

ACC

10000/120/3976

10000/120/3976

MAJOR SCAPATI

3677
3709

June 8, 1945 - July 25, 1945

FROM:- Lt Col J.S.H. DOUGLAS.
The Lovat Scouts

PERSONAL & CONFIDENTIAL

52 British Liaison Unit
CMF.

25 July 45

DO/G/63/49

Dear *Clan.*

I have now got the Court of Inquiry Proceedings into the case of Major Scapati, Capo di Sezione Operazioni e Informazione, and whatever else it may or may not have revealed, General Utili has at any rate expressed the opinion that Major Scapati disagreed with his opposite number at this B.L.U: furthermore he states that:-

"He is really an officer of high military standard and a man of character, but he has a rough manner and is also ill-tempered which makes him completely unsuitable to be daily in touch with a liaison mission. Nevertheless I would like to make it known the exceptional co-operation he gave to the 1 Raggruppamento, the C.I.L. and the 'Legnano'. Formerly commanding the 51 Bty Genio, which he left reluctantly when I asked him to become my direct collaborator.

I ask that he should be given another job in the same sphere which owes him so much; and that he should resume his old command, under my command, when Major Vescovini in the very near future will terminate a year's service in that capacity, and I ask also on this occasion that Major Vescovini should be appointed instead of Major Scapati."

Major Scapati has been summoned to Rome and has of course left here: in my opinion therefore it would be the greatest pity if he were to rejoin this Gruppo in any capacity whatever for so long as we have the job of liaison his unfortunate manner might continue to foment a breach between the Gruppo and the B.L.U. I would be very grateful therefore if you would do all in your power to prevent the War Ministry from posting him

that:-

"He is really an officer of high military standard and a man of character, but he has a rough manner and is also ill-tempered which makes him completely unsuitable to be daily in touch with a liaison mission. Nevertheless I would like to make it known the exceptional co-operation he gave to the 1 Raggruppamento, the C.I.L. and the 'Legnano'. Formerly commanding the 51 Bty Genio, which he left reluctantly when I asked him to become my direct collaborator.

I ask that he should be given another job in the same sphere which owes him so much; and that he should resume his old command, under my command, when Major Vescovini in the very near future will terminate a year's service in that capacity, and I ask also on this occasion that Major Vescovini should be appointed instead of Major Scapatì."

Major Scapatì has been summoned to Rome and has of course left here: in my opinion therefore it would be the greatest pity if he were to rejoin this Gruppo in any capacity whatever for so long as we have the job of liaison his unfortunate manner might continue to foment a breach between the Gruppo and the B.L.U. I would be very grateful therefore if you would do all in your power to prevent the War Ministry from posting him back as Commander of the 51 Genio Battalion.

Yours sincerely,

Col Taylor.

To:- Colonel W.PIDSLEY, DSC MC,
Land Forces Sub Comm A.C. (MILIA)
ROME.

From: Lieut-Col. J.S.H. DOUGLAS,
The Lovat Scouts.

CONFIDENTIAL.

52 British Liaison Unit,
C.I.F.

14 July 45.

9/63/45

Dear *General,*

I write in reply to your letter of 12 July 45.

The word 'obstructionist' which you refer to, was, I understand, in this instance coined by Captain SNOWE of 42nd PS Section from what he learnt in the course of conversation with my G II: in my absence this officer visited the BLU in connection with certain enquiries which he had been instructed to make.

It would appear however, that the word 'obstructionist' has a different use in the Italian language; since whatever may be the literal meaning of the word in English it is also the generally accepted term for 'lack of co-operation'.

I cannot deny that Major SCARATI was un-cooperative, but I like to think that this was due to his temperament and character which are undoubtedly his worst enemies in the eyes of a Britisher. I am prepared to admit therefore, that it is unjust to pronounce him an 'obstructionist', as you understand it, since what he was asked to do was always done in the end, and there was certainly no wilful intention to assist the enemy.

I trust that I have made my feelings clear.

Yours

very sincerely,

Gen. Douglas 3708

this officer visited the EUJ in connection with certain enquiries which he had been instructed to make.

It would appear however, that the word 'obstructionist' has a different use in the Italian language; since whatever may be the literal meaning of the word in English it is also the generally accepted term for 'lack of co-operation'.

I cannot deny that Major SOARATI was un-cooperative, but I like to think that this was due to his temperament and character which are undoubtedly his worst enemies in the eyes of a Britisher. I am prepared to admit therefore, that it is unjust to pronounce him an 'obstructionist', as you understand it, since what he was asked to do was always done in the end, and there was certainly no willful intention to assist the enemy.

I trust that I have made my feelings clear.

Yours

very sincerely,
Gen. Gifford 3708

To: General UMBERTO UTILI,
CC LEMANO GROUP.

12 July 1945

Dear Colonel Douglas,

In order to complete the known inquest reflecting Major Scapati, it remains to clear up para 3) of the letter P/12/FS of 421 P.S. Section.

I address myself directly to you as it appears that the information specified in the letter originates from 52 B.L.U., even if, as you verbally stated to me during our first interview on the matter, it had been issued while you were absent.

The word "obstructionist" has in the Italian language a very serious meaning: should in the present instance the word be proved as appropriate, I ought to be surprised that a notification of such importance would have been made only incidentally on the occasion of the investigations concerning totally different allegations which have been in fact known as without any substantial foundation.

Always according to para 3) of the above mentioned letter, the obstructionism of Major Scapati would have begun to be evident about three months ago. I am therefore led to connect such remark with the interview I had on the subject of Major Scapati with you and Major Egerton in San Benedetto in Querce- to at about such time.

On that occasion, if I well remember, I told you that the outward rudeness of Major Scapati which has its manifestations towards everybody, sometime even including myself, is a characteristic feature of his nature, the only negative one of a personality which I believe worth of great consideration under every other point of view and particularly under that of a professional ability really distinguished and of a firm and generous straightforwardness of character which cannot not be appreciated by those who have the possibility to come into contact with it through his bark. I have always been the first to admit that Major Scapati - the most valuable help in any other field - is certainly the less fit to discharge liaison duties.

notification of such importance would have been made only incidentally on the occasion of the investigations concerning totally different allegations which have been in fact known as without any substantial foundation.

Always according to para 3) of the above mentioned letter, the obstructionism of Major Scapati would have begun to be evident about three months ago. I am therefore led to connect such remark with the interview I had on the subject of Major Scapati with you and Major Egerton in San Benedetto in Querce-
to at about such time.

On that occasion, if I well remember, I told you that the outward rudeness of Major Scapati which has its manifestations towards everybody, sometime even including myself, is a characteristic feature of his nature, the only negative one of a personality which I believe worth of great consideration under every other point of view and particularly under that of a professional ability really distinguished and of a firm and generous straightforwardness of character which cannot not be appreciated by those who have the possibility to come into contact with it through his bark. I have always been the first to admit that Major Scapati - the most valuable help in any other field - is certainly the less fit to discharge liaison duties. 3707

On this assumption we agreed that the daily contacts between "Legnano" H.Q. and 52 B.L.U. would since be kept up to utmost extent desired, through the Chief of Staff, Colonel Garofoli who was completely at your and your officers disposal for every question and who was in a position, because of the function he was fulfilling to see the questions even from a more comprehensive point of view than Major Scapati.

Thence you have never brought to my attention any further complaint and the frank cordiality of our terms had led me to believe that should there had been any reason to complain, you would not have withheld it from me.

./...

That is the reason why the allegation of obstructionism which I learned from the report of Capt. Stowe was for me a painful surprise. I want to hope that it refers only to that bygone episode which I believed overruled.

But as it is my duty to bring the inquest now in course resolutely and rigidly to the end, I beg you kindly let me know which are the concrete facts with which Major Scapati may be charged in respect of this matter.

It is possible that Nature has presented somebody with the physiognomy or the character more or less welcoming and pleasant. But the obstructionism implicates hostile will; it constitutes a willful sabotage of the mutual relations: in the light of the situation it is therefore equivalent to a military crime. I trust wholeheartedly that from your side there cannot even be the slightest doubt of a similar attitude from Major Scapati.

Yours very sincerely

Eyn M.H.

These 2 letters sent under
cover of G/S3/169 dated "Jul 45"
by hand of Major Fenech
to HQ IV Corps

TRANSLATION

HQ ICHING DIVISION
- G O/S & INT SEC.

Ref: 01/2237

2 July 45

Subject: IV Corps Monthly Security Report.

To: 52 HQ.

In the IV Corps Monthly Security Report 25 May/25 June, dated 3 July,
I read on page 4 line 11 :-

THE LEO, Candelero, Col. ex-Chief of Republican SID; gave himself
up to 306 G/S Lt. ALAN, on 12 June 1945. He had passed through
the Leguano Group Cage and been given a chit signed by Major SCARATI,
stating that he was held at the disposal of the Leguano Group, and
then allowed to go free. The matter has been taken up with Fifth
Army, and SCARATI is to appear before a Court of Inquiry.

I am very surprised to see this version of the facts in an official
document. As is known at HQ, the inquiry into the action of Major
SCARATI does not refer to the case of Col. DE LEO CANCELERO but that of
Col. DE LEO INXAND. It is known that, even though the inquiry is not
yet formally closed, this last case is the result of a series of mis-
understandings, which in my opinion have now been completely cleared up,
and which in any case cannot be regarded as being aspersions against
Major SCARATI.

Will you therefore make an urgent inquiry to IV Corps, asking on
what foundations these new imputations against Major SCARATI are based;
and if true would really be very grave indeed and I should immediately
carry out further searching investigations. If however, the contrary
be the case, as I am hoping, I should like the information to be
officially rectified.

3703

to the IV Corps Security Report 25 May/23 June, dated 3 July,
I read on page 4 line 11 :-

THE LEO GAMBINO, Col. ex-Chief of Republican SID, gave himself
up to 808 G/S Lt. WILLIS, on 12 June 1945. He had passed through
the Legnano Group Camp and been given a chit signed by Major SCARATI,
stating that he was held at the disposal of the Legnano Group, and
then allowed to go free. The matter has been taken up with Fifth
Army, and SCARATI is to appear before a Court of Inquiry."

I am very surprised to see this version of the facts in an official
document. As is known at HQ, the inquiry into the action of Major
SCARATI does not refer to the case of Col. DE LEO GAMBINO but that of
Col. DE LEO SHIMMO. It is known that, even though the inquiry is not
yet formally closed, this last case is the result of a series of mis-
understandings, which in my opinion have now been completely cleared up,
and which in any case cannot be regarded as being operations against
Major SCARATI.

Will you therefore make an urgent inquiry to IV Corps, asking on
what foundations these new imputations against Major SCARATI are based;
and if true would really be very grave indeed and I should immediately
carry out further searching investigations. If however, the contrary
be the case, as I am hoping, I should like the information to be
officially rectified.

3705

(Signed) GUSTAVO PULI

GOC LEGNANO.

HQ LEGNANO DIVISION
G CPS & INT SEC

Subject: IV Corps Monthly Security Report.

01/2239

10 July 45.

52 BLU.

Further to this HQ letter 01/2237 dated 9 July, we wish to state that the inquiry now in course involving Major SCAPATI, refers to the case of Colonel (INF) DE LEO SECONDO. Colonel (Carabinieri) DE LEO CARDELLORO did not pass through LEGNANO hands and there is reason to believe that he cannot be in possession of any documents issued by this HQ.

By Order of Chief of Staff
Col CAROPOLI

3704

Bregano
8 July '65

Deo Captain Whynan

During the conversation, did you quote me as a result of the letter sent by General Utili to SA BULL - & I which took place in my office on the 5th of this month, we - saw by mutual agreement - clarified two points relating to the present affair. These points were also pointed out in the above mentioned letter - they are:

a.) That the Giglio case does not enter into the enquiry at present being carried out against ~~Major~~ ^{Major} Giuseppe Scarfati. But is only concerns General Utili. & that it originated from a meeting of the two operations - a meeting that was due to the initiative of the first of these two. The facts which you cite correspond with what General Utili has declared.

2.) As proof that the 'Giglio-Bregano' has arbitrarily classes "other" POW's to be released these names were cited to me.

- Engineer STROMENGER

- Major Bressi Riccardo (father) & Bressi Aldo (son.)

Naturally I let me investigate these cases & I later to inform you of the results

(c.) The Stromenger case.

There is no record of Engineer S. having been handed over to HQ Bregano as a POW. It appears that he - along with his son - reports up to our 39 FSS. of his own free will & the FSS. decides to hold him. Later his situation at FSS.HQ was changed to 'home arrest', or parole, this

2.) As proof that the Grillo 'Regano' has arbitrarily allowed "other" POW's to be released these names were cited to me.

- Engineer STROMENGER

- Major Brevi Riccardo (father) & Brevi Aldo (son.)

Naturally I let one investigate these cases & I listen to inform you of the results.

(a) The Stromenger Case.

There is no record of Engineer S. having been handed over to HQ Regano as a POW.

It appears that he - along with his son - relatives ~~up~~ to over 39 FSS. of his own free will & the FSS. decides to hold him.

Later his detention at FSS.HQ was changed to 'house arrest', on parole, this being based on a favorable report being received on engineering in the conduct of the people in the area, & also due to the intercession of civil authorities & civilian personalities - ~~3/12/45~~ recognized by the Allies.

It has been ascertained that the Stromengers were released - at the initiative of O.C. 39 FSS as a result of fresh information which came to hand & which implicated these two men in question.

From our records in possession of this HQ it is known that following for an agreement with the 1/6 of 621 FSS - the Stromengers were handed over to the Bergamo Question - & were put at the disposition of Captain Stone.

(b) The Brevi Case.

The Brevi case was brought to our Intelligence Office by ~~an agent~~ of a Public Security agent (gt.). The officer 1/6 of this ~~branch~~ type of work did not see his way clear to consider them as POWs under the provisions of AFHQ's circular of 6 March '45.

He would certainly have considered them as POWs if any convincing details had been discovered which implicated these two men - or if they had had to be considered Sangamon subjects. With a view to checking it on this he got into touch with the Question & had a negative reply. ~~Therefore~~ This officer continued to insist on his point of view & it was decided that the British should be put at the disposal of the Question. ~~This decision was informed~~ ^{cover} ~~of this~~ This decision was communicated to them to the PS agent - along with whom they then left the HQ.

I conclude by expressing the opinion that, in the two cases cited above, there would not appear to be any base for saying "POWs have been set free by the 'Argentino' after having been handed over to it".

I shall be very grateful to you, Captain Whyman, if you will quote me any ~~last~~ other cases of this kind in order that I may ~~it~~ ^{it} inevitably trace ~~some~~ the responsibility ^{or} ~~state~~ clear up the misunderstanding - as I hope I have done in the two above cases.

Signed: Col. F. R. G. G. G.

ALLIED MILITARY GOVERNMENT

BERGAMO PROVINCE

Tel: 50-01

Ext: 14

BE/ 21/PSD

5th July 1945

SUBJECT: Release of POW's - ref/ your letter AQ/20/19

TO: 52 British Liaison Unit, CMF - Maj. Luckock

1.- In accordance with your request to contact Col. GAROFALO, Chief of Staff Legnano Div., regarding the Court of Inquiry involving Maj. SCAPATI, on the 5th July, 1945 I discussed the case with him when the following points were raised:

a) Col. GAROFALO wished to know, as a result of a communication from IV Corps, the circumstances of the release of GEN. GIGLIO and in what way Maj. SCAPATI was involved. I explained as follows: on the 17th May 1945 Gen. GIGLIO was arrested at his home in Bergamo by the Agents of Public Security. At the time he expressed his surprise at being arrested, for on the 8th May he had reported to Gen. UTILI of the Legnano Div. who told him to go home and await further instructions. Gen. Giglio made a signed statement to this effect. On the 18th May a letter, which was read to Col. Garofoli and a copy of which is attached, was sent by Gen. Utili to the Questore. I pointed out that in none of my communications had I connected Gen. Giglio's release with Major Scapati, but had mentioned Giglio's name to emphasize the fact that POW's had been released previously by the Legnano Div.

b) Col. Garofolo explained that Gen. Giglio was released under Directive AG 3836/121 GBI-D dated 6th March 1945 para. 3 c. in which is provided that civilians, including those who are able to prove that, either by dismissal or desertion, they had already ceased to be members of the enemy armed forces, at the time they were overrun, should not be arrested. As Gen. Giglio stated he had not been effective in the enemy armed forces since February 1945, Gen. Utili considered he came in this category, but I pointed out to Col. Garofoli that para. 3 c. also provided that such persons could be arrested and disposed of as civilian internees if they were considered security threats, and before Gen. Giglio was released, he should have been vetted by the F.SS and the Questore informed, this was not done. As I have already stated in previous communication Gen. Giglio is at present awaiting trial for war crimes and but for the vigilance of the APS, through his release by the Legnano Div. he might have escaped justice.

ALLIED MILITARY GOVERNMENT BERGAMO PROVINCE

Tel:

Ext:

BE/

SUBJECT:

TO:

- 2 -

c) Col. Garofolo also wished to know the names of POW's released by Legnano Div. referred to in para. 5 of my letter to BLU on the 3rd June PSD/21-058 and also if Major Scapati was involved in their release. I gave the following names:

1.- STROMENGHER, Alessandro, German subject, Officer in the Wehrmacht since 1940, arrested on 16th May 1945, handed over to Legnano Div., subsequently released and re-arrested on 26th May 1945 -

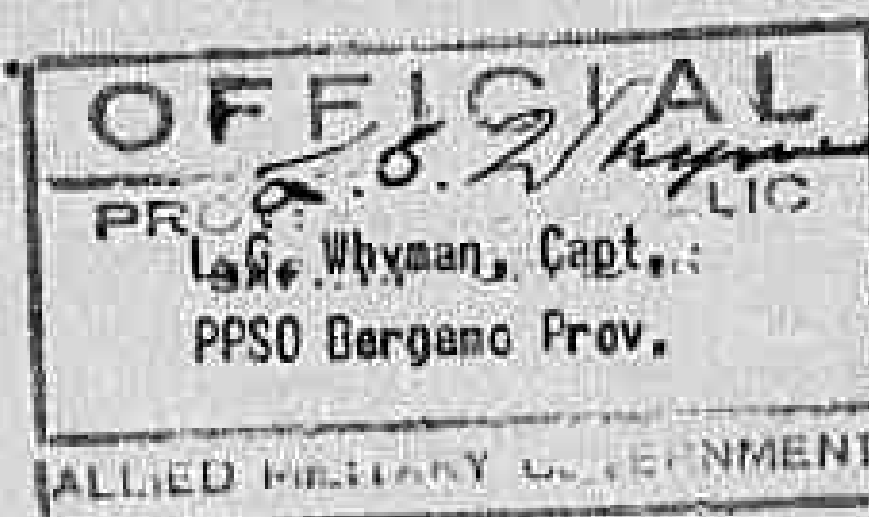
2.- BREVI, Riccardo - Major of the Republican Army, and his son
BREVI, Aldo - member of the X^o Mas, both arrested on the 19th May, handed over to the Legnano Div., released, and rearrested on the 9th June 1945 -

I told Col. Garofoli that I did not know if Major Scapati was involved in the release of the above mentioned men.

d) At the time of the interview I had with me Dr. QUARTI, Bruno, the Agent of Public Security who arrested Lt. Col. DE LEO, Leonardo, reported to me the familiar way in which DE LEO was treated by Maj. Scapati, and who made the subsequent rearrest. Dr. Quartì gave the full circumstances to Col. Garofoli.

LGM/hal.

enc1/1



3700

Copy of letter of GEN. UTILI addressed to the Questore of Bergamo
dated 18th May 1945 -

Gruppo Legnano
Generale Comandante

18 Maggio 1945

Egregio Signor Questore,

Moglie e figlia del Gen. Giglio sono spaventatissime per l'arresto del loro congiunto avvenuto ieri sera.

La mia posizione nei riguardi di quest'ultimo non ha bisogno di essere chiarita; è quella che deriva dal sangue di tremila uomini che lo hanno versato combattendo ai miei ordini. Ma le famiglie innocenti mi fanno pena.

Se lei crede di potermi dare qualche chiarimento circa la sorte attuale e le previsioni che riguardano il Gen. Giglio, così che possa tranquillizzare quelle due disgraziate, Le sarò molto grato.

Se possibile esse vorrebbero avere un colloquio con lui ed essere autorizzate a portargli un pò di biancheria.

Tra parentesi io non immagino che il Giglio abbia colpe complementari a quella di aver servito nell'esercito fascista repubblicano: io ritengo un debole che ha ceduto alla prima minaccia.

Grazie comunque e distinti saluti.

F.to Gen. Utili

3699

ARMY FORM C2136 (Small)

MESSAGE FORM

Register No.

Call

Srl. No.

Priority

Transmit

Instructions

ABOVE THIS LINE FOR SIGNALS USE ONLY

FROM
(A)

Originator

Date/Time of Origin

Office, Date, Stamp

War Cabinet

For Action

to

"Legnano" D.O.

(W) For Information (INFO)

Message Instructions

GR

Originator's No.

115351/1 Restricted.

Report results of inquiries concerning Major SCAPATI.
This offr. is to be transferred to Rome immediately at disposal of Italian Army Staff.
Confirm that necessary measures are taken.

Ministry for War

JACINI.

THIS MESSAGE MAY BE SENT AS WRITTEN
BY ANY MEANS { PLAIN } WIRELESSIF LIABLE TO BE INTERCEPTED OR TO
FALL INTO ENEMY HANDS, THIS MES-
SAGE MUST BE SENT IN CIPHERORIGINATOR'S INSTRUCTIONS
DEGREE OF PRIORITY

SIGNED

SIGNED

3698

THI or TOR

Time cleared

System Op.

Originator's No.

12/4 (-) SECRET (-) PERSONAL FOR COL PUNJAB FROM DUELS 12/4 (-) REF: 12/4
 1218 Dated 15 June 15 addressed 5 Army wing to 12/4 HQ (-) Underwritten
 1218 12/4 HQ, 12/4 HQ has applied for Ministry for permission to 12/4 HQ
 12/4 HQ is standing of Court of Inquiry with 12/4 HQ (-) Underwritten
 Court of Inquiry has no connection with recall of 12/4 HQ to 12/4 HQ (-)
 Please consider Major SCARAT proceeds with on completion of Court of
 Inquiry report of finding (-) Court of Inquiry should be completed
 in a few days

3697

This message may be sent
 AS WRITTEN by any means
 except

WIRELESS.

Signed

If liable to be intercepted or to fall
 into enemy hands this message must
 be sent IN CIPHER

Signed

Originator's Instructions.
 Degree of Priority

Time

System

Op.

THI or TOR

Time cleared

21

CONFIDENTIAL

52 British Liaison Unit,
CAF.

23 June 45.

AQ/20/21

Subject: Court of Inquiry.

HQ LEXIANO Gruppo.

Ref letter from Gen UTILI to this HQ dated 21 June 45, and
conversation this morning Col DOUGLAS - Col GAROFOLI.

Attached are copies of this HQ letter AQ/20/18 dated 22 June 45,
and 421 FS Section letter P/12a/FSS dated 23 June 45.

TPL/HS

ll
Lieut-Col.
(S.)

CONF.

CONFIDENTIAL

52 British Liaison Unit,
CAF.

AQ/20/18

22 June 45

Subject: Court of Inquiry.

Capt L.I. STONE,
421 Field Security Section.

The attached is a translation of a letter which has been received from
HQ LEXIANO Group. Could you please make yourself available to give
evidence at a Court of Inquiry which is being held at their HQ.
I maintained that evidence is required to support your statement at
para 4 of your letter 8/12/FSS dated 4 June and addressed to G2(CI)
Section, IV Corps.

I would suggest that you should arrange direct with the Chief of Staff
(Col GAROFOLI) for a time suitable to both parties.

3693

TEL/MS

Lieut-Col.
GS.

COPI.

Subject: Court of Inquiry.

CONFIDENTIAL.

52 British Liaison Unit,
CMB.

AG/20/45

22 June 45

Capt L. I. STONE,
421 Field Security Section.

The attached is a translation of a letter which has been received from HQ LERMANO Group. Could you please make yourself available to give evidence at a Court of Inquiry which is being held at their HQ. I maintained that evidence is required to support your statement at para 4 of your letter 8/12/43 dated 4 June and addressed to G2(CI) Section, IV Corps.

I would suggest that you should arrange direct with the Chief of Staff (Col GAREFOLI) for a time suitable to both parties.

36
J.S.H.D.

(signed) J. S. H. D. GIAN

Lieut-Col. GS.

COPI

E/12a/435

To: 52 ELU, CMB.

Subject: COURT OF INQUIRY.

CONFIDENTIAL.

421 Field Security Section,
CMB.

23 June 45.

Ref your AG/20/18 dated 22 June 45 on above subject.

The information relative to the release of Gen CIGLIO by the LERMANO Group was passed on to me by Capt WHITMAN, P-30, Bergamo Province. As the incident occurred before the arrival of this section in LERMANO, I cannot give personal evidence on the case. I have no doubt, however, that Capt WHITMAN, is prepared to amplify his statements.

(Signed) L. I. STONE, Capt.

CONFIDENTIAL.

1/12a/FSS.

421, Field Security Section,

C.M.F.

To:- 52, D.I.U.
C.M.F.

23 Jun 45

Subject:-

COURT OF INQUIRY.

Ref your AQ/20/18 dated 22 Jun 45 on above subject.

The information relative to the release of Gen GIGLIO by the DEWING Group was passed on to me by Capt. WHIDAR, P.F.S.O., Bergamo Province. As the incident occurred before the arrival of this section in BERGAMO, I cannot give personal evidence on the case. I have no doubt, however, that Capt WHIDAR, is prepared to amplify his statements.

HIS/HEK.
In the Field.*L. J. Stowe*
..... Capt.
L. J. Stowe.
O.C. 421, F.S. Section.

3625

19

CONFIDENTIALSubject: Court of Inquiry.52 British Indian Unit,
CMB.AG/20/1222 June 45.Provincial Commissioner,
AMG, BERGAMO Province.

The attached is the translation of a letter which has been received from HQ LEGNANO Group. Could Capt WHYMAN please be made available to give his evidence at a Court of Inquiry which is being held at their HQ. I understand that evidence is required to support the statement in para 5 of his letter PSD/21-058 dated 3 June 45.

I would suggest that he should arrange direct with the Chief of Staff (Col GAROFOLI) for a time suitable to both parties.

*Lt. Col. [Signature]*Lieut-Col.
GS.

3694

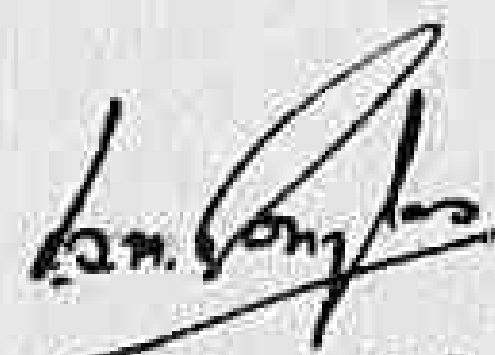
JED/MS

18

CONFIDENTIALSubject: Court of Inquiry.52 British Liaison Unit,
CMB.
AQ/20/18.22 June 45.Capt L.I. STOWE,
421 Field Security Section.

The attached is a translation of a letter which has been received from HQ LECIANO Group. Could you please make yourself available to give evidence at a Court of Inquiry which is being held at their HQ. I maintained that evidence is required to support your statement at para 4 of your letter 8/12/43 dated 4 June and addressed to G2 (CI) Section, IV Corps.

I would suggest that you should arrange direct with the Chief of Staff (Col CAROFOLI) for a time suitable to both parties.


Lieut-Col.
G3.

JSIB/43.

TRANSLATIONGruppo di Combattimento "Legnano"
-----P.M. 155, 21/6/45

To:- 52 BLU

CMF

To bring to conclusion the known inquiry concerning Major Despati, it is necessary to make clear two charges which have no evidence in the statements and documents which are up to now in my possession.

They are the statement contained in para' 5 of the letter R.G.D./21-058 dated 3 June, written by Capt Whyman, P.P.S.O. Bergamo Prov. and the report in para' 4 of letter P/12/PS dated 4 June from 421 Field Security Section.

Furthermore it seems to me that the number of prisoners released was 21, all with a justification and that General Giglio was never reported or handed over, nor afterwards released by "Legnano" Division.

I therefore will be be very grateful to 52 BLU if you would contact above mentioned Allied authorities requesting them to specify the two charges in order to facilitate the process of the Inquiry and the fulfilment of my duty.

(signed) General UTILLI

G.O.C.
Legnano Division

3693

GRUPPO DI COMBATTIMENTO LEGNANO

COMANDO

P.L. 155, 21/6/45

TO : 52 D. L. U. - C.M.I.

Per condurre a termine la nota inchiesta riflettente il Maggiore Scapati è necessario mettere in chiaro due punti d'accusa che non trovano conferma nelle dichiarazioni e documenti di cui sono per ora in possesso.-

Si tratta dell'affermazione contenuta al N°5 del foglio R.G.D./21-058, data 3 giugno, del Capitano Whyman P.P.S.O. Bergamo Prov. e di quella di cui al N°4 del foglio P/12/PS della 421 Field Security Section, data 4 giugno.-

Poichè a me risulterebbe che i prigionieri rilasciati sono stati 21 e tutti giustificati, e che il Generale Giglio non è mai stato segnalato o consegnato alla "Legnano" e da questa poi rilasciato, sarò grato a codesto S.L.U. se vorrà far da tramite colle suddette autorità Alleate acciocchè esse mi forniscano quelle precisazioni delle due accuse necessarie per ulteriori indagini e quindi per l'assolvimento del mio mandato.-

IL COMANDANTE
(Gen. Umberto Utili)

3692

Utili

Register No.

MESSAGE FORM

ARMY FORM C 2136 (Large)

Transmission Instructions

Call

Srl. No.

Priority

ABOVE THIS LINE FOR SIGNALS USE ONLY.

Date-Time of Origin.

Office Date Stamp

FROM

(4)

Originator

52 HLU

For Action

211500Z

IV CORPS (FOR G-2)

TO

(W) For Information (INFO)

FIVE ALEX (FOR A LEXUS) PERIT ITO

Message Instructions.

GB

Originator's No.

08/1 (.) CONFIDENTIAL (.) DEC FIVE ALEX 6/11 of 18 (.) INSTRUCTIONS
 to LUXUS CORPS Area Italian War Ministry stated that Major ROBERT
 would be dispatched to RUS on completion of course of inquiry (.)
 Investigation still proceeding (.) CORPS state that he will be dis-
 patched immediately on completion (.) Even 52 HLU action for IV CORPS
 (FOR G-2) info to FIVE ALEX (FOR A LEXUS PERIT ITO)

3691

03/1 (.) CONFIDENTIAL (.) REF NINE AMY 6/61 of 18 (.) Instructions
 to LUSINO Gruppo from Italian War Ministry showed that Major ROBERTI
 would be dispatched to RUS in completion of Court of Inquiry (.)
 Investigation still pending (.) Gruppo state that he will be dis-
 patched immediately on completion (.) From 52 and action for IV Group
 (For 6-2) Info to NINE AMY (For A Branch Data Info)

3691

This message may be sent
 AS WRITTEN by any means
 except

WIRELESS.

Signed

If liable to be intercepted or to fall
 into enemy hands this message must
 be sent IN CIPHER

Signed

Originator's Instructions.
 Degree of Priority

IMMEDIATE

Time

THL or TOR

System

Op.

Time cleared

REF: NR T2/19
DTG 191935B

RESTRICTED - PN PRIORITY
19 JUNE 1945

TO: FIVE ARMY FOR ACTION ATTENTION BRITISH INCREMENT ABLE BRANCH
FIVE TWO BAKER LOVE UNCLE FOR INFO
REFERENCE YOUR FIVE ZERO ZERO FIVE DATED ONE EIGHT MIKE MIKE
ITEM ABLE REQUESTED ORDERS FROM ITALIAN MINISTER OF WAR TO REMOVE
SCAPATI X ORDERS NOT YET RECEIVED BY FIVE TWO BAKER LOVE UNCLE X
REQUEST WIRE DIRECTING HIS REMOVAL BE SENT TO FIVE TWO BAKER
LOVE UNCLE WHO WILL TAKE ACTION X

CG IV CORPS

WELLS, G-2

TIME SIGNED

3690

A.M.G.
BERGANO.

HF/DO/2

Dear General Urrutia,

When you visited me on the 4th of June in regards to the unfortunate release of Col. DE LEO by "Lequano" D.B., I fully appreciated your personal disposition in the matter and accepted without reserve your explanations on your line of action.

However, you will remember, that I drew your attention to the misuse of the situation by the offrs. of your Divisional Staff, and that I impressed specifically my inability to condone with the fact, that a P.O.W., landed over to your Staff offrs. by a war, you personally knew to represent the Commander of the Police, was released, even if temporarily, without previous notification of the Police or A.M.G. This action was dangerous from the point of view of Col. DE LEO's security and showed lack of civility towards the civilian authorities.

The war concerned, as you have been informed, was a high-ranking offr. of the Republican General Staff and was aimed to a cover-up of German origin.

Finally you will recollect the following points, I asked you to adhere to:

COPY.

20th of June 45.

However, you will remember, that I drew your attention to the misuse of the situation by the offrs. of your Divisional Staff, and that I impressed specifically my inability to endorse with the fact, that a P.O.W., landed over to your staff offrs. by enemy, you personally knew to represent the Commissioner of the Police, was released, even if temporarily, without previous notification of the Police or A.N.G. This action was dangerous from the point of view of Col. DE LEO's security and flawed both of ability towards the civilian authorities.

The man concerned, as you have been informed, was a high-ranking offr. of the Republican General Staff and was married to a woman of German origin.

Finally you will recollect the following points, I asked you to adhere to:

- 1) In Future a Receipt for all POWs will be issued by your General HQ.
- 2) No POWs will be handed over to your General HQ will be released without previous notification of the Police or A.N.G.

I feel, that you can't be unconscious of my interests in the matter of the release of Col. DE LEO.

I hope, that the fact, that in this case your wishes will be carried out completely by your offrs. will not influence our cordial personal relations.

Yr. esteem,

Yours sincerely,

Sgt.

D. HOLLEY FLETCHER

Lt. Col.

PROVINCIAL GOVERNMENT.

BEST COPY POSSIBLE

Copy.
Allied Military Government.

Bergamo

20 Giugno 1945

PROVINCIAL COMMISSIONER
Tel. 2442 or 2343

MF/DO/2

Caro Generale Uffili,

quando ebbi la Sua visita del 4 Giugno riguardo al deplorable rilascio del Col. De Leo da parte della Divisione Legnano, io ho certamente apprezzato in pieno la Sua deposizione personale sulla Sua parte nell'incidente, ed ho accettato senza riserva la di Lei spiegazione sul Suo proprio modo di agire.

Tuttavia Lei ricorderà che io ho richiamato la Sua attenzione sull'abuso della situazione da parte dei Suoi ufficiali di Stato Maggiore, ed ho specificato che non potevo condonare il fatto che un prigioniero, consegnato da un uomo che Lei personalmente conosceva rappresentare il Questore, venisse rilasciato, anche se provvisoriamente, senza notificarlo o alla Questura o all'A.M.G. Era pericoloso dal punto di vista di sicurezza del Col. De Leo e scortese verso le autorità civili.

L'uomo, come Le è stato detto, era un ufficiale superiore dello Stato Maggiore Repubblicano e sposato ad una donna di origine tedesca.

Infine Lei ricorderà che io Le ho chiesto di aderire a che:

- a) in futuro fosse rilasciata dal Sue Quartier Generale una ricevuta per tutti i prigionieri
- b) che nessun prigioniero consegnato a loro dovesse venir rilasciato senza darne prima notizia alla Questura o all'A.M.G.

Io sento perciò che Lei non può essere stato inconsapevole del rilascio del Colonnello De Leo.

COPY.

BE/21/PSD

19th June 1945

Subject : Release of POW's by the Legnano Div.

To : Lt.Col.Morley-Fletcher Prov.Commissioner Bergamo

1. During the month of May the Questura Dept. received information of an indefinite nature, that the Legnano Div. were releasing POW's arrested by their agents.
2. They also heard that ex-Republican officers of the rank of Major and above were reporting to the Legnano Div. and were told to go home and wait.
3. Unfortunately the Questura could not supply dates and names of these early releases, but on the 17th May 1945, from information received, the Agents arrested Generale Giglio at his home. He then expressed his amazement at his arrest as he had reported to Generale Utti of the Legnano Division on the 8th May and was told by him to go home and remain there until called. Generale Gigli made a written statement to this effect.
4. On the 18th May the Questore received a letter from Generale Utti, in which he asks for an explanation of the arrest of the Generale Gigli, and describes him as only a weak man for joining the Republican Fascist Army. Generale Gigli in fact is being held for trial before the Italian Courts, for alleged war crimes in Bergamo and Bologna.
5. In further confirmation of their information, on the 2nd June 1945 a Col. De Leo, Leonardo of the Republican Fascist Army was arrested by the Agents of Public Security, and at 1645 hrs. on that day he was handed over to Maggiore Scappati who according to the Agent concerned greeted De Leo as an old friend. In view of this the agent reported to me he was of the opinion that De Leo would be released. I instructed him to return to De Leo's house, and if he was released, to re-arrest him.

2. They also heard that ex-Republican officers of the rank of Major and above were reporting to the Legnano Div. and were told to go home and wait.
3. Unfortunately the Questura could not supply dates and names of these early releases, but on the 17th May 1945, from information received, the Agents arrested Generale Giglio at his home. He then expressed his amazement at his arrest as he had reported to Generale Uttli of the Legnano Division on the 8th May and was told by him to go home and remain there until called. Generale Gigli made a written statement to this effect.
4. On the 18th May the Questura received a letter from Generale Uttli, in which he asks for an explanation of the arrest of the Generale Gigli, and describes him as only a weak man for joining the Republican Fascist Army. Generale Gigli in fact is being held for trial before the Italian Courts, for alleged war crimes in Bergamo and Bologna.
5. In further confirmation of their information, on the 2nd June 1945 a Col. De Leo, Leonardo of the Republican Fascist Army was arrested by the Agents of Public Security, and at 1645 hrs. on that day he was handed over to Maggiore Scapatti who according to the Agent concerned greeted De Leo as an old friend. In view of this the agent reported to me he was of the opinion that De Leo would be released. I instructed him to return to De Leo's house, and if he was released, to re-arrest him.
6. In fact this is exactly what did happen, for at 1830 hrs. on the same day De Leo was again found by the Agent in his house. He had in his possession a letter signed by Maggiore Scapatti authorizing him to be at the disposal of the Legnano Div. in other words De Leo was released on his own security.
7. On the 5th June 1945, De Leo was again handed over to the Legnano Div., when a receipt was obtained acknowledging taking him into custody.
8. I attach herewith copies of the documents referred to in this report, also a copy of the report made by the Agent making the arrest of De Leo.

Encl.

(Sgd) L.G. Whyma, Capt.
PPSU Bergamo Province.

COPY

Gruppo di Combattimento "Legnano"
Generale Comandante

18 Maggio 1945

Egregio Signor Questore,

Moglie e figlia del Gen. Giglio sono spaventatissime per l'arresto del loro congiunto avvenuto ieri sera.

La mia posizione nei riguardi di quest'ultimo non ha bisogno di essere chiarita; è quella che deriva dal sangue di tremila uomini che lo hanno versato combattendo ai miei ordini. Ma le famiglie innocenti mi fanno pena.

Se Lei crede di potermi dare qualche chiarimento circa la sorte attuale e le previsioni che riguardano il Gen. Giglio, così che possa tranquillizzare quelle due disgraziate, Le sarò molto grato.

Se possibile esse vorrebbero avere un colloquio con lui ed essere autorizzate a portargli un pò di biancheria.

Tra parentesi io non immagino che il Giglio abbia colpe complementari a quella di aver servito nell'esercito Fascista Repubblicano; lo ritengo un debole che ha ceduto alla prima minaccia.

Grazie comunque e distinti saluti

F. to Gen. Utili

Translation

G.O.C., Legnano Division

Esteemed Mr Commissioner (of Police)

3686

18 May 45

The wife and daughter of General GIGLIO are extremely frightened by the arrest of their relative which took place last night.

per l'arresto del loro congiunto avvenuto ieri sera.

La mia posizione nei riguardi di quest'ultimo non ha bisogno di essere chiarita; è quella che deriva dal sangue di tremila uomini che lo hanno versato combattendo ai miei ordini. Ma le famiglie innocenti mi fanno pena.

Se Lei crede di potermi dare qualche chiarimento circa la sorte attuale e le previsioni che riguardano il Gen. Giglio, così che possa tranquillizzare quelle due disgraziate, Le sarò molto grato.

Se possibile esse vorrebbero avere un colloquio con lui ed essere autorizzate a portargli un pò di biancheria.

Tra parentesi io non immagino che il Giglio abbia colpe complementari a quella di aver servito nell'esercito Fascista Repubblicano: io ritengo un debole che ha ceduto alla prima minaccia.

Grazie comunque e distinti saluti

F. to Gen. Utili

Translation

G.O.C., Legnano Division

Esteemed Mr Commissioner (of Police)

3686

18 May 45

The wife and daughter of General GIGLIO are extremely frightened by the arrest of their relative, which took place last night.

My position in regard to the letter does not need any elucidation; it derives from the blood of 3000 men, who shed it fighting under my orders. But the innocent family arouses my mercy.

If you could throw any light on the present fate and possibly, future position of General GIGLIO, so as to enable me to calm his 2 distressed relatives, I would be very grateful.

If possible they would like to talk to him and bring him some laundry. Personally speaking, I cannot imagine, that General GIGLIO can be held to be guilty for his service with the Fascist Republican Army. I consider him to be weak, having yielded to the first threat.

In gratitude

I remain

Yours sincerely

GENERAL UTILI.

COPIA

Bergamo 17 Maggio 1945

Io sottoscritto dichiaro di essermi recato il giorno 8 Maggio c.m. dal Generale di Divisione Utili Umberto, Comandante della Divisione Legnano al quale ho esposto la mia situazione. Egli al termine del colloquio mi ha detto di restare sereno, reperibile nella mia abitazione.

F.to Generale Umberto Giglio

COPY

BERGAMO 17th of May 1945

I, the undersigned declare to have reported on the 8th of May 1945 to General UTILI G.O.C. "Legnano" Div to whom I explained my situation. On completion of our conversation he told me to remain calm and to keep myself available at my residence.

General UMBERTO GIGLIO

HEADQUARTERS FOURTH CORPS

Civil Affairs Section

SUBJECT: Report by Agent making arrest

On Saturday, 2nd June, at about 4.45 p.m., I asked an orderly officer at the Headquarters of Divisione Legnano to whom I was to commit the war prisoner I had accompanied there.

I was taken to Major Scapati's office where I found General Utili; I told the latter I had gone to No. 3 Rotonda dei Mille looking for Lt. Colonel of Carabinieri Onofelore De Leo of S.I.D. on the order of P.F.S.

The Colonel, being a fugitive, could not be found but I saw that next door lived Lt. Colonel Leonardo De Leo, a staff officer of the Republican Army. In accordance with directions given me sometime ago by Capt. Whyman as to officers once belonging to the Rep. Army I placed De Leo under arrest and still in accordance with Capt. Whyman's directions I took him to Divisione Legnano.

General Utili showed himself annoyed and after introducing himself to the prisoner, told me Major Scapati, present at the interview, would see to the matter. During this conversation Major Scapati and the prisoner talked to each other and hugged and kissed each other very friendly.

I then reported to Major Scapati what already said to the general about the prisoner's arrest, explaining that Divisione Legnano was to detain

Copy for BCU.

I was taken to Major Scapati's office where I found General Utili; I told the latter I had gone to No. 3 Rotonda dei Mille looking for Lt. Colonel of Carabinieri Candelore De Leo of S.I.D. on the order of F.P.S.

The Colonel being a fugitive, could not be found, but I saw that next door lived Lt. Colonel Leonardo De Leo, a staff officer of the Republican Army. In accordance with directions given me sometime ago by Capt. Whyman as to officers once belonging to the Rep. Army I placed De Leo under arrest and still in accordance with Capt. Whyman's directions I took him to Divisione Legnano.

General Utili showed himself annoyed and after introducing himself to the prisoner, told me Major Scapati, present at the interview, would see to the matter. During this conversation Major Scapati and the prisoner talked to each other and hugged and kissed each other very friendly.

I then reported to Major Scapati what already said to the general about the prisoner's arrest, explaining that Divisione Legnano was to detain these officers in custody as prisoners of war on Capt. Whyman's precise orders. I don't remember my exact words, but I was angry as I understood they objected to arrest officers (I got the same impression on previous occasions). I was also angry because Major Scapati instead of eventually arguing the matter with me discussed it with the prisoner, openly admitting he was right so that the prisoner taunted me with the three medals he was awarded during the other war.

As I did not like to discuss with a prisoner, I addressed to Major Scapati saying I did not accept any offence to my dignity from fascists who collaborating with the Germans had ruined our country. I saluted and went out. The conversation lasted about half an hour. An officer whose name I don't

LOOC V LOAO NR8 P
 CWR1-2
 FROM FIVE ARMY 182027B
 TO IV CORPS
 INFO 52 BLU
 GR527 63 BT

R-19/18

REFNR 5005

20.64/6 A

RESTRICTED PD SIX FOUR SLANT SIX ABLE PD REFERENCE MIKE MIKE ITEM ABLE
 SIGNAL ABLE TWO ONE EIGHT DATED ONE FIVE PD REQUEST YOU CONFIRM BY
 RETURN ACTION HAS BEEN TAKEN TO DESPATCH MAJOR SCAPATI TO ~~ROME~~ ROME
 PAREN FROM BRITISH INCREMENT ABLE BRANCH FIFTH ARMY FOR ACTION TO
 ITEM VICTOR CORPS AND INFORMATION TO FIVE TWO BAKER LOVE UNCLE PAREN

TJC NR AR K
 RECD 8 2033 ~~77~~ 2133 RR

3684

CONFIDENTIAL

HEADQUARTERS IV CORPS
Office of the Assistant Chief of Staff, G-2
APO 804 U S Army

15 June 1945

SUBJECT: SCAPATI Maggiore, Legnano Group.

TO : GSO 1, No. 52 B.L.U., C.M.F.

Ref copies of reports of O.G. 421 F.S.S. stationed at BERGAMO, and P.F.B.O., BERGAMO Prov. on the subject of Major SCAPATI, Legnano Group.

1. Major SCAPATI is alleged to have permitted a certain Col de LEO to go free after having been captured. This he had no authority to do.

2. Should the case against Major SCAPATI prove to be substantially correct it is considered that he is not a fit person to occupy the post that he now is filling.

T. J. WELLS,
Col. GSC.
A. C. of S., G-2.

CC to: NMIA LD IV CORPS.

3683

CONFIDENTIAL

LOOC V LOAO NR 6

QVR 3

FROM MMIA 151110B

TO 5 ARMY

INFO IV CORPS 52 BLU

GR 36 BT

R12/15

A218 CONFIDENTIAL FOR BRITISH INCR . REF CONVERSATIONS HOWARD/ COL
CHEVASSE/ COL NANCE. MAJ SCAPATI BEING RECALLED TO ROME FORTHWITH
BY MINISTRY OF WAR . PLEASE SEND TO THIS HQ COMPLETE DETAILS
OF ALL CHARGES AGAINST THIS OFFICER
BT 151110B
BT

3682

WRS

B

R NR 6

1340B

SGK

K

From: Lieut-Col J. S. H. DOWLING,
The Secretary High Commission.

EXPERIMENTAL & CRYPTANALYTICAL

52 British Museum Walk,
C.R.P.

10 June 45.

2/53/102

Dear Colnd.

I am writing to you on what might be described a somewhat delicate subject. As you probably appreciate, relations between the Cripps and this HQ have always been extremely cordial. There has however, been one notable exception throughout, and this is in the person of Major WATSON, Chief of the Operations and Intelligence Section, which as you know is probably equivalent to a GH in a British Division.

This officer is not only an obstinaciously, but in my opinion definitely anti-BH and especially anti-British, and I think I should have me out on this. While in the line I had cause to complain to General WHEAT about this officer's conduct in relation to co-operation with the BH, and the General assured me that though he appreciated that his manner was extremely rude, he was nevertheless a very efficient officer and on those grounds would be very reluctant to lose him. I accepted this in good faith and decided to give him another chance thinking that a warning would probably bring about some improvement, but on the contrary he has been considerably worse ever since.

Just before Major WATSON left, we agreed that we must definitely not let him remain, but his hostilities were to be abrupt and, and I decided that it was no use doing anything about it till the future destiny of Cripps was decided. Things however have now come to a head, and in this connection I think my two confidantes are well-explained. I may say that these two reports contained completely aggravated details; as it was only when the verbal reports of these incidents reached me that I divulged my views about his obstinaciously. The Chief of Staff has been away and Major WATSON has been answering for him this time, possibly also account for the fact that I was never informed of the political incident in the formation of the 6th Regt at HUSKOLA, and of which I had no knowledge until asked for a report by your attached informant in the report on the incident as called for.

Disciplinary action against this officer from a security aspect is being taken up by IV Indian Corps at my request and under whose command we now are, but anything that you can do at your end to expedite his removal, will in my honest opinion be for the good of the Cripps and the common cause. I am giving a copy of this letter to IV Indian Corps so that they may know what is happening and the matter is with them. I am sure that they will take the necessary action.

3681

as an officer. While in the 1st I had come to know General Bland and this officer's conduct in relation to co-operation with the 1st, and the General seemed to think though he appreciated that his name was on the list, he was nevertheless a very competent officer and on these grounds would be very reluctant to lose him. I accepted this as good faith and decided to give him another chance thinking that a warning would probably bring about some improvement, but on the contrary he has been considerably worse ever since.

Just before Philip HANCOCK left, he agreed that we must definitely get him removed, but the hostilities came to an abrupt end, and I decided that it was no use doing anything about it till the future destiny of Camp was decided. Things however have now come to a head, and in this connection I think my two enclosures are self-explanatory. I may say that those two reports originated completely *independently* as it was only when the verbal reports of these incidents reached me that I divulged my views about his conduct. The Chief of Staff has been very and Major WELLS has been answering for him; this therefore, probably also accounts for the fact that I was never informed of the political incident in the barracks of the 6th Regt at BREVILLE, and of which I had no knowledge until asked for a report by your attached broadcast in the report on the incident as called for.

Disciplinary action against this officer from a security aspect is being taken up by IV American Corps at my request and under whose command we now are, but anything that you can do at your end to expedite his removal, will in my best opinion be for the good of the Corps and the common cause. I am giving a copy of this letter to IV American Corps so that they may know that I have taken the matter up with them, but the time lag for correspondence between here and Rome is so great that I have asked them to take an active interest in this case to ensure that appropriate action is taken before any further dangerous consequences may result.

My doubt that I may have had that my views were originally based on a personal biased opinion are now set at rest, for these recent incidents have no connection whatsoever either with myself or any member of this HQ. I feel it my duty to bring these matters to your notice, and strongly recommend that Major WELLS be removed forthwith.

Yours sincerely,
L. N. C. Taylor

To: Colonel W. FIDLEY HQ 1st
HQ 1st, Rome

Copy to: IV Corps (for personal info of Col LAMER, G of S),
Lieut-Col Gen H. A. INGHAM, HQ 1st.

3681

H. Taylor

CONFIDENTIAL.

P/12/PS.

421, Field Security Section,

C.I.F.

4th Jun 45.

To:- C-2 (CI) Section,
HQ iv Corps.
APO 304,
U.S. Army.

Subject:- SCAPATI Maggiore, Legnano Group.

Reference visit of Major CALAMAN to this section and the query received from 5th Army about the activities of the above Italian Officer.

- (1) Attached please find copy of letter from P.P.S.O. BERGAMO, giving details of a recent specific case in which an officer of the Republican Fascist Army was treated with considerable friendliness by SCAPATI.
- (2) It is moreover, a fact that SCAPATI is on very amicable terms with the family of General RIVOLTA in BERGAMO. A Questura agent has informed us that he was not allowed to enter the RIVOLTA flat unless he obtained permission from the Legnano, and that Legnano soldiers were engaged in minor repairs to the premises, some four or five days ago.

- (3) 52, B.L.U. state that SCAPATI has, for the past three months or so been obstructionist.

- (4) Ref. para 5 of the attached letter from the P.P.S.O. BERGAMO, the "other occasions" referred to include the case of General GIGLIO, another Fascist Republican Officer, who was similarly released at the disposition of the Legnano Group before being rearrested by the Questura and P.P.S.O., A.M.G. since he was also wanted for war crimes.

- (5) It is suggested that a short reminder from iv Corps to the Legnano Group re the security responsibility of the latter might not be altogether untimely.

LIS/HK.
In the Field.

Li - How
.....Capt.
L.I. Stone.
O.G. 421, F.S. Section.

3680

details of a recent specific case in which an officer of the Republican Fascist Army was treated with considerable friendliness by SCAPATI.

- (2) It is moreover, a fact that SCAPATI is on very amicable terms with the family of General RIVOLTA in BERGAMO. A Questura agent has informed us that he was not allowed to enter the RIVOLTA flat unless he obtained permission from the Legnano, and that Legnano soldiers were engaged in minor repairs to the premises, some four or five days ago.
- (3) 52, B.L.U. state that SCAPATI has, for the past three months or so been obstructionist.
- (4) Ref. para 5 of the attached letter from the P.F.S.O. BERGAMO, the "other occasions" referred to include the case of General CIGLIO, another Fascist Republican Officer, who was similarly released at the disposition of the Legnano Group before being rearrested by the Questura and P.S.O., A.M.G. since he was also wanted for war crimes.
- (5) It is suggested that a short reminder from IV Corps to the Legnano Group re the security responsibility of the latter might not be altogether untimely.

LIS/HK.
In the Field.

3680

in - Store.
.....Capt.
L.I. Store.
O.C. 421, P.S. Section.

Copy to:-

~~2300~~
HQ. 52, B.L.U.

*[copy attached in previous
mail (1)]*

50-01

26

May 21-45

3rd June 1945

Release of POWs

1.- At 1630 hrs on the 2nd inst. Lt. Col. De Lee, American Republican Volunteer Army, was arrested by agents of the Gestapo and handed over to Maggiore Sestini, Colonel, Legnano div.

2.- The agents reported to me that Lt. De Lee was greeted by Maggiore Sestini as a very old friend and suspected he would be released as soon as they left.

3.- At 1630 hrs the agents returned to me stating that their suspicions were confirmed, De Lee had been released, and that, acting on the instructions I had given them, had re-arrested him.

4.- In De Lee's possession was a typewritten slip, signed by Mag. Sestini and stamped with the Legnano stamp, holding him at their disposition. Copy attached. No guard was placed on this man, and he was free to roam wherever he wished.

5.- As this is not the first occasion POWs have been released after being handed over to the Legnano div. I ask that action be taken to prevent a recurrence.

L. S. Whyma 3679
L. S. Whyma, Capt.
Army Legnano Div.

LCS/hal.

Copies to: Lt. Col. Morley-Fletcher TD
Lt. Col. Douglas 57 B.L.U
Lt. Col. Francis R.F.S.C. Legnano

encl/1

Copy of the original

COMANDO GRUPPO DI COMBATTIMENTO "LEONARDO"
Sezione Operazioni - Informazioni

P.M. 155 2 Giugno 1945

Il Colonnello di S.M. DE IEO, Leonardo, già dello
Esercito Repubblicano, è a disposizione di questo
Comando.-

D'ordine
IL CAPO DI STATO MAGGIORE a.p.1

IL MAGGIORE CAPO SEZIONE
(Domenico Scapati)

3678

COPY

Subject: Report on Political Incident
Involving Discipline - Legnano Gruppo.

To: OC 52 HHL.

From: HHLA LO 52 HHL.

I called at HQ LEGNANO Gruppo and had a talk with the Chief of Staff, Col GARGOLI, regarding the above incident, for which I submit herewith the following report.

It appears that the Minister Signor SCOCIMARCO, Deputy Sec of the Communist Party, paid an unauthorized visit to the 68th Regt stationed in barracks at VERCELLI, on 23 May, and gave a political talk to the soldiers in support of his party, which is strictly contrary to all orders.

The OC 68th Regt, Col DE RUITI, had not been advised or had any knowledge of the Minister's presence until he arrived at a later hour, when he found the meeting had already concluded. He made his acquaintance with Signor SCOCIMARCO, and being a Minister, he was careful to use a certain amount of tact and gave him to understand that at least he should have contacted him in the first place.

Col DE RUITI reported the incident to General ULLI, who in turn wrote direct to the Ministry of War with a full report, and also requesting a ruling as to what action he should take in the event of a further occurrence of this nature.

General ULLI did not report the matter to you as he considered it an internal affair.

Signed H.A. CATERLIN Capt

HHLA LO.

8 June 45.

