

228

ACC

10000/120/4109

24

10000/120/4109

24

Disciplinary - Action, Leave and Passes(203
315)

July 25, 1944 - Nov. 12, 1945

// 650

RCV/em

Investigation of Tire Theft.

1 Sr. MMIA CG. 12 Nov.
Lo Terr. 1945
Florence HQ 7

For appropriate action and report

R.C. VAN KIRK
Major, Inf.,
Sr. MMIA Lo
Florence

315

24

xxx 650

Italian Military Personnel arrested by American MP's.

RCV/ebf

4 Sr Terr HQ 2 Nov.
 MMIA LO # 7 1945
Florence

For your information.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence.

HEADQUARTERS FLORENCE COMMAND

(US Contingent)

APO # 650, US ARMY

512

27 October 1945

SUBJECT: Incidents between Italian Mil. Personnel and
Allied M.P.s at Rifredi Station.

TO : Lt Gen. Carlo De Simone
Territorial Hq. Florence, Italy.

THROUGH: MMIA, Florence.

1. Incident between Carabinieri Pozzi Angelo and American MP's at Rifredi Station referred to in your letter of 18 Oct 45 to Liaison Officer, MMIA, Florence has been referred to Military Railways for investigation and action.

2. Result of investigation and action taken will be given at earliest date received. Every step is being taken to prevent recurrence of such incidents.

FOR THE COMMANDING OFFICER:

HARLEY A. SCOTT, JR.
1st Lt., FA
Adjutant.

1st Ind.

Sr MMIA LO, Florence, APO 650, US Army, 30 October 1945.

To: Commanding General, Terr. Hq # 7, Florence.

313

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

Italian Military Personnel Arrested by Am. MP S.

2 Sr PM 29 Oct
MMIA IO Florence 1945
Florence

Forwarded recommending that the Chief of
Staffs request be complied with.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA IO
Florence

xxx 650

Traffic Discipline.

JJW/ebf

MMIA LO Terr HQ 19 Oct.
Florence #7 1945

For necessary disciplinary action.

JOHN J. WARD,
Capt., CAC,
MMIA LO
Florence

xxx 650

Traffic Discipline.

JJW/ebf

MMIA IO Terr HQ 22 Oct
Florence # 3 1945
Milano

For necessary disciplinary action.

JOHN J. WARD,
Capt., CAC,
MMIA IO
Florence

XXX 650

Discipline - Italian Army.

JJW/ebf

MMIA LO Terr HQ 19 Oct
Florence # 7 1945

For necessary disciplinary action.

JOHN J. WARD,
Capt., CAC,
MMIA LO
Florence

Disciplinary Action

Sr CG 8 Oct
MIA LO Terr HQ 1945
Florence #2

For necessary action.

R.C. VAN KIRK
Major, Inf.,
Sr. (MIA) LO,
Florence

308

Subject: Leave passes.

M.M.I.A. N. Italy,
Milan.

Phone: MILAN 13989
MIL/2/A.

28 Sep 45

To: 230 Italian Division - Florence.

Ref your 1165/Pers/ST. of 18 Sep to
LO. Re: 13 Corps.

- 1.- As the destinations mentioned are not in
13 Corps territory, the LO there is not
interested.
- 2.- I suggest that you get the leave passes
countersigned by the MMIA LO - Florence.

J. H. Bourne
Major
MMIA LO

307

Copy to: MMIA LO-Florence.

xxx 650

Vehicle OFFENCES

Sr MMIA 29 Sept
MMIA LO LO 1945
Florence MILANO

For necessary action.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

xxx 650

Leave Outside ITALY & SWITZERLAND

Sr C.G. 28 Sept
MIA IO Terr HQ 1945
Florence # 6

For your information.

R.C. VAN KIRK,
Major, Inf.,
Sr MIA IO
Florence

xxx 650

Leave in 13th Corps Area.

RCV/ebf

4 Sr C.C. 28 Sept
MMIA LO 210 1945
Florence Div
Peschiera

Inviting your attention to the 3rd Ind.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

200650

Traffic Accidents.

RCV/ebf

Sr	Ital	25 Sept
MMIA LO	LO	1945
Florence		

1. Reference attached communication.
2. For compliance.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

xxx 650

Traffic Accident.

RCV/ebf

Sr MIA 26 Sept
MIA IO IO 1945
Florence Milano

For necessary action.

R.C. VAN RINK,
Major, Inf.,
Sr MIA IO
Florence

xxx 650

Traffic Accident Report.

RCV/ebf

Sr MMIA 26 Sept
MMIA LO IO 1945
Florence Bologna

For necessary action.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

301

XX 650

Breach of Discipline.

RCV/obf

Sr C.G. 2: Sapt
MIA 10 Warr HQ 10/5
Florence # 6

For necessary action.

R.C. VAN KIRK,
Major, Inf.,
Sr MIA 10
Florence

xxx 650

Leave Passes East of Morgan Lige.

RCV/ebf

Sr C.G. 24 Sept
EMIA IO Terr HQ 1945
Florence #7

For your information.

R.C. VAN KIRK,
Major, Inf.,
Sr EMIA IO
Florence

Discipline

RCV/ebf

Sr MMIA C.G. 20 Sept
LO Terr HQ 1945
Florence #6

For necessary disciplinary action.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

OMP Report.

RCV/ebf

Sr MMIA C.G. 20 Sept
LO Terr HQ 1945
Florence #6
Bologna

For necessary disciplinary action.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

Discipline

RCV/ehf

Sr MMIA C.G. 20 Sept
LO Terr HQ 1945
Florence #7

For necessary disciplinary action.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

Breach of Discipline.

RCV/ebf

Sr MIA MIA 18 Sept
LO LO 1945
Florence PBS
Leghorn

1. Reference attached communication.
2. Am advised that PBS PM already has the names of the American Soldiers involved in this incident. Request that you forward to the PM for necessary disciplinary action.

R.C. VAN KIRK,
Major, Inf.,
Sr MIA LO
Florence

Traffic Discipline.

RCV/ebf

Sr MMIA C.G. 18 Sept
LO Terr HQ 1945
Florence #7

Request that proper disciplinary action
be taken.

R.C. VAN KIRK,
Major, Inf.,
Sr MMIA LO
Florence

Leave for Italian Personnel.

REV/ebf

Sr WIA C.G. 17 Sept
10 15th 1945
Florence Corps

Forwarded recommending approval.

R.C. VAN KIRK,
Major, Inf.,
Sr WIA IO
Florence

Learn Italian Army.

RCV/ebf

Sr MIA C2 16 Sept
10 Rem HQ 1945
Florence #1

For your information.

R.C. VAN KIRK,
Major, Inf.,
Sr MIA ID
Florence

Leave in 13 Corps area.

Ital LO MMIA LO 5 Sep
1945

1. Attached is leave paper for Pvt. Virgilio Alessio
548 Inf. Regt. 210 Div. who requests permission to
go to Trieste to visit his family.

2. Please forward it to 13 Corps for approval.

Alessandro Cicogna, Capt.
Ital. Liaison Officer. G-4

2. MMIA LO CG 12 Sep
5th Army 13th 1945
Corps

Forwarded recommending. Please return to me
in Florence, address: MMIA LO, Florence.

R.C. VAN KIRK,
Major, Inf.,
MMIA LO
5th Army

Leaves - Sgt. Zuccoli Libero - Pvt. Paoli Mario

1 Ital LO Sr MIA 31
G - 4 LO Aug.
5th Army 5th Army 1945

1. Attached are:

a) Leave papers of Sgt. Zuccoli Libero,
for Trieste (H8275)

b) Leave papers of Pvt. Paoli Mario, for
Sergio (H9163), Trieste, East of the Morgan
Line.

2. Request you kindly forward them to XIII Corps
for approval.

ALESSANDRO CICOGNA,
CAPTAIN.

2 Sr XIII 2 Sept
MIA LO Corps 1945
for
MIA LO

Forwarded recommending approval.

R.C. VAN KIRK,
Major, Inf.,
Sr (MIA) LO
5th Army

Approval for leave in Pola area.

1 Ital Sr 29
LO LO Aug
G-4 1945

Attached is leave paper for Pvt. SISEA
Martino, Verona Military Hospital, for Cavarano
(Pola).
Please forward it to 13 Corps for approval

A. Giacomini, Capt
Italian Liaison Officer.
G-4

2 Sr CG 1 Sept
MMIA LO 13th 1945
Corps

Forward recommending approval.

R.C. VAN KIRK
Major, Inf.,
Sr (MMIA) LO
5th Army

Attack upon an Italian Officer

Sr	PM	5 Sept
MMIA LO	PBS	1945
Florence	APO	
	782	

For your information for I don't suppose
there is much action that can be taken on the few
facts submitted.

R.C.VAN KIRK
Major, Inf.,
Sr. (MMIA) LO,
Florence

Disciplinary Action

Sr CG 5 Sept
MIA LO Terr HQ 1945
Florence #7

For necessary disciplinary action.

R.C. VAN KIRK
Major, Inf.,
Sr. (MIA) LO,
Florence

Discipline.

RCV/ebf

St CG 27 Aug
MMIA LC Terr HQ 1945
#4.

For necessary action.

R.C. VAN KIRK,
Major, inf.,
St (MMIA) LO
5th Army

Discipline.

PCV/ebf

Sr CG 23 AUG
MMIA LO Terr HQ 1945
#4
Bolzano

For necessary disciplinary action.

R.C. VAN KIRK
Major, Inf.,
Sr (MMIA) LO
5th Army

Sea Transport - Sardinia.

RCV/ebf

Sr Ital 13 Aug
MMIA LO LO 1945

For your information.

R.C. VAN KIRK,
Major, Inf.,
Sr (MMIA) LO
5th Army

INTEROFFICE REFERENCE SHEET

HEADQUARTERS FIFTH ARMY

Subject: Approval for leaves.

IND NO.	FROM	TO	DATE	
	Ital LO G-4	Sr MMIA LO	5 AUG 45	1. Attached are two leave documents forwarded by Verona Military Hospital for your approval: a) Corp Giuseppe IURZA should go to Comeno (H805920), Trieste b) Pvt Giuseppe Magliavaz should go to Elsans, Gracina Nuova, East of the Morgan Line and therefore 13 Corps approval is necessary. 2. Could you therefore approve the first leave document and take action on the second (Pvt. Magliavaz Giuseppe)? Alessandro Cicogna, Capt., Italian Liaison Officer, G-4
2	Sr MMIA LO	C.O. AMG 13 Corps	6 Aug 1945	Recommending your approval. R.C. VAN KIRK Major, Inf., Sr (MMIA) LO 5th Army

Military Personnel Proceeding to Sardinia.

RCV/ebf

Sr Ital 5 Aug
MMIA LO LO 1945

For proper distribution, information
and necessary action.

R.C. VAN KIRK
Major, Inf.,
Sr (MMIA) LO
5th Army

Leave for Ex-Cooperators now in the Italian Army.

RCV/cbf

Sr Ital 31 Jul
MMIA LO LO 1945

For necessary distribution and
information.

R.C. VAN KIRK
Major, Inf.,
Sr (MMIA) LO
5th Army

Leave for SARDINIA

RCV/jad

Sr	Ital	29 Jul
MMIA LO	LO	1945

For your necessary distribution and action.

R,C,VAN KIRK
Major, Inf.,
Sr. (MMIA) LO,
5th Army

HEADQUARTERS FIFTH ARMY
APO 464 US ARMY

BL/SBS/ajb

23 July 1945

SUBJECT: Fifth Army CID Case No. 7-138

TO: Military Mission of the Italian Army
APO 394, US Army
Attention: Liaison Officer, Fifth Army

Attached CID Case forwarded for your information.

FOR THE ARMY COMMANDER:

1 Incl
Fifth Army CID Case
No. 7-138

JOHN R. CIERO
Lt Col, AGD
Asst Adjutant General

1st Ind.
Sr. (MIA) IO, 5th Army, APO 464, US Army, 27 July 1945.

RCV/jad

To: Commanding General, 210th Italian Infantry Division.

Request you cause an investigation to be made and take necessary disciplinary action.

R.C. VAN KIRK
Major, Inf.,
Sr. (MIA) IO,
5th Army

Breaches of Discipline

RCV/jad

Sr	Ital	26 Jul
MEMIA LO	LO	1945

For necessary distribution and disciplinary
action.

H.C.VAN KIRK
Major, Inf.,
Sr. (MEMIA) LO,
5th Army

Italian Army Control of Movement for Duty, Leave
and Demobilization.

RCV/ebf

Sr Ital 24 Jul
MMIA LO LO 1945

For your information and distribution.

R.S. VAN KIRK,
Major, Inf.,
Sr (MMIA) LO,
5th Army.

Breach of discipline.

RCV/ebf

Sr. C.S. 20 Jul
MMIA LO 210 1945
Div.

For necessary action.

R.C. VAN KIRK
Major, Inf.,
Sr. (MMIA) LO
5th Army.

Leave Italian Army.

RCV/ebf

Sr	Ital	17 Jul
MMIA LO	LO	1945

For necessary distribution and information.

R.C. VAN KIRK,
Major, Inf.,
Sr. (MMIA) LO,
5th Army

Delinquency Reports - Disciplinary Action.

RCV/jad

Sr	Ital	16 Jul
MMIA LO	LO	1945

For necessary distribution with the admonition to the commanding officers concerned that such violations must stop. It is suggested by the P.M. that apparently not adequate punishment is being assessed.

R.C.VAN KIRK
Major, Inf.,
Sr. (MMIA) LO,
5th Army

Disciplinary Action

RCV/jad

Sr CG 14 Jul
MIA LO 210 Div 1945

Request that drastic action be taken to stop all these traffic violations. Unless this situation can be controlled by your officers, I shall be obliged to ask my headquarters to take this matter up with the Ministry of War.

R.C.VAN KINK
Major, Inf.,
Sr. (MIA) LO,
5th Army

Leave for Italian Personnel

RCV/jad

Sr	Ital	14 Jul
MIA LO	LO	1945

For your information and proper distribution.

R.C. VAN KIRK
Major, Inf.,
Sr. (MIA) LO,
5th Army

2 Sr Ital 2 July
MMIA LO LO 1945

5th Army, I am sure, will not now approve the issuance of a blanket pass to all Italian military buildings in this area.

R.C. VAN KIRK
Major, Inf.,
Sr. (MMIA) LO,
5th Army

Leave - Italian Army

RCV/jad

Sr Ital 14 June
MIA LO LO 1945

For your information.

R.C. VAN KIRK
Major, Inf.,
Sr. (MIA) LO,
5th Army

Subject: Leaves for Italian Military Personnel

MMIA LO MMIA LO 26 May
8 Army 5 Army 1945

Ref above _____ and attached applications and directives.

Since you wrote, the boundaries have all changed and the Security Control Line is as now notified to 5 Army by 8 Army, i.e., R. Piave to rd junc on Route 13 N. J. Treviso, then North up the Vittorio Veneto rd through Ponte Nell'Alpi to S. Stefano di Cadore, and up a line 25 km within the frontier.

8 Army are adamant that no personnel whatsoever, except specially authorized Italian units and important individuals shall cross this line owing to present political situation.

I must apologize for holding on to these papers so long. I told my 2 i/c/ three weeks ago to send them back, but he never took action.

/s/ B.G. Carew-Hunt, Major

Sr Ital LO 28 May
MMIA LO 1945

Inviting your attention to the 2nd Indorsement.

R.C. VAN KIRK
Major, Inf.,
Sr. (MMIA) LO,
5th Army

HEADQUARTERS FIFTH ARMY
APO 464 US ARMY

RCV/jad
22 May 1945

Subject: Permission to visit Dobbiaco.

TO: Distribution.

Brigadier General BONACCORSI Domenico, Italian Army, has permission to visit Dobbiaco and return in connection with the Florence Topographical Institute business.

R.C. VAN KIRK
Major, Inf.,
Sr. (MMIA) L.O.,
5th Army

Furloughs for Italian Military Personnel

G-1 G-4 15 May
1945

Remarks and Recommendations.

JAB/EMD/lg

E. M. DANIELS
Colonel, G.S.C.
A. C. of S., G-13 Sr G-4 19 May
MIA LO Opms 1945

1. Basic communication noted. Have passed a copy together with my comments to my HQ for information and action if deemed necessary.

2. Agree that the furlough policy for Italian troops may not be liberal enough under the present unusual condition but 5th Army should not liberalize the present directives since the policy throughout the entire theater should remain the same for all Italian troops. If 5th Army Italian troops are treated differently than 6th Army troops, complaints are soon received.

3. My comments on basic communication follow:

a. Reference para 3g. Not favorably considered since 7 days, every six months is considered sufficient.

b. Reference para 3h. The 20% suggested to go on pass, furlough or leave is too liberal. It would mean that with the men in the hospital and on sick leave, a unit would only be 70% effective.

c. Reference para 3g. As long as the British or American authorities exercise supervisory control over the Italian Army, such authority should not be delegated to Italian battalion commanders and especially to permit them to send their troops any place in Italy, as for example; the 6th Army Commander now says no Italian troops forward of Venice-Padua line due to the trouble at Trieste.

d. Reference para 3d, that is the present policy.

cc: MIA

267

R.C. VAN KIRK
Major, Infantry
Sr. (MIA) L.O
5th Army

Furlough for Italian Troops

RCV/jad

Sr MMIA 19 May
MMIA LO 1945

Reference copy of attached basic communication.
Forwarded for your information and such action as you deem
necessary. Attached is copy of my buck slip to G-4 Fifth
Army on the subject containing my comments.

R.C. VAN KIRK
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

Pass for Army Area

RSV/jad

Sr G-2 11 May
MIA LO 5 Army 1945

Request permission for the following Italian officers, Col. Belanzino, Major Ambrosio, Tenente Perfumo, together with driver and Major Edwards (British) RMEF to be in Army area in connection with the repair of Italian military vehicles. The nature of their proposed work has been approved by 5th Army Ordnance and G-4 who recommend approval of this request.

R.C.VAN KIRK
Major, Infantry
Sr. (MIA) L.O.,
5th Army

Italian Military Personnel

ROV/jad

Sr MIA 10 May
MIA LO 1945

1. Reference your A 121 of 6 May.

2. Attached as Appendix A is copy of signal received from you. Appendix B is copy of reply. Appendix C is copy of your A 121. If Appendix A was not sent by you, then I have no way of telling where it came from.

R.C. VAN KIRK
Major, Infantry
Sr. (MIA) L.O.,
5th Army

Disciplinary Action.

RCV/jad

Sr	Ital	1 May
MMIA LO	LO	1945

For necessary action and distribution by COs concerned.

R.C.VAN KIRK
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

LIAMSON OFFICE
LAND FORCES SUB COMMISSION AG (MMIA)
% U.S. NOB PALERMO

No. 1561

25 April 1945.

SUBJECT: Permit to travel forward of Security Control Line

TO : Liaison Officer, Land Forces Sub Commission AG (MMIA)
c/o Fifth Army.

1. Territorial Headquarters Palermo has requested this office to secure permission for the Military named below to travel to places indicated on compassionate leave.

Art. MACCAROZZI Isoliaro - PISTIGLIANO (Pisa)
Ant. BETTI Angelo - PRATO (Florence)

In each case the mother of the applicant is reported to be in danger of death.

2. Destinations above are North of the Army Security Control Line. Please secure the necessary permission to travel from A.M.G.

HOMER E LONG
Major QMG
L O Sicily

1st Ind
Sr. (MMIA) L.O., 5th Army, APO 464, US Army, 1 May 1945.

RCV/jad

TO: Sr. (MMIA) L.O., c/o U.S. NOB PALERMO

G-2 5th Army approves all requests for compassionate leave by Italian Military personnel to go as far North as Florence. Since places mentioned in basic communication are in Florence or South of it, you are authorized to approve the leaves requested and show that it is done with the approval of G-2. A.M.G. does not control requests for leave of Italian Military personnel, only civilian.

R.C. VAN KIRK
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

LIASON OFFICE
LAND FORCES SUB COMMISSION AG (MMIA)
% U.S. NOB PALERMO

No. 1561

27 April 1945

SUBJECT: Permit to Travel Forward of Security Control Line

TO : Liaison Officer, Land Forces Sub Comm. AG (MMIA), c/o Fifth Army

1. Territorial Headquarters Palermo has requested this office to secure permission for the Military named below to travel to places indicated on compassionate leave:

Fante TERRACI, Pietro - Napoli - Father seriously ill.
Corp. NARI, Nello di Alfredo - Prato (Florence) - Mother seriously ill

2. Destinations above are North of the Army Security Control Line.
Please secure the necessary permission to travel from A.M.G.

/s/ Homer E. Long
Major, QMC
L O Sicily

1st Ind
Sr. (MMIA) L.O., 5th Army, APO 464, US Army, 1 May 1945.

RCV/jad

TO: Sr. (MMIA) L.O., c/o U.S. NOB Palermo.

G-2 5th Army approves all requests for compassionate leave by Italian Military personnel to go as far North as Florence. Since places mentioned in basic communication are in Florence or South of it, you are authorized to approve the leaves requested and show that it is done with the approval of G-2. A.M.G. does not control requests for leave of Italian Military personnel, only civilian.

R.C. VAN KIRK
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

INTEROFFICE REFERENCE SHEET

HEADQUARTERS FIFTH ARMY

Subject: Italian Military Law

ROV/jad

IND. NO.	FROM	TO	DATE	
	Sr MMIA LO	JA	18 Apr 1945	AFHQ letter, para 9, O91.711/169GCT-0 of 16 Nov 1944 provides in part: "9c. All personnel of the Italian Army will be subject to Italian Military Law, which will be administered by Italian officers in accordance with the Italian code. Where there is no Italian officer competent, under the Italian code, to deal with offence in the unit concerned, the offender will be sent to the nearest Italian Authority competent to act. "Para 10 - "Arrest" "a. Allied Military Authorities are given power to arrest and hold in temporary custody Italian subject to Military Law alleged to be guilty of any offence punishable by Italian Law, pending investigation and handing over the offender for trial by the Italian Authorities. This power will be exercised in the same manner as for the arrest of Allied personnel." 1. Submit that only an Italian Military Tribunal has jurisdiction over Italian Military personnel except that they may be tried by an Army Court Martial under the American Articles of War or British Army Act for any offense against the Allies. An AMG Court is not an Army Court Martial in that it only has jurisdiction over civilians and not soldiers.
		Terr HQ#7 ✓		

RC-5
R.C. VAN KIRK
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

Leaves for Italian Military Personnel

RCV/jad

Sr Sr 15 Apr
MIA LO MIA LO 1945
8 Army

1. Reference attached applications and copies of attached directives I have identified as Appendices A,B,C. It was my understanding from these directives that 8th Army would now permit personnel of Italian service units up to and including the line RAVENNA - FORLI - FLORENCE.
2. Again forwarded recommending reconsideration.

R.C.VAN KIRK
Major, Infantry
Sr. (MIA) L.O.,
5th Army

Attached - Disciplinary Action.

RCV/jad

Sr MIA 14 Apr
MIA LO 1945
LO Br Incr

Query: Can you identify this Italian soldier or unit,
I can't? If you can, request you take necessary action.

R.C.VAN KIRK
Major, Infantry
Sr. (MIA) L.O.,
5th Army

Disciplinary Action.

RCV/jad

Sr	CG	14 Apr
MMIA	210	1945
LO	Div	

For necessary action.

R.C. VAN KIRK
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

Attached - Disciplinary Action

RCV/jad

Sr MIA 13 Apr
MIA LO LO 1945
Er Incr

Query: Can you identify this Italian soldier or
unit, I can't? If you can, request you take necessary
action.

R.O.VAN KIRK
Major, Infantry
Sr. (MIA) L.O.,
5th Army

Ref 29

Trial of Italian Military Personnel by AMG Court

RCV/jad

Sr MIA 6 Apr
MIA LO 1945

Reference my buck slip, copy to you, of even date
subject as above, Col. Walker G-4 Exec has endorsed my
original buck slip back to me with the following en-
dorsement:

"I have taken this up with J.A. who is checking
AMG - your interpretation is correct."

/s/ Walker
Exec G-4

R.C. VAN KIRK
Major, Infantry
Sr. (MIA) L.O.,
5th Army

INTEROFFICE REFERENCE SHEET

HEADQUARTERS FIFTH ARMY

Subject: Trial of Italian Military Personnel by AMG Court.

RCV/jed

IND. NO.	FROM	TO	DATE	
	Sr MMIA LO	A.C. of S G-4	6 Apr 1945	1. Reference report to Army Commander by G-5 Section, para 2 Public Safety, sub-para c and d, page 13. 2. Attention is invited to the fact that an Italian soldier has been tried by an AMG Court and sentenced to 18 months and 13 others were arrested and delivered to the Italian Military authorities for trial. 3. Submit that an AMG Court was without jurisdiction to try the Italian soldier since he was subject to Italian Military Law and not the law of Military Government. An AMG Court only has jurisdiction over civilians and not soldiers. Italian military personnel are not civilians in this sense. 4. The AMGOT manual Sec 33, page 8, provides: "(33) For the purpose of this plan, the law of military government is taken to mean the law governing civilians in the occupied territory as established by International Law and by the occupying forces. It does not refer to the British and American military law governing members of their armed forces as set forth in the British Army Act and the American Articles of War." Sec 39, page 10, provides in part: "(39) Civilians charged with offenses against the law of Military Government will be brought before Allied Military Courts." AMHQ letter, para 9, 091.711/169GOT-0 of 16 Nov 1944 provides in part: "9c. All personnel of the Italian Army will be subject to Italian Military Law, which will be administered by Italian officers in accordance with the Italian code. Where there is no Italian officer competent, under the Italian code, to deal with the offence in the unit concerned, the offender will be sent to the nearest Italian Authority competent to act. Para 10 - "Arrest" "a. Allied Military Authorities are given power to arrest and hold in temporary custody Italian subject to Military Law alleged to be guilty of any offence punishable by Italian Law, pending investigation and handing over the offender for trial by the Italian Authorities. This power will be exercised in the same manner as for the arrest of Allied personnel." 5. It is suggested that the Italian soldier referred to above could have been tried by an Army Courts Martial under the Articles of War for an offense against the Allies but an AMG COURT is not an Army Courts Martial.

INTEROFFICE REFERENCE SHEET

HEADQUARTERS FIFTH ARMY

Subject:

IND. NO.	FROM	TO	DATE	
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6. It appears that this was a violation of the AFHQ directive by the G-5 Public Safety Officers. They have no discretion in the handling of Italian soldiers in this area as they appeared to exercise in deciding to try one Italian soldier and deliver the others to the Italian Military Authorities for trial. They should be instructed to deliver offenders who are Italian Military personnel to the Italian Military Authorities for trial.

R.C. Van Kirk
R.C. VAN KIRK
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

cc: MMIA

G-4
Rear

MMIA
LO

6 Apr.

I have taken this up w/ J.D. who is checking AMIG- your interpretation is correct.

Walker
Exec G-4

252

253

AMC Court

RCV/jad

Sr MMIA 6 Apr
MMIA LO Att. 1945
 Col
 Kerr

Attached is further in reference to authority of AMC
Courts.

R.C.VAN KIRK
Major, Infantry
Sr. (MMIA)L.O.,
5th Army

Trial of Italian Military Personnel by AMG Court.

RCV/jnd

Sr A.C. of 6 Apr
 AMIA LO 8 1945
 G-4

1. Reference report to Army Commander by G-5 Section, para 2 Public Safety, sub-para c and d, page 13.

2. Attention is invited to the fact that an Italian soldier has been tried by an AMG Court and sentenced to 18 months and 13 others were arrested and delivered to the Italian Military authorities for trial.

3. Submit that an AMG Court was without jurisdiction to try the Italian soldier since he was subject to Italian Military law and not the law of Military Government. An AMG Court only has jurisdiction over civilians and not soldiers. Italian military personnel are not civilians in this sense.

4. The AMNOT manual Sec 33, page 8, provides:

"(33) For the purpose of this plan, the law of military government is taken to mean the law governing civilians in the occupied territory as established by International law and by the occupying forces. It does not refer to the British and American military law governing members of their armed forces as set forth in the British Army Act and the American Articles of War."

Sec 39, page 10, provides in part:

"(39) Civilians charged with offenses against the law of Military Government will be brought before Allied Military Courts."

AMW letter, para 9, OGI.711/16900T-3 of 16 Nov 1944 provides in part:

"9c. All personnel of the Italian Army will be subject to Italian Military Law, which will be administered by Italian officers in accordance with the Italian code. Where there is no Italian officer competent, under the Italian code, to deal with the offence in the unit concerned, the offender will be sent to the nearest Italian Authority competent to act."

Para 10 - "Arrest"

"e. Allied Military Authorities are given power to arrest and hold in temporary custody Italian subject to Military Law alleged to be guilty of any offence punishable by Italian Law, pending investigation and handing over the offender for trial by the Italian Authorities. This power will be exercised in the same manner as for the arrest of Allied personnel."

5. It is suggested that the Italian soldier referred to above could have been tried by an Army Courts Martial under the Articles of War for an offense against the Allies but an AMG COURT is not an Army Courts Martial.

6. It appears that this was a violation of the AFHQ directive by the G-5 Public Safety Officers. They have no discretion in the handling of Italian soldiers in this area as they appeared to exercise in deciding to try one Italian soldier and deliver the others to the Italian Military Authorities for trial. They should be instructed to deliver offenders who are Italian Military personnel to the Italian Military Authorities for trial.

R.O. VAN KIRK
Major, Infantry
Sr. (MIA) L.O.,
5th Army

cc: MIA

Improper Possession of Articles

RCV/jed

Sr CG 4 Apr
MMIA LO 210 Div 1945

For necessary action. Request you advise this HQ
of action taken.

For the A. C. of S., G-4:

R.C.VAN KIRK
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

Deserters

RCV/jad

Sr	CG	30 Mar
MMIA	12th	1945
LO	Air	
	Force	

If the information contained in basic communication is correct, it is desired that you have the units mentioned place the Italian soldiers under arrest and call me at Lightning Rear 54. I will then have the Carabinieri pick these men up and deliver to 231 Div for trial by Courts Martial.

R.C. VAN KIRK,
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

cc: MMIA

HEADQUARTERS FIFTH ARMY
APO 464 US ARMY

RCV/jad
24 March 1945

SUBJECT: Trial of Italian Military Personnel by AMG Courts.

TO: Land Forces Sub Commission A.C. (MILIA)
APO 394, US Army.

Reference attached clipping.

1. Attention is invited to the fact that this article states that 3 Italian soldiers have been tried by an AMG Military Court and sentenced to 10 years imprisonment.

2. Suggest that an AMG Court is without jurisdiction to try Italian military personnel since they are subject to Italian Military Law and not to the law of Military Government. An AMG Court only has jurisdiction over civilians not soldiers. Italian military personnel are not civilians in this sense.

3. The AMGOF manual Sec 33, page 8, provides:

"(33) For the purposes of this plan, the law of military government is taken to mean the law governing civilians in the occupied territory as established by International Law and by the occupying forces. It does not refer to the British and American military law governing members of their armed forces as set forth in the British Army Act and the American Articles of War."

Sec 39, page 10, provides in part:

"(39) Civilians charged with offenses against the law of Military Government will be brought before Allied Military Courts."

AFHQ letter, para 9, 091.711/169 GCT-0 of 16 Nov 1944 provides in part:

"9. All personnel of the Italian Army will be subject to Italian Military Law, which will be administered by Italian officers in accordance with the Italian code. Where there is no Italian officer competent, under the Italian code, to deal with the offense in the unit concerned, the offender will be sent to the nearest Italian Authority competent to act."

Para 10 - "Arrest"

- "a. Allied Military Authorities are given power to arrest and hold in temporary custody Italian subject to Military Law alleged to be guilty of any offense punishable by Italian Law, pending investigation and handing over the offender for trial by the Italian Authorities. This power will be exercised in the same manner as for the arrest of Allied personnel."

Your NMIA AQ/6 of 11 Dec 44 states:

- "1. This HQ has been informed that AMG Courts do not try Italian Military personnel who are under Comd of Italian officers in Italian Units in AMG areas. Such trials are the responsibility of the Italian Authorities."

4. It is my contention that an AMG Court had no more jurisdiction over the persons of Italian soldiers than they do over me. As a member of the American Armed Forces, I am governed by the Articles of War and not by the AMG proclamations under which civilians are tried. Allied Military Authorities can arrest Italian soldiers but they should then be delivered to Italian Military Authorities for trial under Italian Military Law.

5. Since this is a case which will eventually be reviewed by the Legal Section, Allied Commission in Rome, their attention should be called to the apparent lack of jurisdiction of this Florence Court, the case reversed, and the Italian soldiers ordered delivered to the CG Territorial HQ #7 for action in accordance with AFHQ directives which to my knowledge have not been superseded or rescinded.

6. I have requested the Italian officers in this area to investigate the incident related in the news item and to give me a report which I will forward when received.

7. Since NMIA is responsible for the "discipline" of the Italian Army, para 4, sub-para c, of the AFHQ Directive cited above, I recommend that a Judge Advocate or Legal Section be established in NMIA. This Section should not only supervise the enforcement of the Italian Military Law, establish uniformity in its application, review the decisions of the Italian Courts Martial, but protect the Italian Army against encroachments on its rights by Allied officers. In this connection, it was an AMG legal officer which stated with reference to the Florence Italian Truck deal, that the Italian civilians in Florence had good title to the Italian military trucks since "the German Army, being legally at war with Italy, could acquire good title to the vehicles by seizing the same and, having thus acquired good title, could pass the same to a purchaser for value." I never did subscribe to this theory but do believe that if AMG are to be armed with legal officers to prevent the enforcement of our directives, then NMIA should have Judge Advocate Section or legal officers too. In my opinion, the fair interpretation to put on the AFHQ directive as to command and administration of the Italian Army, is that NMIA should have such a legal section the same as other sections.

Italian Army - Absentees and Deserters

RCV/jad

Sr G-1 18 Mar
MMIA LO 1945

Request compliance with basic communication and
please let me know results of investigation in order that
I may advise my HQ.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Leave

RGV/jad

Sr MMIA LO 9 Mar
MMIA LO BR INCR 1945

I concur in Col. Bye's views. A soldier shouldn't be put in the same category as a civilian. The MPs should be able to distinguish a soldier from a civilian and shouldn't expect both to have the same pass.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Leave

RCV/jad

Sr	A.O. of	1	Var
MMIA	S.		1945
LO	G-4		

For necessary action.

My opinion is that present method is working satisfactorily but would recommend getting a uniform pass for all components. As Capt Cicogna suggests a conference may be advisable or pass to G-1 for decision.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Leave

RCV/jad

Sr LFGCAC 12 Feb
MEMIA LO (MEMIA) 1945

Enclosed requests for leave of Marcus Aristide and
Popante Gino for your approval, since their requests are
for places outside of Army area

R.C. VAN KIRK,
Major, Infantry,
Sr. (MEMIA) L.O.,
5th Army

3 Sr Ital 12 Feb
MIA LO LO 1945

For your information. AM forwarding the requests of Marcus Aristide and Popante Gino to my HQ for action. The other requests for permission to go into 8th Army area have been forwarded to 8th Army for their approval.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MIA) L.O.,
5th Army

Detainees in Police Cells

RCV/jed

Sr CG 4 Feb
MIA ID Deleg 1945
T

For your information the following is an extract from my HQ:

"1. Italian Armed Forces personnel including deserters or absentees who have been arrested or detained in Police Cells pending removal to a civil prison or discharge, will receive the ordinary Civil ration.

"2. Arrangements for the rationing of the Armed Forces in detainment will be made between the local police and the local Alimentation Authorities.

"3. Until the individual is returned to Military control, he will not receive Italian Military rations.

R. C. VAN KIRK,
Major, Infantry,
Sr. (MIA) L.O.,
5th Army

Attached letter (Court of Inquiry)

RCV/jad

Sr CG 3 Feb
MIA LO 216 Div 1945

Request that the officers and men named in the extract
of the 60 Sub Area C.M.F. order be made available at the
time and place indicated therein.

For the A. C. of S., G-1:

R.C. VAN KIRK,
Major, Infantry.

Disciplinary Action

RCV/jad

XXX
XXXX
Sr CG 2 Feb
MMIA LO Delegation 1945
T

For investigation and necessary disciplinary
action. Request you advise action taken.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Disciplinary Action

RCV/jad

Sr CG 27 Jan
WMIA LD 213 Div 1945

Request appropriate disciplinary action be taken and advise me of the action taken. Am advised that these men belong to 3d Italian Engineer Depot Co.

R.C. VAN NIEK,
Major, Infantry,
Sr. (WMIA) L.O.,
5th Army

cc: Sr. (WMIA) L.O. 5th Army
Ref. MW/105 of 19 Jan 45.

Incident between Italian and Indian Soldiers.

RCV/jed

Sr Ital. 25 Jan
MMIA LO LO 1945

1. Reference your file ref. 4468/17.

2. Am advised that a Court of Inquiry has been convened in connection with the incident described in basic communication and that the Court will want to hear the testimony of the Italian soldiers named therein. Please have them alerted so that we may get them on short notice.

H.C.VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Italian Army Absentees and deserters

RCV/jad

Sr Public 19 Jan
MIA Safety 1945
LO Officer
Florence

For your information.

R.C. VAN ECK,
Major, Infantry,
Sr. (MIA) L.O.,
5th Army

Italian Army Absentees and deserters

RCV/jad

Sr PM 19 Jan
MMIA 5 Army 1945
LO

For your information.

R.C. VAN KIRK,
Major, Infantry,
Gr. (MMIA) L.O.,
5th Army

Italian Army Absentees and deserters

RCV/jad

Sr Labour 19 Jan
MIA Branch 1945
LO Br Incr
 5 Army

For your information.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MIA) L.O.,
5th Army

Leave - Italian Military Personnel

RCV/jad

Sr LPSAC 12 Jan
MMIA LO (MMIA) 1945

1. Reference your AQ/17 of 30 December 1944, Para 9 and attached application.

2. Query: Has transport been arranged for leave to Sardinia and if it has, am I authorized to approve this soldier's request for leave or shall I send it forward to you for final decision?

H.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Leave in 8th Army Area.

RCV/jad

Sr MMIA Sr 31 Dec
LO MMIA LO 1944
8 Army

1. Reference your MM/106 of 11 December 1944.
2. 1st Indorsement for your information.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Discipline Incidents

RCV/jad

XXX
XXXX
Sr LFSCAC 22 Dec
MMIA LO (MMIA) 1944

1. Reference your AQ/6/1 of 2d and 19th of December 1944.

2. My records indicate that I answered this communication on the 19th of December 1944. The delay was occasioned by the fact that the original request arrived while I was absent on Elba. Action was taken on it as soon as I returned to this area.

R.C.VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army.

Disac

Control of Movement

1 Sr CG 19 Dec
MMIA IO 210 Div 1944

For necessary action.

R.C.VAN KIRK,
Major, Infantry,
Sr (MMIA) L.O.,
5th Army

2. Ital Lo Sr 19 Dec
 MMIA LO 1944

These units are not 210 Div units. I
Think they are PBS units.

A. CIGOGNO Capt,
Ital L.O.

3 Sr. MMIA LFSCAC 20 Dec
 LO (MMIA) 1944

This is a 212 Division or PBS matter
since the 64th Gen Hospital is located in
that area.

R.C.VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Discipline Incidents

RCV/jad

XXXX
XXXXXX
Sr G-4 17 Dec
MMIA LO Exec 1944

1. For your information.

2. Request that I be advised as to action
taken in order that my HQ may inform the Italian
War Ministry.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

2 Maj Bittner Maj. Van Kirk 17 Dec
1944

1. This office cannot furnish the desired information.

2. The B.E.F. J.A.D. is entirely separate from the 5 Army J.A.D. and therefore are not informed of the situation.

3. Suggest you tell MMIA that higher Hdqs should be contacted.

For the A.C. of S. G-4:

B

Sr LFSCAC 19 Dec
MMIA LO (MMIA) 1944

Inviting your attention to 2d Ind.

225
R. G. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Disciplinary action.

RCV/jad

XXXX
XXXX
Sr LFSCAG 17 Dec
MMIA LO (MMIA) 19/4
L.O.
Rear HQ
8 Army

Reference your MM/106 of the 14th of December. All reports of violations of Security regulations in 8th Army area by Italian soldiers from 5th Army have been forwarded to General CORTESE with the request that he take disciplinary action against the officers issuing the passes. Unless these practices are stopped, I will make an official report to our HQ so that the Italian War Ministry will act.

R.C.VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Disciplinary Action.

RCV/jad

XXXX
XXXX
Sr. CG 17 Dec
WMIA LO 210 Div 1944

For necessary action. Disciplinary action
should be taken against the officers who used
these unauthorized passes into 8th Army area.

R.C.VAN KIRK,
Major, Infantry,
Sr. (WMIA) L.O.,
5th Army

Attached M.P. Report
~~Reference M.P. Report~~

RCV/jad

Sr LFSCAC 17 Dec
MMIA LO (MMIA) 1944

Forwarded for necessary action, since the
soldier concerned does not belong to 210 Div.

R.C.VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Discipline - Trial by AMG Courts.

RCV/jad

XXXXXXXX

XXX

Sr CG 16 Dec
MMIA LO 210 Div 1944

For your information. Request you advise me
of any violation of this directive by AMG Courts.

P.C.VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army

Disciplinary Action

RCV/jad

XXXXXX

XXX

Sr. Land 6
MMIA LO Forces Nov
Sub#Gam 1944
A.C.
MMIA

Leghorn is located in a PBS forward area. Since this is not located in 5th Army area, suggest that this report be forwarded to PBS for action.

R.C. VAN KIRK
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army.

Unauthorized leave for Italian soldier.

RCV/jad

XXXXXXXX

XXXXXX

Sr	HQ	2
MMIA LO	MMIA	Nov
		1944

Attached report forwarded to me from the Sr.
MMIA LO, 8th Army. Am advised this is a PBS unit
and should be forwarded to PBS forward for action.

R.C.VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army.

Unauthorized Leave

RCV/jad

XXXXXXXX

XXXX	Sr	2
Sr	MMIA LO	Oct
MMIA LO 8 Army		Nov
		1944

Receipt is acknowledged of unauthorized leaves issued to your area. Have forwarded your letter to Gen. Cortese, 210 Div. for action. One of the complaints was on a PBS unit which I have forwarded to HQ MMIA for forwarding to PBS forward at Livorno.

R.C. VAN KIRK,
Major, Infantry
Sr. (MMIA) L.O.,
5th Army

G-4

Violation of Leave Orders

RCV/jad

Sr	CG	29
MAIA	210	Sept
LO	Div	1944

Request that you investigate and take disciplinary action to prevent a recurrence of the incident reported, this apparently is a clear violation of leave orders.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MAIA) L.O.,
MAIA/ELK.
5th Army

Copy to: Sr. MAIA 10 5th Army

OPNS. FILE

Discipline- Italian Military

RCV/jac

OPNS. FILE

XXXXX

XX	CG	25
Sr.	210	Sept
MMIA	Div	1944
LO		

For your information.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army.

Discipline of Italian Military

RCV/jad

OPNS. FILE

XXXXXX

XXX

Sr

MMIA

LG

CG

210

DIV

26

Sept

1944

Request your compliance with basic
communication.

B.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army.

OPNS. FILE

Discipline- Italian Military

RCV/Jad

XXXXXX

XXX		
Sr	CG	26
MMIA	210	Sept
LO	Div	1944

Request you cause an investigation
to be made and report on conditions re-
ferred to in copy of signal attached.

R.C. VAN KIRK,
Major, Infantry,
Sr.(MMIA) L.O.,
5th Army.

C-4 R

Theft of Wine From Italian Dump

RCV/jed

Sr	CC	24
MMIA	110	Sept
LC	Div	1944

For your information and return to me
in order that I may forward to HQ MMIA.

R.C. VAN KIRK,
Major, Infantry,
Sr. (MMIA) L.O.,
5th Army.

OPNS. FILE

G-4 Bear
Panama

Gr. CS 24
WMIA 210 Sept
LO Div 1944

1. Your attention is invited to attached signal.

2. This is a clear violation of existing orders in 5th Army, and if such incidents have occurred, request that I be advised.

W.C. VAN KIRK,
Major, Infantry,
Br. (WMIA) L.S.,
5th Army.

COMS
FILE

File

I A

INTEROFFICE REFERENCE SHEET - FIFTH ARMY

G-4 FILE NO SUSPEND DATE

Subject: Disciplinary Action - Italian soldiers in illegal possession of WD rations.

From	To	Date	
SR. I.O.	CG.	13 Spt.	Request you cause an investigation to be made. - Take such action as is proper and report.
(MEMIA)	210° Div.	1944	

R.C. VAN KIRK,
Major, Infantry,
SR. (MEMIA) I.O.
5th Army.

=====

Mr
COMANDO DELLA 210° DIVISIONE FANTERIA
2^ Sezione Personale e Segreteria

25801 / di prot. P.M. 179, 14 18 Settembre 1944

AL COMANDO 212° DIVISIONE FANTERIA = P.M. 181 =
(n. 6 allegati)

e, per conoscenza :

ALLA S.R. I.O. (MEMIA) V° ARMATA AMERICANA = SUA SEDE =

~~~~~

..... per competenza trattandosi di militari - Serg. Loc. 1  
Ulderico e Caporale STEFANUCCI Edamocle - appartenenti al 1° Btg.  
Portuale alle dipendenze di codesta Divisione.-

Div.  
D'ordine  
IL CAPO DI STATO MAGGIORE  
Magg. Biagio NINI -  
R. S. N. 11

C O P I A

INTEROFFICE REFERENCE SHEET - FIFTH ARMY

OFFICE G-4 FILE NO SUSPEND DATE

Subject: Disciplinary Action - Italian soldiers in  
illegal possession of WD rations.

| Ind. N.  | From      | To      | Date |                                      |
|----------|-----------|---------|------|--------------------------------------|
| SR. I.O. | CG.       | 13 Spt. |      | Request you cause an investigation   |
| (MIA)    | 2100 Div. | 1944    |      | to be made. - Take such action as is |
|          |           |         |      | proper and report.                   |
|          |           |         |      |                                      |
|          |           |         |      |                                      |
|          |           |         |      |                                      |
|          |           |         |      |                                      |
|          |           |         |      |                                      |

R.C. VAN KIRK,  
Major, Infantry,  
SR. (MIA) I.O.  
5th Army.

=====

I/r COMANDO DELLA 2100 DIVISIONE FANTERIA  
2<sup>a</sup> Sezione Personale e Segreteria

N<sup>o</sup> 25801 / di prot.

P.M. 179, 11 18 Settembre 1944

AL COMANDO 2120 DIVISIONE FANTERIA = P.M. 181 =  
( n. 6 allegati )

e, per conoscenza :

ALLA S.R. I.O. (MIA) V° ARMATA AMERICANA = SUA SEDE =

.....

..... per competenza trattandosi di militari - Serg. 10211  
Ulderico e Caporale STEFANUCCI Edamocle - appartenenti al 1<sup>o</sup> Btg.  
Portuale alle dipendenze di codesta Divisione.

D'ordine  
IL CAPO DI STATO MAGGIORE  
- Mags. Biagio NINI -  
Rf *[Signature]*

2 3 8 8

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

to be made. - Take such action as is proper and report.

R.C. VAN KIRK,  
Major, Infantry,  
SR. (MMIA) L.O.  
5th Army.

=====

COMANDO DELLA 210° DIVISIONE FANTERIA  
2ª Sezione Personale e Segreteria

I/r

N<sup>25801</sup> / di prot. P.M.179, 11 18 Settembre 1944

AL COMANDO 212° DIVISIONE FANTERIA = P.M. 181 =  
( n. 6 allegati )

e, per conoscenza :

ALLA S.R. L.O. (MMIA) V° ARMATA AMERICANA = SUA SEDE =

.....

..... per competenza trattandosi di militari - Serg. 10211  
Ulderico e Caporale STEFANUCCI Edmocarle - appartenenti al 1° Btg.  
Portuale alle dipendenze di codesta Divisione.-

D'ordine  
IL CAPO DI STATO MAGGIORE A 85  
- Mags. Biagio NINI -  
*Biagio Nini*

File

Incident Between American Officer and Italian Officer.

XXXXXX

XXXX

Sr.

(MIA)

L.O.

CG

210

Div

16

Sept.

1944

Request that 2nd Lt. Oscar Viola  
be returned from Naples and report to  
Capt. E.L. Steinbock, Provost Marshall  
Section, Headquarters 5th Army, in  
connection with the investigation of the  
incident described in attached report.

R.C. VAN KIRK,  
Major, Infantry,  
Sr. (MIA) L.O.  
5th Army.

OPNS. FILE

210

## Absentees- Italian Military

RCV/jad

OPN  
FILE

1      Sr.   H.O.   15  
         (MIA) (MIA) Sept.  
         L.O.   and   1944  
         CG  
         210  
         Div

For necessary action.

*R.C. Van Kirk*  
R.C. VAN KIRK,  
Major, Infantry,  
Sr. (MIA) L.O.  
5th Army.

G-4

Discipline - Italian Military Personnel  
(Ref. (NWIA)-AC/6/1 of 10 Sept. 1944)

Sr. L.O. CG 13 Sept  
(NWIA) 210th 1944  
Div.

Request you take proper action and  
report.

R.C. VAN KIRK,  
Major, Infantry,  
Sr. (NWIA) L.O.  
5th Army.

DISTRIBUTION

Addressee

File

NWIA

OPNS. FILE

File

Disciplinary Action- Italian soldiers in  
illegal possession of WD rations.

SR. L.O. 76 13 Sept  
(MMIA) 210 Div. 1944

Request you cause an investigation  
to be made. Take such action as is proper  
and report.

R.C. VAN KIRK,  
Major, Infantry,  
SR. (MMIA) L.O.  
5th Army.

OPNS. FILE

1st Ind  
HEADQUARTERS FIFTH ARMY, A. P. O. #464, U. S. Army, 20 August 1944. RCY/fnt

To: Commanding General, 210th Division, A.P.O. #464, U. S. Army.

1. Inviting attention to basic communication.
2. Request you take disciplinary action to prevent the issuance of such leave and report action taken.

R. C. VAN KIRK,  
Major, Infantry  
M. M. I. A., L. O.

cc: WHIA (Ref WH/105 of 11 Aug  
GST (b) Main Eighth Army,  
(Ref Y312/1 1(b) 12 Aug)

PASSES -- Italian.

RCV/fnt

1

CG. 20 Aug  
210 Div 1944MMIA  
LO

1. As previously pointed out, before Italian Officers and men are permitted to go on leave permission must be obtained first from the Italian Commander concerned and Leave orders signed by him and countersigned by the Fifth Army Commander, to which the Italian unit is attached.

2. A proposed form is inclosed and should be prepared not only in Italian but in English. The pass should contain the destination of the officer or soldier on leave and must be for a definite period of time.

R. C. VAN KIRK  
Major, Infantry  
M. M. I. A. LO.,  
FIFTH ARMY.

1st Ind.

RGV/jeh

HEADQUARTERS FIFTH ARMY, A. P. O. #1404, U. S. Army, 6 August 1944.

TO: Commanding General, 210th Division, A.P.O. #1404, U. S. Army.

1. Inviting attention to basic communication.
2. The commanding officer, 87th Infantry Regiment is without authority to issue leaves without the approval of the Commanding General, Fifth Army, and then only within Fifth Army Area.

D. C. VAN NIRE,  
Major, Infantry,  
M. M. I. A., L. O.

cc: M.M.I.A. (Reg mm/105) of 14 Aug  
 0-110 main supply  
 Reg mm 312/1 105  
 of 12 Aug 44

2. Request you take disciplinary action  
 to prevent the recurrence of such leave  
 orders and Report action taken

OPNS. FILE

Statements concerning 1st Lt. Apostoli Amerigo.

PCV/fnt

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XXXXXX  
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MMIA 25 July  
LC 210 Div 1944

Request you return this file of correspondence to me after proper disciplinary action has been taken, indicating action taken.

R. C. van KIRK  
Major, Inf.,  
M.M.I.A., LC.

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12356 SECTION 3-3/NND No.