

Declassified E.O. 12356 Section 3.3/NND No. 785020

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100/120/43

AQ/613 - Court of Inquiry
Messina Shooting Incident
August 22 - November 15, 1944

Army Form A 2.

Declassified E.O. 12356 Section 3.3/NND No. 785020

PROCEEDINGS of a* COURT OF INQUIRY

assembled at HQ 70 Garrison, MESSINAon the 12th July 1944by order of Commander, 56 Area

for the purpose of enquiring into the circumstances of the disturbance
at MESSINA on the evening of 2nd July 1944, when British Naval and

Army personnel, Italian Army personnel and civilians were killed
and/or wounded.

PRESIDENT.

Major M.L. Buller, M.C., K.R.R.C.

MEMBERS.

Major J.G. Fardell, T.D. J.A.C. Branch, 56 Area.

Capt. D.W. Dyason, 623 MESSINA Workshops, R.E.E.

*N.B. - The Form being applicable to any Board, or Committee, or Court of Inquiry, this blank to be filled in accordingly.

The proceedings should be signed by the President and by each Member of the Board, etc.

Attention is particularly drawn to the Rules for Courts of Inquiry contained in Rules of Procedure 124-125A, and especially to Rule 125A (B); also to paragraph 751, et seq., King's Regulations, 1935.

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also to paragraph 751,
et seq., King's Regulations,
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Army personnel, Italian Army personnel and civilians were killed
and/or wounded.

PRESIDENT.

Major M.L. Buller, M.C., R.E.R.S.

MEMBERS.

Major J.G. Wardell, T.D. J.A.G. Branch, 56 Area.

Capt. D.W. Dyson, 627 MESSINA Workshops, R.E.R.

IN ATTENDANCE.

Commander A.H. Banks, O.B.E., R.N.

The Court having assembled pursuant to order, proceed to
inspect the area covering the disturbance and to take evidence.

Declassified E.O. 12356 Section 3.3/NND No. 785020

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LRKB V LRAR 4234
FROM AAI 151100 A
TO MMIA
QQY GR ---

A0063 . RESTRICTED . OUR 5063/69/A(PS) OF 12 SEP AND 30
OCT AND YOUR AQ /6/3 OF 4 OCT . WHEN WILL REPORT BE
COMPLETE

BT

THI 1258

SENT 1440 E H G KKK
RCD 1440A HRA KKK

5-115

Land Jones 10/65/15

C/948

10/6/3

Spoke
AAI.
N. F. A. under taken
trial have been
done 15/10/11
151500

SUBJECT: Incident - Shooting at Messina

LAND FORCES SUB COMMISSION
A.C. (M. M. I. A.) ROME
AQ/6/3
13 November 1944

TO: HQ AAI
C.M.F.

Ref. your 5063/69/A(P.S.) of 12 Sept. 1944

1. The Court of Inquiry set up by the Ministry of War, to inquire into the Shooting Incident at Messina has now been completed.

2. The findings of the Court are:-

(a) 2/Lt. FABI Manlio

Considered responsible in that he did not stop his men from firing and that he made no effort to help the wounded Officer and soldier.
2/Lt. FABI is to be tried by Military Court for offences under the Military Penal Code.
Pending the trial 2/Lt. FABI has been suspended from the rank of an officer.

(b) Capt. CATI Pio - reduced to the rank of Sgt. and transferred from the Island.

(c) Lt. ROSSO Luigi - remanded for trial by Military Tribunal and recommended for loss of rank.

3. The Ministry of War has been instructed to hasten the trial of 2/Lt. FABI and Capt. Cati, and to inform this H.Q. as to the Sentence of the Court as soon as possible.

4. This information will be transmitted to you upon receipt.

F.J. Noakes
F.J. NOAKES, Col.
for Major General
M. M. I. A.

SPA/ri

5305

SUBJECT: Incident at Messina

LAND FORCES SUB COMMISSION
A.C. (M. M. I. A.) R O M E
AQ/6/3
12 November 1944

TO: Ministry of War

Ref. your 304342/C.A. of 10 November 1944

1. You will please arrange for the trial of
2/Lt. Fabi and Capt. Cati to take place expiditiously.
2. This H.Q. will be advised, of the Sentence of
the Court, for the information of H.Q. AAI.

dr.
F.J. NOAKES, Col.
for Major General
M. M. I. A.

SPA/r1
Copy to: HQ AAI (for information)

Translation.

From: M of N.

To: M.M.M.

Ref: 104342/C.N.

Date: 10th Nov 44.

Subject: Incident occurred on 2nd July at Messina.

Ref. AG/6/3 dated 18th Sept. 44 — 2

Further to photo 301118/C.A. dated 23rd Sept. 44.

Having been informed on A.C. inquest and on HQ
56 Qua opinions in respect of finding the responsible of the
incident which occurred on 2nd July at Messina, AG freely has
carried out new inquiries which have confirmed that S/T. FABIO
Mantio is the responsible because: —

— He did not stop his men firing not having given
the order to do so.

— He did not take action to help the wounded
officer and sailor.

Considering the above as an offence to the Military
Penal Code, S/T. FABIO will be tried by Military Court (Italian) to
whom he has been denounced.

On waiting the verdict, I have arranged that this
officer be suspended of his rank.

Two other officers have been considered responsible
and action as under has been taken against them: —

— Capt. CATI Pio — dismissed from his rank and
transferred out of the island as a Sgt.

— Ten Rosso Luigi — Put on Discipline Council for the
loss of his rank.

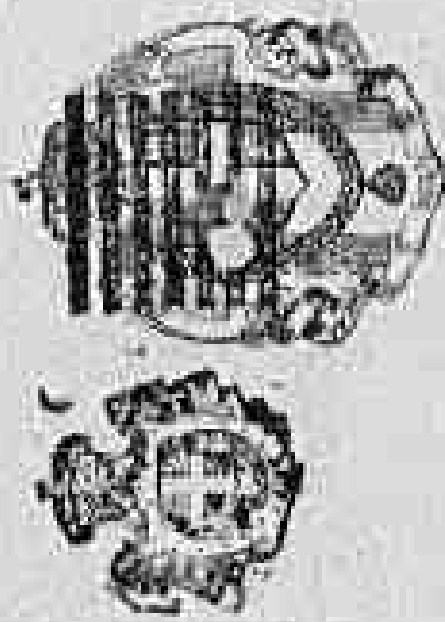
503
Recommended for loss of rank &
summarised for high Tribunal
The Minister.

Lt. FARR

HQ AA
info
new trials
spread trial

See Fabio

VE/ac



MINISTERO DELLA GUERRA
Cabinetto

Prot. 904346/C.A. - Allegati

Roma, 10 novembre 1944

Risposta al f. del

Dir. Sr. V

OGGETTO: Incidente del 2 luglio a Messina.

Incident on 2nd July at Messina

AA/6/3

Al

M. M. I. A.

(rif. foglio AQ/6/3 del 18 settembre)
ROMA

11/11

Seguito foglio 301618/C.A. in data 23 settembre.

Il Comando Militare della Sicilia, presa conoscenza del verbale della Commissione Alleata d'Inchiesta e delle opinioni espresse dal Comandante la 56^a Area circa l'accertamento di responsabilità per il luttuoso incidente del 2 luglio a Messina, ha esperito nuove indagini che hanno confermato essere il s.ten.

FABI Manlio responsabile:

- di non aver impedito ai suoi uomini di aprire il fuoco senza suo ordine;
- di non aver provveduto a soccorrere un ufficiale e un *garzone* alleati feriti.

Per questi addebiti, che costituiscono reato ai sensi

Seguito foglio 301618/C.A. in data 23 settembre.

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FABI Manlio responsabile:

- di non aver impedito ai suoi uomini di aprire il fuoco senza suo ordine;
- di non aver provveduto a soccorrere un ufficiale e un marinaio alleati feriti.

Per questi addebiti, che costituiscono reato ai sensi del codice Penale Militare, il s.ten. FABI sarà giudicato dal Tribunale Militare italiano al quale è stato denunciato.

In attesa del verdetto ho disposto che l'ufficiale sia so speso dal suo grado.

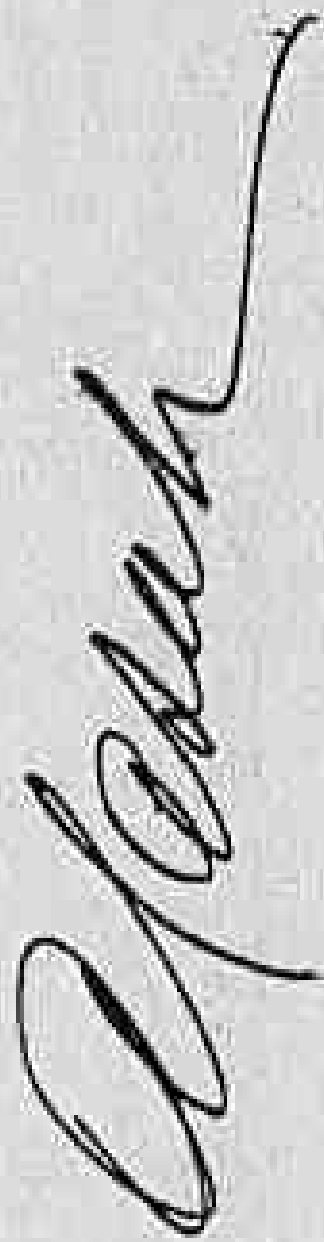
Altri due ufficiali italiani sono stati riconosciuti col-

./.

pevoli e a carico di essi sono stati adottati i seguenti provvedimenti:

- Capitano CATI Pio - dimesso dal grado d'autorità e trasferito fuori dell'isola col grado di sergente.
- Tenente ROSSO Luigi - sottoposto a Consiglio di Disciplina per la perdita del grado.

I L M I N I S T R O



Subject: Messina Shooting Incident - 2 July 1944.

Military Mission
Italian Army,
R O M E
AQ/6/3

31 Oct 44

To: H.E. The Minister

Ref this HQ letter of even reference dated
18th Sep 44. — 2

1. Although frequent requests have been made for
your report on the Messina Shooting Incident, no
information has yet reached this Hq.

2. You will please ensure that your reply is
forwarded without further delay.


CLAYTON P. KERR Colonel
For Major General.
M. M. I. A.

SPA/hh

*Take by hand.
may EFR 3/10*

5501

0942

Declassified E.O. 12356 Section 3.3/NND No. 785020

34/30⁵

5477

AR/6/3

20/10

1
4

K

LRUF V LRAR 249

FROM AA1 501205

TO PHIA

A 0413 . RESTRICTED . OUR 5063/69/A(PS) OF 12 SEP . YOUR AR/6/3 OF 04 W

. CAN YOU NOW REPORT

SENT RR 1325 DD

RD NR 249 1325 EVW K

SPTR
AA1
A 0413
20/10
CPA

See Folio 1000

Subject: Incidents - Shooting
at Messina.

4
Military Mission
Italian Army,
ROME
AQ/6/3
4 October 1944.

To : HQ AAI

Ref your 5063/69/A(P.S.) of 12 Sept

1. The Minister for War has informed this HQ that he has ordered a full inquiry to be made into the conduct of 2/Lt FABI, and that he will advise this HQ of the action taken, as soon as possible.
2. This information will be forwarded to you upon receipt.

SPA/wk

F. J. NOAKES, Lt Col,
for Major General,
M. M. I. A.

See Folio 5499
5410

Translation

From. M of W

To. M.M.A

Ref No 301618

Date 23 sept 1946

Incident on the 2nd of July at Messina

Ref letter AQ/6/3 dated 18 sept

no information has been sent to M of W regarding the fact that 2nd Lieut FABIO MANLIO had taken during the deplorable incident of the 2nd of July at MESSINA

from the Reports that have reached us it seems that the facts were invited by a British sailor, who was drunk and who fired at an Italian sentry ^{who in turn} answered the fire, according to orders from the 4th British Div. to enforce his position as guard and to defend the property he was guarding.

The report from Sicily Military Command precise their have expressed ^{the} regret ^{that} ^{was} caused also that the local British Authorities have agreed that ^{the} ^{was} caused

no information has been sent to me
regarding the fact that 2nd Lieut FABRI MAULIO had taken
during the deplorable incident of the 2nd of July at MESSINA

from the Reports that have reached us it seems
that the facts were initiated by a British sailor who was
drunk and who fired at an Italian sailing ship in town
answered the fire, according to orders from the 4th British Div.
to enforce this position as guard and to defend the property
he was guarding.

The report from Sicily Military Command praise
also that the local British Authorities have expressed ^{their} regret
for the matter and have agreed that ^{see flight 5.2.58} ~~it was~~ caused
by drunken sailors.

We have ordered an enquiry to be made in
view of Lieut FABRI - and we will inform you of the
steps taken.

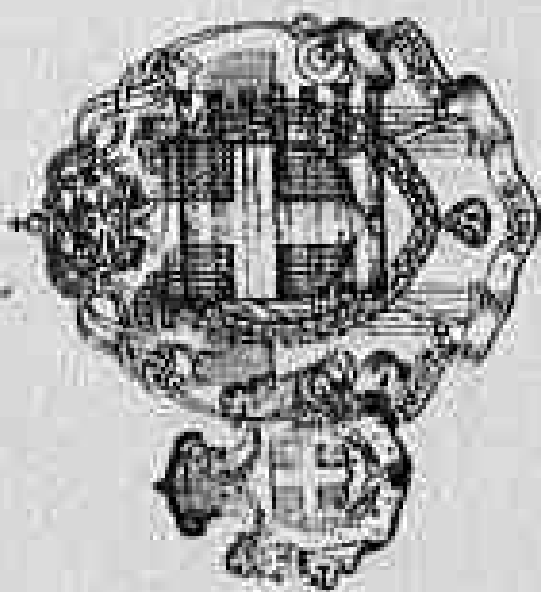
FA 26/7

R Mansfield - GSK.

OK

ILLEGIBLE.

VE/ac



Ministero della Guerra

CABINETTO

N° 301618 /C.A. di prot.

P.M. 151 - 23 settembre 1944

OGGETTO: Incidente del 2 luglio a Messina.

President on 2nd July at Messina

ALLA COMMISSIONE ARLEATA DI CONTROLLO
SOTTOCOMMISSIONE PER L'ESERCITO

MIN. A.	AQ
FILE REF.	6/3
Date Recd.	24/9

R O M A

Riferimento foglio AQ/5/3 in data 16 settembre.

Nulla è stato segnalato a questo Ministero in merito alla parte che avrebbe avuto il Sottotenente FABI Menlio sul doloroso incidente del 2 luglio a Messina.

Dai rapporti pervenuti risulta che il grave fatto sarebbe stato provocato da marinai inglesi avvinazzati, uno dei quali avrebbe per primo fatto fuoco contro una sentinella italiana che a sua volta, come da ordini della 40^a divisione britannica, rispose al fuoco per far rispettare la consegna e per difesa propria.

Il rapporto del Comando Militare della Sicilia precisa anzi che le autorità inglesi locali, esprimendo il proprio rammarico per l'accaduto, hanno riconosciuto che il conflitto è stato provo-

Riferimento foglio AQ/6/3 in data 18 settembre.

Nulla è stato segnalato a questo Ministero in merito alla parte che avrebbe avuto il Sottotenente FABI Nario sul doloroso incidente del 2 luglio a Messina.

Dai rapporti pervenuti risulta che il grave fatto sarebbe stato provocato da marinai inglesi avvinazzati, uno dei quali avrebbe per primo fatto fuoco contro una sentinella italiana che a sua volta, come da ordini della 40^a divisione britannica, rispose al fuoco per far rispettare la consegna e per difesa propria. 9.37

Il rapporto del Comando Militare della Sicilia precisa anzi che le autorità inglesi locali, esprimendo il proprio rammarico per l'accaduto, hanno riconosciuto che il conflitto è stato provocato dai marinai ubbriachi.

Provvedo a ordinare un'inchiesta a carico del Sottotenente FABI e mi riservo di riferire sui provvedimenti che saranno adottati,

IL MINISTRO

Adalberto

Subject: Messina Shooting Incident - 2 July 44.

Military Mission
Italian Army,
R O M E
AQ/6/3 -

19 Sep 44

To: H.E. The Minister.

1. I am instructed by the Commander-in-Chief to enquire as to the action taken by you in the case of 2/Lt. FABI Manlio, HQ Coy. 2nd Bn. 45 Infantry Regt.
2. As you are aware a serious shooting incident occurred in MESSINA on 2 Jul 44, during which persons were killed or injured.
3. The conduct of 2/Lt. FABI is open to the severest criticism, that he displayed gross inefficiency and was in every way unsatisfactory.
4. Will you please inform me at the earliest moment what disciplinary action has been taken to prevent this officer occupying in future any position in which his inefficiency might again produce similar results.

FJN/hh

L. Browning 5450
Major General.
M. M. I. A.

Lee Lohis 3
4 7 450

CONFIDENTIAL

SUBJECT: Court of Inquiry - MESSINA
Shooting Incident.

HQ ALLIED ARMIES IN ITALY
Tel: MILPOT 221
5063/69/A(P.S.)
12 Sep 44

Army Sub-Commission,
ACC.

Copy to: HQ 3 Dist. Ref 128/159A of 5 Sep 44.

Ar2
6/3
Date Recd 15 9

1. Enclosed herewith is a copy of the proceedings of the Court of Inquiry held in regard to the recent disturbance at MESSINA.
2. Attached, marked "A", is a copy of this HQ letter 5063/69/A(P.S.) of 22 Aug 44, conveying the C-in-C's decisions on the recommendations made.
3. As a result of an examination in detail of the case of Lieut FABI by the Chief Legal Officer HQ ACC, who has advised that trial with success before an Allied Military Court is not practicable, the C-in-C has now directed that this officer shall be dealt with by the ITALIAN Military Authorities. Will you, therefore, issue the necessary instructions for this action to be taken.
4. From the evidence available it is clear that the conduct of Lieut FABI was in every way unsatisfactory and that he displayed gross inefficiency. It would be appreciated if you would have the case followed up and would ensure that the action taken by the ITALIAN Military Authorities is such as will prevent Lieut FABI from occupying in future any position in which his inefficiency as an officer might again produce similar results.
5. Kindly return the proceedings of the Court of Inquiry in due course.

CMP/JD

C.H. 1st Arm. Brig
D.A.G.
Major General,
CAO.

5-195

See Folio 4

+ 59410

COPY

"A"

CONFIDENTIAL

HQ ALLIED ARMS IN ITALY

SUBJECT: Court of Inquiry - MESSINA Incident.

Tel: FILPOT 223

5063/69/A(P3)

22 Aug 44

HQ No. 3 District

Ref 128/159A of 13 Aug 44.

1. The contents of your letter of 13 Aug 44 are noted and the action taken is fully agreed to. Will you please confirm that the necessary action in the cases of Sjt BOYLE and Bdr LEWIS has now been taken.
2. It is considered that the conduct of Lt Col DAVIES deserves commendation, and I am directed to request that he may be so informed. It is desired that similar action be taken in the case of Major LECCIS.
3. I am directed to request that AF B 194E be rendered forthwith in the case of Major MCCLURE, on the lines of your recommendation.
4. In regard to the case of Lieut ROSSO it is considered that both he and Captain CATI should be dealt with disciplinarily by GOC 12 Italian Corps. This HQ will take the matter up with the Army Sub Commission ACC unless you have already taken action. Kindly inform this HQ of the present situation as early as possible.
5. Steps are being taken to bring about the trial of Lt. FABI by an Allied Military Court.
6. The question of disciplinary action in the case of the five Naval Ratings is being taken up with FOUIT.

Declassified E.O. 12356 Section 3.3/NND No. 785020

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(SGD). C.M.FATON.

3. I am directed to request that AF B 194E be rendered forthwith in the case of Major McCLEURE, on the lines of your recommendation.

4. In regard to the case of Lieut ROSSO it is considered that both he and Captain CATI should be dealt with disciplinarily by GOC 12 Italian Corps. This HQ will take the matter up with the Army Sub Commission ACC unless you have already taken action. Kindly inform this HQ of the present situation as early as possible.

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6. The question of disciplinary action in the case of the five Naval Ratings is being taken up with POWIT.

5.

(SGD). C.M. PATON.

Brigadier.
DAG.

CMP/IKM.

0 9 5 2