

ACC

10000/120/3182

10000/120/3182

A 201 Discipline - Traffic Offences

Dec. 1946 - JAN. 1947

(4105
4113)

2nd Jacket

TRANSLATION

FROM: Ministry of War.

REF: 101131/I/1

TO: M.M.I.A.

DATE: 24 January 1947.

SUBJECT:- MELIS G. Battista - culpable homicide.

Reference letter 201/A of 17.1.1946

Letters 116806/I/1 and 122272/I/P of this Ministry dated 26 August and 19 November last respectively replied to letters 201/A of your M.M.I.A. dated 21 August and 30 September 1946.

With regard to the present position of the accused MELIS; we consider it irrelevant as to whether he is or is not serving, as regards the authority to try him would in any case be within the jurisdiction of the Military Tribunal.

This Ministry assures you that it will give the question of MELIS its full attention, as it has never ceased to do. We would point out however, also with the object of furthering the matter, that the intervention of this Ministry can only assume an indirect form as the question of MELIS - a strictly judicial matter - must be settled by the Naples Military Tribunal. The office directly commanding and supervising the military judicial offices is the Military Procura General which, it appears to this Ministry, has already seriously approached the Procura of Naples in accordance with the wishes of your M.M.I.A.

sgd. SUPINO
Gen.

4118

R.A.G.

(95)

Telephone:
Rome 493081 Ext 380

LAND FORCES SUB-COMM, AC (MMIA) GMP

201 A ✓

27 Jan 47

6 B.L.U.

(94)

Subject:- Traffic Accidents - Italian.

Ref your letter No: A/G/1, dated 20 Jan 47.

1. The Italian Army Strength State and Order of Battle as at 9 June 45 (No: 2/10) shows No: 2 General Tot Coy (Combat) (i.e. 3d Reparto Transporti) - W.E. CM 531,531,533 + 539/1 - as being a British-Iti Unit, at that time located at CESANO. The unit is shown as being under command 5 Army (LEGnano D.P.).
2. As this appears to be the unit to which 6 COMILITER are referring, it is confirmed that it was under British Command at the time in question.
3. Correspondence (Italian) is returned as requested. English copy is retained for reference.

WKB/wf

W. J. S. 11/20
Major-General,
GOC, MMIA.

Encl: |

42 3

Subject: TRAFFIC ACCIDENTS - ITALIAN.

201
6 British Liaison Unit
Tel: 28032
Ref: A/6/1
20th Jan. '47

To: Land Forces Sub-Commission, AG
(M.M.I.A.)

62

27 JAN 1947

Reference attached letter with translation,
from VI COMILITER.

As no ORD BAT for the period in question is
held by this Headquarters, may confirmation please be
given that the Unit mentioned was in fact under BRIT
ISH Command at the time.

Return of correspondence, together with your
reply, will be appreciated.

P. A. Dixon
Major DAA & CME
6 BLU

42.5

WHV/ls

From: 6 COMLITER
To: 6 B.L.U.

14th Jan. '47
(received 17th)

Subject: ROAD ACCIDENT CAUSED BY ALLIED MILITARY MOTORVEHICLE
DRIVER PALMIRO SCHIR.

On 20th June 1945, on the Forrettana road, DODGE Allied truck L 5621127, driven by Palmiro Schir of 2 Transport Unit for Combat Groups, overturned.

Said 2 Transport Unit depended, for employment, from the Allied Command and had Allied vehicles at its disposal.

As, following the accident, a law suit for damages has been initiated, you are kindly requested to let us have, as soon as possible, a statement (in quadruple) declaring that the above mentioned truck is Allied property.

sgd Col. CANGINI.

20 JAN 1947

6-BRITISH

LIAISON UNIT

4115

Telephones:

Room 47281 Ext 330

LAND FORCES SUB-COM, AG (MIA) CWF

201 A ✓

17 Jan 47

Ministry of WarSUBJECT: WILHELM BATTISTA - Guilembo Rosalida

Further to this HQ letter to 201 A, dated 9 Dec 46.

1. Allied Force Headquarters have instructed us to take this matter up again most insistently with your Ministry.
2. It is pointed out that, prior to our letter referred to above, we had previously communicated with you on this subject on 21 Aug, 46 and on 30 Sep 46, both references 201 A.
3. Will you please, therefore, give this case your urgent attention and inform us definitely whether the a/n soldier is still in the Army or not. If he is still in the Army, will you please arrange for him to be brought to trial on the charge indicated above without further delay.
4. If he has, on the other hand, been finally discharged from the Army, A.F.H.Q. insist that particulars of his present address and whereabouts be obtained and action taken to have him brought to trial before a Criminal Court under civil jurisdiction.
5. Your attention is again drawn to the fact that he was found directly responsible for the death of three British soldiers by a Court of Enquiry held after the occurrence.
6. Sixteen months have now elapsed since the event took place. As you are well aware, this is not the first occasion when you have failed to bring a man to trial within a reasonable period at the request of the Allies. I am directed to say that you will give this matter your immediate attention.

KWB/fg

Copy to: General BORGARI
 PROSECUTOR GENERAL
 A.F.H.Q. - (G-5 Section)

Major-General, 4314
 G.O. 4314

John Hurm
John Hurm
 96. 11/1/47



108

A

92

MMIA

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 935.02

16 January 1947

SUBJECT: MELIS Battista.

TO : Chief Commissioner,
Allied Commission,
APO 794.
(Attn: Land Forces S/C MMIA)

File 85
1st Jacket.

Reference 201 A, dated 10 December 1946.

1. You will establish definitely whether or not the above named man has been discharged from the Army. If he has, obtain particulars of his present address, and take all possible action to persuade the Italian Government to try him before a Civil Court.
2. If he is still in the Army, he should be brought for trial by Court Martial without any further delay.
3. You are reminded that a Court of Enquiry found him directly responsible for an accident on 22 August 1945 which resulted in three British soldiers being killed.

BY COMMAND OF GENERAL MORGAN:

A. L. HAMBLÉN
Colonel, G.S.C.
Assistant Chief of Staff, G-5

4113

466
 RECEIVED 6 JAN 1947

A
 (61)

Subject :- Traffic Accident.

HQ Caserta Knolave
 Freedom Ext : 438
 Pro : 10
 Jan : 1947

IM HQ Cond M.T.O.U.S.A.

Land Forces Sub-Commission, AC(MIA) CMP (Your 201/A of)
 (23 Dec 46 refers)

Letty
 attached

1. The attached correspondence being a matter pertaining to your Command is forwarded.

Phone
 Capt. for.
 Major AM.
 (EG. LANE).
 (ADD)

/ko

4112

C O P Y

Telephone:
Rome 489081 Ext 266

LAND FORCES SUB-COMMISSION, AC (MMA) GMP

201 A

23 Dec 46

AFHQ, CABAETA.
Attn: Provost Marshal.

Subject:- Traffic Accident.

1. Ref attached copy of a letter from Comando Presidio Militare
TRENTO forwarded to this HQ by 4 BLU, BOLZANO/GMP.
2. Request that the necessary information be obtained and
forwarded to 4 BLU direct.
3. Request copy of your report to 4 BLU for our information.

JDL/vf

(Sgd) NORMAN E FISKE,
Colonel Cavalry,
Deputy Comd.

Copy to: 4 BLU, BOLZANO/GMP
Tel. BOLZANO 3662
Ref: A 13, 11 Dec 46.

4211

C O P YTranslation

Subject: Car-Incident - Lt. ORLANDI

From: Comando Presidio Militare - TRENTO

To: 4 BLU

Under Ref. 7905/C-220 dated 20 Sept. 46 this Command directed the following letter to the American Command WCI in Merano:

"On the 13/9/46 at about 2100 hours Lt. Alberto Orlandi, father David, driver of the Jeep target U.S. AS 20683983 I.A.M.T.O.X. belonging to that Command, had a road accident on the Brenner road and precisely at 320; 200 Km Lavis-Nave S. Felice; where he had a certain Giovanni Falser father Giovanni were injured. In order to begin the administrative investigations will you please forward the following information to this Command:

- 1) Report in details on that accident
- 2) Illustrative description on that incident
- 3) report in detail on the damage of the car
- 4) Declaration of that Command, that Lt. Orlandi was doing a regular Service trip.
- 5) Declaration of that Command if Mr. Falser was authorized to travel in that car.
- 6) Particulars of the permit to drive of Lt. Orlandi, and as this (date and authority issuing the permit)

As up to now we had no reply to that letter, and as this Police Unit has been disbanded in September, will you please communicate to that Command we have to apply.

(Sgd) Col Renato TRAMONTANO

Trento
6 Dec 46

4110

(90)

Telephone:
Rome 489081 Ext 266

LAND FORCES SUB.COMM, AG (MMA) CMC

201 A

23 Dec 46

AFHQ. CASERTA.
Attn: Provost Marshal.

Subject:- Traffic Accident.

1. Ref attached copy of a letter from Comando Presidio Militare - TRENTO forwarded to this HQ by 4 BLU, BOLZANO/CMF.
2. Request that the necessary information be obtained and forwarded to 4 BLU direct.
3. Request copy of your report to 4 BLU for our information.

JDL/wf

JEL
NORMAN E FISKE,
Colonel Cavalry,
Deputy Comd.

Copy to: 4 BLU, BOLZANO/CMF
Tel. BOLZANO 3662
Ref: A 13, 11 Dec 46.

4109

Subject: Traffic-Accident.

(89)
headquarters
4 B.L.U.
BOLZANO/CMF
Tel. Bolzano 3662
Ref: A13

11 Dec. 45

201
To : Land Forces Sub-Commission A.C.
M.M.I.A. R O M E.

(for the attention of Major Van Kirk)

Ref. the attached copy of a letter
addressed to this H.Q. by Comando Presidio
Militare, Trento, could the necessary information
please be obtained.



Mowat
Capt. P.D. MOWAT
Capt. RASC
for Lt.Col. GS

4108

Translation

Subject: Car-Incident- Lt. ORLANDI
5555

From : Comando Presidio Militare- TRENTO
To : 4 B.L.U.

Under Ref. 1905/C-220 dated 20 Sept. 46 this Commando directed the following letter to the American Police Command WCI in Merano :

"On the 13/9/46 at about 2100 hours Lt. Alberto Orlandi, father Davide, driver of the Jeep target U.S. AK 20683983 I.A.M.T.O.X. belonging to that Command, had a road accident on the Brenner road and precisely at 390;200 km Lavis-Wave S. Felice; where he and a certain Giovanni Falser father Giovanni were injured. In order to begin the administrative investigations will you please forward the following information to this Command:

- 1) Report in details on that accident.
- 2) Illustrative description of that incident
- 3) Report in detail on the damage of the car
- 4) Declaration of that Command, that ~~the~~ Lt. Orlandi was doing a regular service trip.
- 5) Declaration of that Command if Mr. Falser was authorized to travel in that car.
- 6) Particulars of the permit to drive of Lt. Orlandi (date and authority issuing the permit)

As up to now we had no reply to that letter, and as this Police Unit has been disbanded in September, will you please communicate to what Command we have to apply.

Col. Renato TRAMONTANO

Trento
o ec. 46

4107

4232

M M I A

(85)

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

ALE/GHF/fs

G-5: 250.52

11 December 1946

SUBJECT: Court of Inquiry - Re Melis, Battista

TO : GHO, CMF
Attn: 'A' Branch

Reference your 4355/73/A-3 dated 6 December 1946
on the above subject.

No information as to the present status of this
case has been received. It will be forwarded you immediately
upon receipt.

BY COMMAND OF LIEUTENANT GENERAL LEE:

[Signature]

A. L. HAMBLIN
Colonel, G.S.C.
Assistant Chief of Staff, G-5

Copy to: ALGOM (ltras. G-5: 250.52 of 17/8, 23/9,
12/10, 15/11, and 3/12/46;
your ltras A-201 of 30/9 and
14/10 refer.)

(72)

(71)

(79)

(69)

(83)

4106

983

13 DEC 1946
3461 277 51

Telephone:
Rome 489081 Ex. 380

LAND FORCES SUB-COMM, AG (MHA) GMP

301 A ✓

17 Dec 46

Ministry of War.

Subject:- Write off - Loss of WD motorcycle
No: 5543218 - 30 British Cadre atnd
Italian of Coy.

FORM 26
1st issue

1. Further to this HQ letter No: A 201, dated 1 Apr 46, GHC, GMP have now written off this motorcycle.
2. Afs 1 903 in triplicate in connection therewith are herewith forwarded to you for disposal.

WKB/wf

Encl:- 3

Major General,
GOC, MHA.

3017

1009