

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

785020

ACC

10000/120/1941

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

785020

000120/1941

Camp 10/26

Courts of Enquiry

Feb - Dec. 1944

Camp
Comdt
CONFIDENTIAL

SUBJECT: Postings and Transfers - Other Ranks

LAND FORCES SUB-COM. A.C.
(M.M.I.A.)
File No. AQ/26
4 Dec 44

TO : GHC, OZE

1. 14413684 Pte H. SAXTON - NORTHAMPTONS

Casualty in respect of this soldier is attd. Your letter OZE/51609/Rfts/Co(T) of 16 Oct and OZE/51609/R3 of 9 Dec refer.

2. 2561347 Gdsm. G. W. F. BABB - Coldem Cds

Casualty in respect of this soldier is attd. Your letter OZE/32839/Rfts/Co/T of 10 Dec 44 and conversation Capt's IVERS/ARCHER on 17 Dec 44 refer.

Certificate of non desirability to transfer to RASC is attd.

Ch
Colonel
DA & QMG

916

COPY

A.P.S.

Tel.No. VALJEAN 37

121

02E/4385/249/LF/4
29 Nov 44

Land Forces Sub Commission,
A.C.(M.M.I.A.)

Subject: Replacement of Med.Cat.'A' Personnel.
7959722 Pte.HEEL W. - Leics - Bl.(PN)

Reference your letter AQ/26 dated 17 Nov 44.

Consideration has been given to the replacement of a D.R.
at your HQ and it has been decided that a LMC R.C. of S. soldier
will be sent in due course.

This HQ letter of even number dated 21 Oct 44 is cancelled
and the above-named OR will please be returned to Reallocation Centre
(All Arms) CMF.

(sgd) - - - -
Brigadier
DAG.
GHQ 2nd Echelon.

C.M.F.

Copy to: HQ Personnel Selection Staff (SP) CMF.

CC Reallocation Centre (All Arms) CMF. - Please return attached
index Card on arrival of
Pte. Heel.

R.Sigs Dept.

MP/1

915

Hold
for present.

Subject: - Postings and Transfers - Other Banks

Land Forces Sub Com., A.C.
(M.M.I.A.)

14 AQ/26
Dec 44

G.H.Q.
2nd Echelon,
C. W. F.

6290083 Pte J BRYANT, Royal Fusiliers

1. The above named soldier (Medical Category B1) has been held on the posted strength of this HQ, and employed as a clerk, since 4 Jan 44.
2. He is considered capable of passing a RASC Clerk Trade Test Class III.
3. Authority is requested to transfer to RASC and re-muster him in that category w.e.f. 1 Dec 44.

P. Arthur Cope
Major General,
M.M.I.A.

EJC/

Copy to: - Camp Comdt,
M.M.I.A.

785020

Subject:- Postings - O.Rs.

Land Forces Sub Comm. A.C.
(M.M.I.A.)
R O M E
AQ/26

To: Camp Comandant.
M.M.I.A.

13. Dec 44.

The attached copy letter is forwarded for your information.

SPA/ab

F. J. Noakes
F.J. NOAKES. Col.
DA. &. QMG
M.M.I.A.

913

SUBJECT:- Postings - O.Rs.

G.H.Q.,
2nd Echelon,
C.M.F.

Sigs. ADM/S

Authority is requested for the following inter-unit postings:-

1. 2379548 Dvr. STICKLER, A. (Dvr IC) - batman to Major Blake -
From 2 GHQ Sigs to this unit.
2. 2579482 Dvr. BACKHOUSE, K.F. (Dvr IC) - batman to Major
Fleming -
From M.M.I.A. to this unit.
3. 2576679 L/Cpl. BRIFFETT, F. (Dvr IC) from this unit to
M.M.I.A.
4. 2376376 Dvr. WINDER, A. (Dvr IC) from this unit to X(iv) List
Attached 8 Army Signals as batman to
Major C.M. Galbraith.

Movements of the above named have already taken place.

5 Dec 44.

/THB

Lieut-Colonel,
Commanding 36th (Lon) Divisional Signals.

Copy to:- G-1(Br) A 10, AFHQ.
OC, 2 GHQ Signals.
M.M.I.A.

SUBJECT:- Courts of Enquiry.

Restricted.

6001 A.

To:-

1 July 44.

Distribution List "C" (less R.N. RAF & USA)

In response to a request which was made to HQ AAT for a definition of the phrase 'on duty', the following reply has been received:-

- " 1. Although the War Office has always declined to define the phrase 'on duty' it is considered that an officer or soldier taking recreation in the evening is on duty for this purpose, just as he is not absent without leave, or out of bounds, or committing some offence. The decision in any particular case can only be made by the CO in the light of the circumstances and his military knowledge.
2. It is understood that compensation depends on whether the injury is attributable to military service rather than whether the injured man was on duty, and that an injury may be attributable even when the injured man is not on duty. "

The above is passed to you for information and guidance.

Major,
D.A.A. & Q.M.G.
65 Garrison.

911

Army Sub Commission (MMIA)
H.Q., A.C.G.
R O M E
AQ/6/8.

16 AUG 44

COURT OF INQUIRY

CONVENING ORDER

By Order of Maj. Genl. L. BROWNING, C.B., O.B.E., M.C.,
a Court of Inquiry, composed as under, will assemble at
H.Q., M.M.I.A. at a date and time to be determined by the
President, for the purpose of investigating the circumstances
whereby a W.D. vehicle No. 5043070 became lost.

PRESIDENT: Maj. D.S.L. GREGSON, S Ins.D.O.

MEMBER: Capt. J.M. BAXTER, R.A.S.O.

1. The Court will record an opinion.
2. The Opinion of the Court will declare :-
 - (a) Who was responsible for the loss.
 - (b) The value of the lost vehicle.
 - (c) By whom the cost of replacement shall be borne.
3. Camp Comdt MMIA will be responsible for warning any witnesses required by the Court, and for supplying Stationery - (AFs.A2).
4. Attention of the Court is directed to K.R. paras 768 & 769.
5. The proceedings in triplicate will be handed to A/Q Branch, M.M.I.A. upon completion.

910

F.T. N. 2000

- (a) Who was responsible for the loss.
- (b) The value of the lost vehicle.
- (c) By whom the cost of replacement shall be borne.
3. Camp Comdt MMIA will be responsible for warning any witnesses required by the Court, and for supplying Stationery - (AFS.A2).
4. Attention of the Court is directed to K.R. paras 763 & 769.
5. The proceedings in triplicate will be handed to A/Q Branch, M.M.I.A. upon completion.

910

F.J. Noakes

F.J. NOAKES Lt. Col.
A.A. & Q.M.G.
Army Sub Commission (MMIA)

SPA/hh

DISTRIBUTION:

President	1.
Member	1.
Camp Comdt (for publication in orders	1.
War Diary	2.
File	1.

Epitome of
Eight Years Proceedings of a Court of Enquiry
assembled at HQ. MMIA. on 6 MAY 44
to investigate circumstances attending
the take-over of Palazzo Ruffo. LEQUILE

President.

May. D.S.L. Oregon
Pacemaking.

Capt. had Westbury.
R.E.

In Attendance

3/sgt De Juan P.A.S.C. (Interpretation).

① Evidence of Count ALBERTI, V. of Presicade (LECCE),
an advocate and agent of the owner Prince Ruffe.

About 25 SEP 43, ~~WASATA~~ Mayor CAREW HUNT of MEMPHIS, ~~by~~ ~~HAMPTON~~ of ~~MEMPHIS~~ and a Col of Carabinieri, came to LEQUILE and visited the Palazzo Ruffo with the Gardener MILO VITO. The premises were requisitioned ~~with~~ with the exception of two rooms into which the Gardener was directed to place the linen, silver, crochery and other valuables. The gardener then locked the rooms & reported

The matter to Mr ALBERTI.

The next day ALBERTI visited the Palazzo ~~found~~ found matter to ALBERTI.

About 25 SEP 43, ~~Major~~ ~~HAMPTON~~ ~~of~~ ~~MAJIA~~ and a Col of Carabinieri, came to LEQUILE and visited the Palazzo Ruffo with the Gardener MILO VITO. The premises were requisitioned ~~with~~ with the exception of two rooms into which the Gardener was directed to place the linen, silver, crochery and other valuables. The gardener then locked the rooms & reported the matter to ~~MR~~ ALBERTI.

The next day ALBERTI visited the Palazzo ~~Ruffo~~ ~~joined~~ that the two locked rooms had been broken into & that some of the linen etc. had been taken out & was in one bag the occupying officers. ALBERTI was then requested to open the study & library & to hand over a FIAT BALILLA car in the garage and an Underwood 120 Typewriter, all of which he did. He then requested that a British Officer be appointed to assist in taking an inventory. Capt. MONICO was nominated and arranged a date. He failed to keep this and a subsequent appointment.

Some household linen was sent to the mansion, the private linen being locked away. Capt THRUPP was nominated to take the inventory in place of Capt MONICO.

Whilst the inventory was being taken ALBERTI noticed that some of the "private" linen was in use & then found that the locked cupboards had been broken into. An officer was not present throughout the inventory-taking process, which was complicated by the fact that many of the articles were in constant use. This inventory was confined to linen, cutlery etc. It did not extend to furniture.

At the end of November 43, ALBERTI noticed that the present recreation room had been forced open & some of the cutlery removed. Prince Ruffo then ordered ALBERTI to take a complete inventory.

^{in early December 43} This he attempted ^{to do with} Maj BYATT, but they

decided that it was too difficult & ALBERTI reported in this sense to Prince Ruffo. 1/ Prince Ruffo

② ~~SIGNORA PASTORELLI~~ ^{was daughter of PASTORELLI} has a complete inventory ALBERTI is not aware of it. ALBERTI said he was not prevented from making an inventory, but there was no co-operation & that made it impossible.

(former wife of Prince Ruffo)

decided that it was too difficult a ALBERTI reported in this sense to Prince Ruffo. 1. Prince Ruffo
 2. ~~Signora Pastorelli~~ ~~the daughter of Pastorelli~~ ~~was~~ ~~not~~ ~~aware~~ ~~of~~ ~~it~~ ~~ALBERTI~~ ~~said~~ ~~he~~ ~~was~~ ~~not~~ ~~prevented~~ ~~from~~ ~~making~~ ~~an~~ ~~inventory~~, ~~but~~ ~~there~~ ~~was~~ ~~no~~ ~~co-operation~~ ~~that~~ ~~made~~ ~~it~~ ~~impossible~~.

(2) Signora Pastorelli. E.A. and her daughter visited the palace with ALBERTI on 15 APR 44 & subsequently at request of Prince Ruffo, to help ALBERTI and on 1 MAY she complained to Town Major LECCE. She was certain that many articles were missing, but without a proper inventory she was not in a position to give an exact list. She had discussed the matter with Prince Ruffo, who wished her to say

1. Prince does not wish for nor is he interested in any financial recompense for missing articles. (This does not cover the reconstituted articles including car, typewriter or structural damages)

2. He wants, however, a proper inventory

to be taken as soon as possible, an endeavor by MMIA to trace the missing articles, that the cellar & the room next to chapel be allotted permanently to the family & that these rooms be properly safeguarded.

③ MILO VITO Gardesani said he did not make a list of the things he put into the 2 locked rooms on the night of 25/26 SEP 43.

④ LTCOL JF. HAMPTON said he and Brig DUCHESNE were the first MMIA officers to arrive & they came on 2 OCT 43; the palace having been procured by Col. IMASSI CCRR HQ ITALIAN ARMY.

⑤ A great deal of evidence was ~~given~~ ^{tendered} by other members of MMIA to the effect that ALBERTI had been given all opportunities to make interventions & that crocheting etc. in use by the mission had been loaned with the knowledge of ALBERTI

⑥. The Court found:—

(a). No complete intervention had ever been taken ^{90%} due to small number of officers with and pressure of work on

③ A great deal of evidence was ~~given~~ ^{tendered} by other members of MMIA to the effect that ALBERTI had been given all opportunities to make inventions or that crocheting etc. in use by the mission had been loaned with the knowledge of ALBERTI.

④. The Court found:—

(a) No complete inventing had ever been taken ^{90%} place by small number of officers with and pressure of work on mission.

(b) ALBERTI could have completed an inventing on his own if he had shown more initiative.

(c) That between 25 SEP & 2 OCT 43, the rooms locked by the Gardner on 25/26 SEP were opened by persons unknown.

(d) That ALBERTI had full knowledge of articles (other than furniture) in use by mission.

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

785020

Subject:- Court of Inquiry.

To:- Officer Commanding,
6 Bn. 1 G.R.T.D.,
C.M.F.

ATTY Sub Commission (ACC)
Main H.Q. (M.M.I.A.)
Central Mediterranean Force.

Ref No Camp/Q/26

8th June, 1944.

Reference your letter No 6/21/2/791 dated 10th May 1944.

Please find attached correspondence in respect of a Court of Inquiry held on 19th April 1944, together with statement of No T/2648020 Sgt Miller, P. (RASG)

Field.
ARR

F.H. 906
Captain, Camp Comdt.,
ATTY Sub Commission (ACC) (M.M.I.A.)

Subject: Court of Inquiry.

Camp

L.O., Army Sub-Commission, AGC.,
XXII Italian Corps,
Pontegrando-CATANZARO.

5 June 44.

Ref: -A.L.T. 12.

To: Army Sub Commission, AGC.,
Main H.Q., (M.M.I.A.),
Legnile. (Lecce).

Ref. your Camp/O/26 of 26 May 44.

2. Herewith proceedings of Court of Inquiry held at Ro. I
G.R.T.D. on 19 Apr 44, with statement made by
T/2648020 Sgt. MILLER F., as requested on Page 5 (Findings),
para. 'c' of proceedings.

3. Please note that Sgt. MILLER's number is T/2648020.


Capt., R.E.,
for Lt. Col.,
M.M.I.A.,
L.O., XXII Corps.

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
G-1

Handwritten:
18/5

13 May 1944

REFERENCE : 16077/G-1
SUBJECT : Court of Inquiry
TO : Army Sub-Commission
(Lecce)

248020 Sgt. Miller, R.

The attached 6Bn No.1 G.R.T.D. letter 6/21/2/791 of 10 May 44 and proceedings of Court of Inquiry are forwarded for action in so far as they relate to the a/n N.C.O.

BY COMMAND OF LIEUT GENERAL MASON MACFARLANE

Handwritten:
W. Jones

f J. L. JONES,
Major,
G-1 (B).

WJ/mf

Declassified E.O. 12356 Section 3.3/NND

No.

785020

Subject:- Courts of Inquiry.

Army Sub Commission (ACC) ✓
Main H. Q. (M.M.I.A.)
Central Mediterranean Force.

To:- The M.M.I.A. Liaison Officer,
31 Italian Corps,
Catanzaro.

Ref No Camp/Q/26

26th May 1944.

Please find attached Proceedings of a Court of Inquiry held at No 1 G.R.T.D. on 19th April 1944 for the attention of No T/248020 Sgt Miller, P. Please return correspondence to this H.Q. on completion.

Field.
ARR

McColl Captain, Camp 948t.,
Army Sub Commission (ACC)
(M.M.I.A.)

Subject: Injuries

Capt. J. M. Craig RASG.
Mr. Mr. J. A. "
Requile

168 Gen Spt Coy
R. A. S. Co.
C. M. F.
168/29
23 Feb 44

1/204540 Dvr Kirby 7N.

The att'd AFB 17 in respect of the
above named is forwarded to you
for completion and necessary action

785020

30190. W1.W31514/1974. 600,000. 10/42. K. & H., Ltd. G657/10. Forms A2/64.

Army Form A2.

*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 761, et seq., King's Regulations, 1040.

PROCEEDINGS of a* Court of Inquiryassembled at Fieldon the 1st March 1944by order of Brigadier C. C. DuchesneArmy Sub-Commission, Allied Control Commissionfor the purpose of inquiring into the circumstances in whichNº T/204540 Dr KIRBY, F.M. RASC, 168 Gen Tpt Coy, RASC,(attached Military Mission to the Italian Army) receivedinjuries, as the result of an accident whilst riding a V.D. motor cycle
on the 29th January 1944

PRESIDENT.

Capt. J. Brid, Green Howards

MEMBERS.

Mr. Bray Capt.
Presist.

IN ATTENDANCE.

901

The Court having assembled pursuant to order, proceed to
examine the witnesses.

1st WITNESS

2347393 Sgt Lucas R.C.T. Royal Corps
of Signals states. At 13.00 hrs on the
29 Jan 1944. T204540 Dvr Kirby F.H. RASC
left this H.Q. on an E.L.S. run to Brundish
having been detailed by me.

R. Lucas
Sgt 13.444.

2nd WITNESS.

DOCUMENTARY

Certified true copy of Dvr Kirby statement
on A.F. B117 as attached.

3rd WITNESS

Major W.A. Haggie M.C. R.A.M.C. D.A.D.M.S. Lt
Army Sub Commissioner states.

I saw T204540 Dvr Kirby F.H. on the
night of 29 Jan 44. As the result of a
M/C accident he had sustained an
injury to his right knee. He suffered
from severe bruising and possibly fracture

3rd WITNESS

Major W.A. Heggie M.C. R.M.C. D.A.M.S. Co
Army Sub Commissar states:

I saw T204540 Dvr Kirby F.H. on the
night of 29 Jan 44. As the result of a
M/C accident he had sustained an
injury to his right knee. He suffered
from severe bruising and possibly fracture
of the right patella. After 48 hours in
bed the knee was still very painful
and he was sent to 84 General Hospital
on the 31 Jan for further investigation

W.A. Heggie

There being no further witnesses, the Court closed.

[Signature]

W. Langbeil

03rd, 1944

I consider that T/204540 DVT KIRBY FH, RASC, was

on duty and NOT to blame;



Brigadier,
Army Sub Commission, ACC

Date: 9 March 44

1022