate military authorities, and assume custody of the same, pending further instructions.

7. Actions in Italian Courts.

The C.P. will not seek redress for nor make any application to the Italian Courts without the previous consent of the D.P.C.

8. Reports.

The C.P. will render to the D.P.C. such returns of routine and detail changes in the property in his custody as the D.P.C. may direct, and a monthly report on the activities within his Region.

9. Records and Accounts.

The C.P. will be responsible for the maintenance of complete records of all property in his custody, and of the changes which take place in them. He will keep his accounts in the form and manner laid down by the D.P.C., and will be responsible for their accuracy.

10. Handing over of Properties to the Italian Government.

As soon as the Italian Government assumes control of a Region or district previously administered by AMG, the C.P. will hand back to the Italian authorities any Italian Government property (including property of the Fascist Party and of semi-statal institutions), Italian property of Enemy States or Nationals, and any abandoned property, Italian or Neutral, which he has taken into custody, with the exception of such properties as shall have been made available to the Allied Nations under the terms of the Armistice. The following procedure will be observed with respect to the handing over of these properties.

(a) Italian Government Property.

(i) Lands and Buildings

In the case of lands, buildings, etc. C.P. will hand these over to the Prefect of the Province in which the property is situated, and obtain from him a receipt, the form of which will be laid down by

the Italian Courts without the previous consent of the D.P.C.

8. Reports.

The C.P. will render to the D.P.C. such returns of routine and detail changes in the property in his custody as the D.P.C. may direct, and a monthly report on the activities within his Region.

9. Records and Accounts.

The C.P. will be responsible for the maintenance of complete records of all property in his custody, and of the changes which take place in them. He will keep his accounts in the form and manner laid down by the D.P.C., and will be responsible for their accuracy.

10. Handing over of Properties to the Italian Government.

As soon as the Italian Government assumes control of a Region or district previously administered by the C.P., the C.P. will hand back to the Italian authorities any Italian Government property (including property of the Fascist Party and of semi-official institutions), any property of Enemy States or Nationals, and any abandoned property, Italian or neutral, which he has taken into custody, with the exception of such properties as shall have been available to the Allied Nations under the terms of the Armistice. The following procedure will be observed with respect to the handing over of these properties.

(a) Italian Government Property.

(1) Land and Buildings

In the case of lands, buildings, etc. C.P. will hand these over to the Prefect of the Province in which the property is situated, and obtain from him a receipt, the form of which will be laid down by D.P.C. He will previously arrange with the Prefect, or an official designated by him, for the checking of inventories, and draw up an agreed schedule of shortages, dilapidations, etc. He will also, if instructed to do so by the D.P.C., prepare a statement of accounts for the period of custody, and agree it with the Prefect or the Intendente di Finanza. The agreement of the schedule of shortages and dilapidations, together with the statement of accounts, will be recorded in a deed prepared by a Public Notary.

The said deed, the form of receipt, and the schedule of shortages and dilapidations will be made out in triplicate, one copy being retained by the Prefect, the other two being transmitted respectively to the C.P. of the district or region and the D.P.C. The inventory will be handed to the Prefect or his representative.

Receipts in triplicate will be obtained and disposed of as in section (i) above.

(iii) Property of the Marxist Party.

Lands, building, furniture, etc., if not already disposed of, will be handed over to the Prefect, and funds to the Intendants of Finance, in accordance with the procedure laid down in (i) and (ii) above.

(iv) Property of Semi-Statel Concerns.

Inventories and accounts will be dealt with as in (i) above, and balances as in (i) above.

(v) Property belonging to Enemy States and Nationals.

Where such property has been taken into custody it will be dealt with as in (i) and (ii) above.

(vi) Abandoned Property.

The C.P. will apply to the President of the Tribunal for the appointment of a custodian in accordance with procedure laid down in letter to S.C.A. Cs 41337/6006/CP of 30 September 1943. The property will be handed over to custodian in accordance with the procedure laid down in (i) and (ii) above.

By Command of Lieut. General MASON MacFARLANE.

M. S. LUSIL

Brigadier.

Executive Commissioner.

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