

10000/120/4650

AQ/43

F.G.C.M. + C of I

Mar. 15, 1945 - Sept. 28, 1946

78507
7643

Subject:- Court of enquiry -
Traffic Accident.

Land Forces Sub Comm. A.C.
(M.M.I.A.)
R O M E
Q./T/12

28 Sept 46.

To :- 12 B.L.U.

FOUO 57

Ref your AQ/43/3044 dated 4 Sept 46.

Forwarded herewith in triplicate proceedings of a Court of Enquiry together with A.F.G.998 in respect of Chev. 3 ton N°L5686553 which was involved in an accident with a civilian taxi on 24 July.

W. H. W.
E.F. BYATT, Major,
for Major General,
M.M.I.A.

EPB/ab

7643

G. S. O. I	
G. S. O. III	
DAA & QMG	
Instr Gunnery	
Instr R. E.	
Instr R. Sig	
Instr Inf	
Instr Tactics	
Instr D & M	
INSTR	
28 SEP Estd	File 43

414

56

SUBJECT :- Court of Inquiry
Tripoli Incident

10 British Liaison Unit
TUGUE DEL GRADO
Tels : 55302 MARLES
9 AG

24 Aug 46

Land Forces 3rd Commission AG,
(MILIA) Rome (14th Branch)

Ref your 4376 dated 13 Aug 46 and further to this HQ letter
9 AG dated 18 Aug 46.

1. Proceedings in triplicate of a court of inquiry held at 3 Transit Camp MARLES, on behalf of 12 MLI, on 22 Aug 46 are forwarded herewith.
2. The Court of Inquiry was held at 3 Transit Camp in order to facilitate the attendance of Italian witnesses from ALGERIA and the provision of numbers for the court.
3. This HQ was notified by the Carabinieri that two of the Italian witnesses were not available to attend, and 1/3 WILSON V of 135 BLD has since left this theatre.

our
wrt/aly

W.C. Lofler
White, Major
del.

Lead Person Sub Commission AG,
(MIA) NAME (A: French)

Ref your A376 dated 15 Aug 46 and further to this HQ letter
2 AG dated 16 Aug 46.

1. Proceedings in triplicate of a court of inquiry held at 3 Transit
Camp NASARS, on behalf of 12 MIA, on 22 Aug 46 are forwarded herewith.
2. The Court of Inquiry was held at 3 Transit Camp in order to
facilitate the attendance of Italian witnesses from AVENNA and the
provision of members for the court.
3. This HQ was notified by the Carabinieri that two of the Italian
witnesses were not available to attend, and 2/3 WILLIAM V of 135 BMD had
since left this theatre.

OW
WOT/why

W.C. Taylor
1st Lt, Major
G.S.

Copy to 1-12 MIA (1 copy of proceedings enclosed)

AA & QMC	
DAA & QMC	
SC "A" & "Q"	
DADMT	
DADON	
DADMS	
Try Document	
Schedules	
Ref	
RA	
RE	
RCB	
WFO	
26 AUG 1946	
No. 43	

205

PROCEEDINGS of a Court of Inquiry

assembled at 3 Transit Camp, Naples

on the 22 Aug 1946

by order of H.Q. M.M.L.A.

for the purpose of Examining the circumstances in which W.D. vehicle No 5686553 came into collision with a civilian taxi No HA 7421 at Averas on 24 July 46.

PRESIDENT

303495 Capt E. Mc Innes - R.E.M.E.

MEMBERS

138292 Lieut L.G. Scott - Farnie - S.W.P.641

IN ATTENDANCE

151277 Maj W.P.G. Taylor - R.A.

DATED 10 B.L.L.U.

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

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

Attention is particularly drawn to Rules of Procedure for Courts of Inquiry contained in Rules of Procedure 124-125A, and especially to Rule 125A (B), also to paragraphs 764, et seq., King's Regulations, 1940.

Attention is particularly drawn to Rules of Procedure for Courts of Inquiry contained in Rules of Procedure 124-125A, and especially to Rule 125A (B) also in paragraph 704, of 1001 King's Regulations, 1947.

for the purpose of Examining the circumstances in which W.D. vehicle No 5686553 came into collision with a civilian taxi No KA 7421 at Averaa on 24 July 46.

PRESIDENT

303495 Capt K. Mo Innes - R.E.M.E.

MEMBERS

138292 Lieut E.C. Scott - Parnie - 2.W.8.641

IN ATTENDANCE

151271 Maj W.F.C. Taylor - R.A.

DAQMG 10 B.L.U.

The Court having assembled pursuant to order, proceed to take evidence:

1st Witness:

6144551 Pto Airs F.J. 12 B.L.U. having been duly sworn states:

I am 6144551 Pto Airs F.J. 12 B.L.U. On the 24 July 1946 I was returning from Naples to Rome on route 7.

About one mile from Averaa, fifty yards past the entrance to the American Camp there was a horse and cart proceeding

In the same direction and my truck, and in front of us.

On the ~~same side~~ side of the road and a further fifteen yards on there was another horse and cart behind which was a taxi, both proceeding in the same directions.

As we passed the horse and cart proceeding in the same direction as we were, the taxi pulled out to overtake the other horse and cart.

I put my hand up to warn him to stop, but he took no notice and continued.

As we pulled over to the side, the taxi hit the centre of the left hand side of the truck and stopped us dead.

When I got out to look at the taxi, the bonnet was right underneath the ~~front~~ of our truck. We were proceeding at about 10-15 m.p.h. and the taxi opened up to pass the horse and cart before we reached it.

The No. 2000 series of the trial were estimated at ten feet.

I produce A.P. 6, 3536 (authentic 'A') being the authority for our country.

There was no civil or military police at the scene of the accident.

I have seen the I. I. L. certificate of the N. D. vehicle concerned. I saw George Big. Nesposito himself as being the driver of the taxi and Big. Marcella Ferdinando as being one of the passengers, and Big. Vincenzo Antonio as being another.

Sigd. Mrs. J. F. Sullivan

2nd. Extremes

Opf Cingusti Carlo having been duly sworn states:

I am O.J. Gungahll Carlo of 152 Italian In-crement, 12 B.L.U.

On the 21 July 1946 I was driver of W.D. vehicle 5682553 proceeding from Naples towards Aviano.

About a mile from Avenue, I was about to overtake a horse and cart proceeding in the same direction. Coming towards me in the other direction I saw three or four horses and carts with a taxi about fifty yds behind.

Having overtaken the horse and cart in front of me and started to draw in the taxi then started to draw out from its side to overtake the other carts in front of it.

As the left side of my truck

7840

ed. Cingetto Carlo

Mr. Arnesen further having been duly sworn states:

3rd Vienna

748 City Depository Building of Via Roma 27 (Lazio Bank)

4th Witness

Sgt. Vincenzo Antonio having been duly sworn states:

I am Sgt. Vincenzo Antonio and live at Via Nuova Poggioreale 22, Naples.

On the 24th July 1946 I was travelling in the Fiat 503 Taxi 7421 RA from Avessa to Naples.

About three kilometres from Avessa I saw two horses and carts in front of me. The driver pulled out to pass and as we did so a three ton truck pulled out from behind two other carts side by side travelling towards Avessa.

The truck driver realised he could not pass between these and the taxi and braked but could not stop and he hit ~~over~~ taxi about the front left mudguard and caused our taxi to turn sideways across the road.

The vehicle was doing about 20-25 k.p.h.

I do not remember anything else as I hit my head on the windscreen and lost consciousness and spent two days in hospital.

I produced a medical certificate from the hospital (Rendit 'B')

Sgt. Vincenzo Antonio

5th Witness

Sgt. Maraffa Ferdinando having been duly sworn states:

I am Sgt. Maraffa Ferdinando and live at Via Cesare Battisti No 8 Avessa.

On 24 July 46 I was travelling from Avessa to Naples in the taxi which had an accident about three kilometres from Naples.

I was talking to my cousin in the back of the taxi and remember seeing two lines of carts.

I saw a three ton truck coming towards us about three yards away. The taxi driver put on his brakes and the trucks and taxi collided, the front mud guards catching each other.

I sustained only very slight injuries.

Sgt. Maraffa Ferdinando.

L. W. T. M. 2/46
Sgt. Vincenzo Antonio recalled states:

My brother has paid L. 150,000 for another Fiat 503, second hand, and parts from the damaged vehicle have been used to recondition this car.

The taxi was not insured.

Sgt. Vincenzo Antonio

7639

4

1st Witness (11/15/51) Pte Airs T.J. 1st B.L.U. being recalled states:

There was definitely only one horse and cart in front of us, on one side of the road. The taxi had definitely passed our cab before it hit us.

Sgt. T.J. Airs

7638

The Court Pleds:

- a) That the driver of the W.B. vehicle was on an authorized journey.
- b) The contributory cause was the presence of horses and carts on the road and the evidence suggests lack of judgment on the part of one or other of the drivers concerned.
- c) Cost of damage:-
 - (i) The W.B. vehicle has been MIA'd. The M.R. cert. has been forwarded to SI I. E. I. A.
 - (ii) It would appear that the civilian vehicle was damaged beyond repair, but the cost is not in a position to assess the cost of repair, although 18000 Lira is stated to have been paid towards the cost of another vehicle, with which to make and serviceable vehicle.
- d) Only superficial injuries were sustained except in the case of Sig. Vicens Antonio for whom a medical certificate is attached.

The Court has not been able to take the evidence of :

- a) E/5 Wilson V 555 B. G. D. (assr-con.) who has returned to America.
A statement made previously by him is attached (Exhibit C)
- b) Salate Kamolo Inqul, who is in hospital at the present.
A statement made by him previously is attached (Exhibit D)
- c) Sig Leonard Winc who has been sent on draft to North Italy.

A copy of the NFO 9676 in respect of the accident is attached to the proceeding. (Exhibit 8)

Certified that the English translations of the evidence given by the Italian witnesses has been translated to the best of my knowledge and ability.

9 Sept. 18

10.3300

7637

Stephen Lark *Wm H. Lusk*

CM 10 speed 100

Date 3.9.16 '19

Station Road

A separate form to be used for each of above.

a) Similar to: Readings: Inspiration.

1-800-868-2000

10

President of the American Association of

REFERENCES

100

ALBERT R. JONES

10

It must be noticed that the argument characterizes *o* as *o* in the sense that the vocabulary root is the actual *o* in that it has 27 phonetic, proved, signs, the nature of the analysis we make of the value *o* is based upon the latter root.

Involved in a collision
with a civilian car on

24th July 46 B.I.R.M.

A.L.R. Certificate and

Court of Inquiry proceedings

forwarded to UNITA under

covering letter. (9 AQ

dated 24th August 46 110

B. L. II.) refers to

and repair the residual value must be deducted

Signature of the Signatory (Full Name)

165-44

ADOS. Mini.

Submitted

DAI-5: QMG

Appendix of the 32,323 Eastern Orthodox

[illegible]

URGENT

HQ ROME AREA ALLIED COMMAND
APO No 794, US ARMY
Office of G-1 Br

Telephone: 66671

Ref: 45299

20 Sep 46

SUBJECT: Field General Court-Martial

OG 56 Rest and Transit Camp
Major W.L. Price MSG, HQ DMIA
DAAO G-1 Br HQ Allied Commission(2)

DAAO HQ DMIA
Capt F.W. Bottidge, Continental Hotel
OG 3 Squadron 11 I. of S signals

Reference this HQ letter 45299 of 10 Aug 46.

1. The Court which assembled at 56 Rest and Transit Camp on 16 Aug 46 for the purpose of trying

2987936 Pte MARSHON T.J. - A & SM

will re-assemble at 0900 hours Saturday 21 Sep 46 in the Busle Room
56 Rest and Transit Camp for the purpose of proceeding with the trial
which was adjourned on 16 Aug 46.

2. Paragraphs 3, 4, 6 and 7 of the letter 45299 of 10 Aug 46 are
applicable to the forthcoming re-assembly.

G. S. O. I	
G. S. O. III	
DAA & QMG	
Instr Gunnery	
Instr R. E.	
Instr R. Sigs	
Instr Inf	
Instr Tactics	
Instr D & M	
REME	
24 SEP 1946	
File 43	

BQ/ao

Staff Capt
B. GATTES
Staff Capt
for Major
DAA & QMG

7634

400

SUMMARY :- Court of Inquiry

12 MEN (2)
3 Transit Camp (2)
ILC 10 MEN

OO LO 10 MEN (List of Italian witnesses' addresses attached)

Lead Forces Sub Commission HQ.,
(MILIA) HQ (1st Branch)
HQ NAPLES Area
6486 Railroad Group (US Army)
335 Base Ord Depot (US Army)

10 British Liaison Unit
TUNIS MIL 2250
Tele : 55002 NAPLES
9 AG

18 Aug 46

1. A Court of Inquiry, composed as under, will assemble at 3 Transit Camp NAPLES at 1030 hrs on 22 Aug 46 to examine the circumstances in which ED Vehicle No 568553 came into collision with a civilian taxi No RA 7421 at AVERSA on 24 July 46.

2. Members of the Court :-

A Captain to be detailed by 3 Transit Camp
A Subaltern to be detailed by 3 Transit Camp

3. The Court will record the following findings :-

- (a) Whether the driver of the ED Vehicle was authorized to make the journey?
- (b) What were the contributory causes to the accident?
- (c) What is the cost of damage to civilian and ED vehicle?
Or has either vehicle been damaged beyond cost of replacement?
- (d) What injuries were sustained, if any, by personnel?

4. Evidence will be taken on oath. The Court will not express opinion.

5. The attention of the Court is drawn to RE 764-773.

6. The following witnesses will attend under arrangements to be made by 12 MEN :-

7633

1. A Court of Inquiry, composed as under, will assemble at 3 Transit Camp MARINES at 1030 hrs on 22 Aug 46 to examine the circumstances in which WD Vehicle No 5686553 came into collision with a civilian taxi No HA 7421 at AVESSE on 24 July 46.

2. Members of the Court :-

A Captain to be detailed by 3 Transit Camp
A Subaltern to be detailed by 3 Transit Camp

3. The Court will record the following findings :-

- (a) Whether the driver of the WD Vehicle was authorized to make the journey?
- (b) What were the contributory causes to the accident?
- (c) What is the cost of damage to civilian and WD vehicle?
Or has either vehicle been damaged beyond cost of replacement?
- (d) What injuries were sustained, if any, by personnel?

4. Evidence will be taken on oath. The Court will not express opinion. **7633**

5. The attention of the Court is drawn to HR 761-773.

6. The following witnesses will attend under arrangements to be made by 12 HCU :-

Q14455 Pte ALKS T.J. 12 HCU
Q11 CLEMENTE CAELO - driver of vehicle MC 5686553

7. The following witnesses will attend under arrangements to be made by 335 Base Ord Depot :-

T/5 WILSON V. 335 Base Ord Depot (American)

8. The following witnesses will attend under arrangements to be made by OC LO 10 HCU :-

SIG. WISOME ANTONIO
Soldado MEXICO DICI
SIG. MARAFIA FERNANDO
SIG. RABONAT MARIO
SIG. RUCOSITO RAFAEL

2/.....

- 2 -

9. IIO 10 KLU will provide an interview.

10. Proceedings, when completed, will be returned to this HQ in triplicate.

CLP
WCF/m

WRC 10/10/10
Major, USAF
CS

AA & QMG	
DAA & QMG	
SC "A" & "Q"	
DADST	
DADUS	
DADMS	
Trg Instrument	
Schools	
1-4	
RA	
RE	
RCS	
WFO	
20 AUG 1944	File 43

7632

12 Bu yf & Hg a.l. Price

Telephone: 66674

HQ BRITISH ARMY ALLIED COMMAND
ADU No 794 US ARMY
OFFICE OF G-4 BRITISH

Ref: - 4A299

10 Aug 46

SUBJECT: - Field General Court-Martial

CC 56 Post and Transit Camp (5)
Comdt 32 MP & DB (2)
Major WJ PRICE MBE HQ MIA
DAG G-4 Br, HQ Allied Commission (2) CC 3 Squadron 11 L of C Signals
DAG HQ MIA
Capt WJ NOYDICE -
CONFIDENTIAL Hotel

1. A Field General Court-Martial composed of the officers detailed hereunder, will assemble in the Music Room at 56 Post & Transit Camp at 0900 hrs Friday 16 Aug 46 for the purpose of trying the undermentioned accused and any other persons who may be brought before them.

Major WJ PRICE MBE - North Staffs H. MIA

1. Capt to be detailed by DAG G-4 Br HQ AC
2. Capt or Lieutenant to be detailed by CC
3 Squadron 11 L/C Sigs

2. ACCUSED
1) 2987936 Pte McILWAIN TF - ASH
2) 7537997 Tpr BROWN NO - RAC

3. DEFENDING OFFICER Capt WJ NOYDICE RAC - CONFIDENTIAL Hotel

PROSECUTING OFFICER To be detailed by G-4 Br HQ RAC

4. The accused will be medically examined on the morning of the trial and certified fit to stand trial by RCM. The NCO i/o escorts will hand these certificates to the President before the trial begins.

5. CC 56 Post & Transit Camp will be responsible for the preparation of the Court Room, providing the necessary stationery and detaining a senior NCO as Court Orderly. He will also ensure the attendance of 1/Sgt CHURCH, the only witness in both cases.

6. Comdt 32 MP & DB and CC 56 Post & Transit Camp will prepare pro forma in accordance with GSO 303/44 for Pte McILWAIN and Tpr BROWN respectively.

7. On completion of the trial the proceedings will be forwarded as soon as possible to G-4 Br this HQ under Confidential and Registered cover.

1631

CC 3 Squadron 11 L of C Signals

1. A Field General Court-Martial composed of the officers detailed hereunder, will assemble in the Music Room at 56 Rest & Transit Camp at 09:00 hrs Friday 16 Aug 46 for the purpose of trying the undermentioned accused and any other persons who may be brought before them.

PROSECUTION

Major W.L. BRICE AMV - North Staffs Hq. MIA

WITNESSES

- A Capt to be detailed by DACC G-1 Br HQ AG
- A Capt or Lieutenant to be detailed by OC
- 3 Squadron 11 L/C Sigs

2. ACCUSED

- 1) 2987936 Pte McLENNAN TS - JAGH
- 2) 7977997 Tpr BENSON LC - RMC

3. DEFENDING OFFICER

Capt T.V. HOTTIDGE RAO - CONTINGENTAL Hotel

PROSECUTING OFFICER To be detailed by G-1 Br HQ RAC

4. The accused will be medically examined on the morning of the trial and certified fit to stand trial by JCM. The HQ i/o escorts will hand these certificates to the President before the trial begins.

5. OC 56 Rest & Transit Camp will be responsible for the preparation of the Court Room, providing the necessary stationery and detailing a senior HQ as Court Orderly. He will also ensure the attendance of CHIDLEY, the only witness in both cases.

6. Comdt 32 LP & IB and OC 56 Rest & Transit Camp will prepare pro forma in accordance with GHO 303/44 for Pte McLENNAN and Tpr BENSON respectively.

7. On completion of the trial the proceedings will be forwarded as soon as possible to G-1 Br this HQ under Confidential and Registered cover.

BO/mf

Copy to: A/159

1. C. W. T. B. S.
Staff Captain
For Lt Col
A/1 & 7/9

1631

SUBJECT: Court of Inquiry.

12 BRITISH LIAISON UNIT
for the
ITALIAN GENERAL MILITARY SERVICES
(Tel: 439081 Ext 545)

AG/43/2026.

August 1946.

TO: H.Q.
Land Forces Sub. Comm. A.C. (M.M.I.A.)

1. Reference conversation Major Mott-Lt.Col. Gibbon, herewith traffic accident report in respect of Cpl. Cinquetti Carlo, Italian military driver employed by this Unit.

2. In view of the fact that the majority of the witnesses live in the Naples Area, where the accident took place, it would be much appreciated if a Court of Inquiry could be held by 10 B.L.U. in order to establish responsibility for the accident.

3. The witnesses that would be required from 12 B.L.U. are as follows:-

614405 Pte Aire F.O. 12 B.L.U.
Cpl. Cinquetti Carlo - driver of the vehicle.

4. The following witnesses will be required from the Naples Area:-

1. S/S Wilson V. 335 Base Ord. Depot (American)	} Addresses are attached
2. Sig. Visone Antonio	
3. Soldato Mazzolo Indgi	
4. Sig. Esposito Raffaele	
5. Sig. Marafin Ferdinando	
6. Signor Marconi Mario	

5. Cpl. Cinquetti has signed the declaration on the British Traffic Accident Report, but presumably the punishment awarded (if necessary) will be settled in accordance with Italian Military Law.

Lt.Col.

S.S.

7630

MEX/ma.

SUBJECT :- Court of Inquiry:

51

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS
(Tel: ROME 489081 Ext 545)

AQ/43/2013

3 July 1946

To: H.Q.
Land Forces Sub Comm AC (MMIA)

1. Herewith proceedings of Court of Inquiry assembled at this H.Q. on 29 July 1946 for the purpose of investigating the circumstances in which Signori Napoli Antonio and Dell'Orco Georgio received injuries said to have been caused by accidental collision between a motor cycle ridden by Signor Napoli and a 15 cwt truck WD No. 25313398 driven by Major W.E. CHAPMAN RE of 12 B.L.U. on 1 July 1946.

2. The proceedings are submitted for your consideration and approval.

WRI/raw

1/8

1- Lt. Colonel.
G.S.

7629

(4200) WH/2001/2311 ADONIS 3/14 C.A.S.A.P. ST. CO. LTD. TH-408

Army Form A2.

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

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

Attention is particularly drawn to the Rules for Courts of Inquiry contained in Rules of Procedure 124-125A, and especially to Rule 125A(8); also to paragraph 764, et seq., King's Regulations, 1949.

PROCEEDINGS of a Court of Inquiry

assembled at Rome. (H.Q. 12 B.L.U.)on the 29th day of July 1946.by order of LT. COL. A.W. GIBBONS. O.B.E.Comdr. 12 British Liaison Unit.for the purpose of investigating the circumstances in whichSignori Napoli Antonio and Dell'Oro Giorgio received injuriessaid to have been caused by accidental collision between a motor cycle riddenby Signor Napoli and a 15cwt truck WD No Z 5513398 driven by Major W.E.Chapman R.E. of 12 B.L.U. on 1st July 1946. Evidence to be taken onOath.

67432 MAJOR N.E. CHANCE. Royal Irish Fusiliers.
MEMBERS.

230819 MAJOR A.T. TWINE. R.E.M.E.5439943 C.Q.M.S. EVOT. J. R. Sussex.

IN ATTENDANCE.

The Court having assembled pursuant to order, proceed to
take evidence on Oath.

1st Witness. 256126. Capt. W.R. TREVELYAN. The Rifle Brigade, having been
duly sworn, states:-

I submit true copy of traffic Accident Report (Army Form A3676)
rendered to me as Staff Captain 12 B.L.U. by Major W.E. CHAPMAN. R.E. 12 BLU
Exhibit B.

(Sgd) W.R. Trevelyan. Capt.

7628

Eni Bismari - 216260 Major U.S. ARMY, CHAMBERLAIN, S.S. having been duly sworn states:

On the 1st of July 1946 at about 1045 hrs. I was driving Ford 15 cwt V.D. No. 2 9313378 from Santa Maria to Santa Severa on Route 1.

At approximately 100 yards to the North of Kilometer Stone 60 I entered a left hand curve. The visibility on this curve is about 30 yards, and I reduced my speed to 25 miles per hour.

When half way through the curve, a motor cycle coming from the direction of Rome came into my vision making an evasive course towards my vehicle.

I immediately applied emergency braking and pulled over to the left edge of the road.

At the moment before my vehicle came to a halt, the motor cycle struck the right hand end of the front bumper bar of my vehicle. There was a pillion rider on the motor cycle and both he and the driver appeared to be injured. I alighted to render First Aid and found that the following injuries had been sustained.

The driver - severe injuries to Right Leg.

The Pillion Rider - Injuries to right foot and abrasions to face and hands.

I assisted in transporting them to CIVILAVANNA Hospital and completed A.F. 23676 which I submitted to Staff Captain 12 B.L.S.

1st Question.

Did you any passengers in your vehicle?

Answer.

Yes! Capt. BISMARCI, my interpreter was riding in the passenger seat beside me. An Italian Lieutenant and a Sergeant were riding in the back of the vehicle.

2nd Question.

Were skid marks caused by the accident?

Answer.

Yes! Made by my vehicle under the emergency braking.

3rd Question.

What distance separated your vehicle from the motor cycle when you applied the brakes?

Answer.

Approximately 35 yards.

4th Question.

In what distance did your vehicle come to rest after you applied the brakes?

Answer.

Twelve yards.

5th Question.

Did you give warning of your approach to this particular bend?

Answer.

No! I did not consider any warning necessary.

6th Question.

Can you state the speed of the motor cycle when it first came into your vision?

Answer.

No!

7th Question.

Were you on the Right Hand side of the road as you entered the bend?

Answer.

Yes!

(Sgd) W.E. Chapman.
Major R.E.
210260
12 B.L.U.

7627

3rd Witness. Signor Dell'Oro Giorgio, Via Nazario Sauro 12 Roma, having been duly sworn states:-

On 1st July 1946 at about 1030 hours, I was proceeding from Rome to Santa Marinella as a pillion passenger on a motor cycle driven by Signor Napoli Antonio.

We had crossed the bridge at kilometre stone 60 and had entered the sharp right hand bend about 100 metres to the North of the bridge.

We were travelling at between 35 and 40 Kilometres per hour and at once saw a 15 cwt truck approaching us.

The 15 cwt truck was on its left hand side of the centre of the road. In order to avoid a collision, Signor Napoli attempted to steer his motor cycle to pass the 15 cwt truck on its right hand side. At the same moment, the 15 cwt truck pulled to its right and the motor cycle struck it on some part of the front.

Signor Napoli and I were thrown to the ground and injured. An officer speaking English appeared and gave us assistance.

1st Question.

Did you see any other people at the scene of the accident at the time?

Answer.

No.

2nd Question.

What distance separated the motor cycle from the truck when you first saw it?

Answer.

Thirty to Forty metres.

3rd Question.

At what position, relative to the roadway, were the vehicles at the moment of the collision?

Answer.

Across the road, pointing in the general direction of the coast.

4th Question.

Did the driver of the motor cycle give warning of ~~approach~~ ^{approach}?

Answer.

Yes. He sounded his horn.

the 15 cwt truck was on its left hand side of the centre of the road. In order to avoid a collision, Signor Napoli attempted to steer his motor cycle to pass the 15 cwt truck on its right hand side. At the same moment, the 15 cwt truck pulled to its right and the motor cycle struck it on some part of the front.

Signor Napoli and I were thrown to the ground and injured. An officer speaking English appeared and gave us assistance.

1st Question.

Did you see any other people at the scene of the accident at the time?

Answer.

No.

2nd Question.

What distance separated the motor cycle from the truck when you first saw it?

Answer.

Thirty to Forty metres.

3rd Question.

At what position, relative to the roadway, were the vehicles at the moment of the collision?

Answer.

Across the road, pointing in the general direction of the coast.

4th Question.

Did the driver of the motor cycle give warning of ~~approach~~ approach?

Answer.

Yes. He sounded his horn.

(Sgd) Dell'Oro Giorgio.

Certified true interpretation.

(Sgd) Magg. Enrico Lazzoni.

4th Witnesses. Capt. BIRDELL. having been duly sworn, states:-

On 1st July 1946, at about 1030 hours, I was proceeding from Santa Marinella to Santa Severe, in the front passenger seat of Ford 15 cwt truck # 5313398, driven by Major Chapman.

We were travelling in the centre of the road, at about 40 Kilometre per hour.

When we got onto the curve, I saw a motor cycle approaching us. The motor cycle was in the centre of the road, about 20 metres distance from us and moving at a reasonable speed.

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Major applied the brakes and pulled in to our extreme right side of the road, bringing the vehicle to a standstill.

The motor cycle, which appeared to be out of control came across the road, and struck our vehicle on the right hand end of the front bumper bar.

The driver and million rider of the motor cycle were thrown to the ground and injured. I alighted and rendered such assistance as I could.

I asked the driver of the motor cycle what happened, and, he, in an excited state exclaimed My Brakes - I am ruined for life.

(Sgt) Capt. Riferalli Mario

7625

5th Witness.

Signor Napoli Antonio. Via Galvani 9, Rome, having been duly sworn states:-

On 1st July 1946 at about 1030 hour, I was riding my motor cycle on Route 1 from Rome to Santa Marinella, and had just passed Kilometre stone 60.

Signor Dell'Oro Giorgio was riding on the pillion seat.

As we entered the sharp right hand bend about 100 metres North of Kilo 60, I was travelling at about 35 Kilometres per hour reducing my speed because I had already seen an oncoming vehicle some considerable distance before I reached the bend.

As we entered the bend I pulled over to my right hand side of the road and as I did so, I saw a vehicle coming towards me on its incorrect side of the road.

I immediately applied my brakes and steered to the left intending to pass the vehicle between it and my left hand side of the road attempting to avoid an accident.

The vehicle pulled over to its right hand side and a collision could not be avoided, my right leg and right hand side of the motor cycle striking some part of the vehicle.

1st Question.

Did you give warning of approach ?

Answer.

Yes. I sounded the horn.

2nd Question.

What is the condition of the brakes on your motor cycle ?

Answer.

Good.

3rd Question.

When was your motor cycle last in works shops for over haul ?

Answer.

Three months ago for back wheel bearing.

4th Question.

How old is your motor cycle ?

Answer.

1939 model.

7624

As we entered the bend I pulled over to my right hand side of the road and as I did so, I saw a vehicle coming towards me on its incorrect side of the road.

I immediately applied my brakes and steered to the left intending to pass the vehicle between it and my left hand side of the road attempting to avoid an accident.

The vehicle pulled over to its right hand side and a collision could not be avoided, my right leg and right hand side of the motor cycle striking some part of the vehicle.

1st Question.

Did you give warning of approach?

Answer.

Yes. I sounded the horn.

2nd Question.

What is the condition of the brakes on your motor cycle?

Answer.

Good.

3rd Question.

When was your motor cycle last in works shops for over haul?

Answer.

Three months ago for back wheel bearing.

4th Question.

How old is your motor cycle?

Answer.

1939 model.

5th Question.

What was the condition of your tyres?

Answer.

Good - about 2000 Kilometres.

6th Question.

Were you physically fit before the accident?

Answer.

Yes.

(Sgd) Napoli Antonio.

Certified true interpretation and translation.

(Sgd) Magg. Enrico Lazzoni.

6th Witness. Doctor MUFFA ELIO having been duly sworn states:-

1st Question.

Do you know signor Napoli Antonio?

Answer.

Yes.

2nd Question.

Have you treated him for injuries which might have been caused by a motor cycle accident?

Answer.

Yes.

3rd Question.

When was this treatment given?

Answer.

Afternoon of 1st July 1946

4th Question.

What is the diagnosis of his injuries?

Answer.

Compound fracture of knee cap.

Fracture of tibia.

Fracture of fibula.

Various cuts and bruises on leg and feet.

Probable fracture of base of skull.

Right leg.

5th Question.

Will you express an opinion as to the possible effect of the injuries on this man's future efficiency?

Answer.

Loss of knee cap will cause stiff leg for remainder of his life.

6th Question.

Do you Signor Dell'Orce Giorgio?

Answer.

Yes.

7th Question.

Have you treated him for injuries that might have been caused by a motor cycle accident?

Answer.

7623

Yes.

3rd Question.

When was this treatment given ?

Answer.

Afternoon of 1st July 1946

4th Question.

What is the diagnosis of his injuries ?

Answer.

Compound fracture of knee cap.
Fracture of tibia.
Fracture of fibula.
Various cuts and bruises on leg and feet.
Probable fracture of base of skull.

Right leg.

5th Question.

Will you express an opinion as to the possible effect of the injuries on this man's future efficiency ?

Answer.

Loss of knee cap will cause stiff leg for remainder of his life.

6th Question.

Do you Signor Dell'Orco Giorgio ?

Answer.

Yes.

7623

7th Question.

Have you treated him for injuries that might have been caused by a motor cycle accident ?

Answer.

Yes.

8th Question.

When was this treatment given ?

Answer.

Afternoon of 1st July 1946.

9th Question.

What is the diagnosis of the injuries ?

Answer.

Lacerations and contusions to both knees and both elbows.

10th Question.

Will these injuries adversely affect his future efficiency ?

Answer.

No.

(Sgd) Moffa Elie.

Certified true interpretation

(Sgd) Magg. Enrico Lazzoni.

The Court here decided to visit the scene of the accident, accompanied by the 2nd, 3rd and 4th witnesses, on the morning of 30th July 1946.

This was done and the three separate statements were checked against actual measurements approximately laid down on the roadway. It was found that there is a sufficiently high factor of agreement between the three accounts to satisfy the Court of the accuracy of each, rendering it unnecessary to call further witnesses.

The 3rd witness was here recalled and states:-

5th Question.

Do you recognize this machine as being the motor cycle driven by Signor Napoli Antonio at the time of the accident?

Answer.

Yes.

(Sgt) Dell'Acro Giorgio.

Certified true interpretation

(Sgt) Magg. Enrico Lazzari.

7622

The Court inspected the Motor Cycle D.W.I. Reg No. Roma 15989 and the Ford 15 out truck Z 5313398 on 30th July 1946.

FINDING OF THE COURT.

It is the opinion of the Court that:

- (a) An accident occurred between motor cycle D.W.K. Reg No. Roma 15985 and Ford 15 cwt truck Z 5313398 driven by Major Chapman P.E. on the 1st July 1946 at about 1030 hours at a point on Route 1, one hundred metres North of Kile stone 60.
- (b) The accident was caused by the 15 cwt entering the curve from the North end on the centre of the road, and by the motor cycle entering the curve from the South end on the correct side of the centre line (See plan A: Phase i).
- Owing to the peculiar construction of the curve, that is, rising to the northward and super elevated on the left of the motor cycle. Signor Kapeli received the impression that the 15 cwt was on its wrong side of the road and would continue round the curve still on its wrong side.
- His instant reaction was to steer to the left and attempt to pass the 15 cwt on its wrong side.
- On seeing the motor cycle, Major Chapman's instant reaction was to pull over to his extreme right, and then, seeing the motor cycle change reaction and head towards him, he applied his brakes and brought his vehicle to a halt within 3 feet of the edge of the road, where both vehicles collided (See Plan A Phase 2).
- (c) Responsibility cannot be attached to either party.
- The speeds of both vehicles was not excessive.
- Warning was given by the motor cycle only, but the Court consider such warning to be unnecessary.
- The curve in question is of such unusual form, that a driver coming from the North, would be justified in entering it on the centre of the road, and it is reasonable to suppose that a northbound driver might be deceived into thinking, that a southbound vehicle was

on its wrong side of the road.

(It is pointed out here, that during observation over a period of one hour, of fifteen vehicles travelling south eleven entered the curve on their wrong side of the road and two in the centre of the road.)

(d) The injuries sustained by Signor Napoli and Signor Dell'Orco were caused by this accident.

(e) Injuries caused to Signor Napoli are.

Compound fracture of kneecap - right leg.

Fracture of tibia and fibula - right leg.

Probable fracture of base of skull.

Various cuts and bruises to legs and feet.

Injuries caused to Signor Dell'Orco are

Lacerations and contusions of both knees and both elbows not considered likely to affect his future efficiency.

(f) Damage to motor cycle was as follows.

Front wheel buckled.

Front mudguard distorted.

Front forks distorted.

Engine cylinder cooling fins broken.

Petrol Tank dented.

Headlamp distorted.

Handlebars distorted.

Front Brake Cable broken.

7620

(e) Injuries caused to Signor Nepelli are.

Compound fracture of kneecap - right leg.
Fracture of tibia and fibula - right leg.
Probable fracture of base of skull.
Various cuts and bruises to legs and feet.

Injuries caused to Signor Dell'Orce are

Lacerations and contusions of both knees and both elbows
not considered likely to affect his future efficiency.

(f) Damage to motor cycle was as follows.

Front wheel buckled.
Front mudguard distorted.
Front forks distorted.
Engine cylinder cooling fins broken.
Petrol Tank dented.
Headlamp distorted.
Handlebars distorted.
Front Brake Cable broken.

7620

Damage to Ford 15 cwt - NIL.

MEMBERS OF THE COURT

(Sgt) President	H.P. Chance.	Major, The Royal Irish Fusiliers
Member.	A.T. Twine.	Major, R.E.M.E.
Member.	J. Evoy.	C.Q.M.S. R. Sussex.

Date: 30 July 1946.

Army Form A3876
(Revised September, 1943)
To be carried in an
addressed envelope
by every driver.
AC-1.1312.1940

WAR DEPARTMENT TRAFFIC ACCIDENT REPORT

Do not check words in ITALICS
which do not apply.

THIS SIDE TO BE COMPLETED AT SCENE OF ACCIDENT. IF SPACE IS INSUFFICIENT, WRITE ON BACK.

A. ACCIDENT		Date	Time	Place	County	State	City	Street	Intersection	Surroundings	Remarks
		July '46	10.45	100 x N. Km Stone 60	CHAPMAN W.B.						
B. OTHER VEHICLE		Make	Model	Year	Color	Registration No.	Insurance Co.	Policy No.	Telephone No.	Remarks	
		Not Known	Not Known	1938	Not Known	15989	Not Known				
C. DRIVER OF OTHER VEHICLE		Name	Address and Occupation	Driving License	Date	No.	Telephone				
		Napoli Antonio	Via Galvani 9 - Roma (Merchant)								
D. OWNER OF OTHER VEHICLE		Name	Address and Occupation								
		Napoli Antonio	as above								
E. INJURED PERSONS		Name	Age (approx.)	Address and Occupation	Telephone	Injury	Hospital (if known)				
1.		Napoli Antonio	41	Via Galvani 9 - Roma (Merchant)			Civiltavecchia Civil Hosp.				
2.		Dell'Orto Giorgio	19	Via Manzario Sauro 12 Roma (Student)			Datto				
3.											
F. WITNESSES		Name	Address	Telephone	Age	Occupation					
1.		Capt Bifarelli	S. Marinella - Rome Area		29	Army Officer					
2.											
3.											
G. APPARENT DAMAGE TO OTHER VEHICLE		Front of motor cycle; badly twisted. Front wheel buckled. Head lamp broken. Handlebars buckled.									
H. INJURY TO ANIMALS		How many	LED	Condition	Injuries	IT	NAME & ADDRESS of OWNER or OCCUPIER				
		1	STRAYING			was not killed					
I. DAMAGE TO PROPERTY		How many	LED	Condition	Injuries	IT	NAME & ADDRESS of OWNER or OCCUPIER				
		1				Property not damaged					
J. POLICEMAN		Name	Police Station	He did NOT see accident	ROAD PATROL	He did NOT see accident					
K. LIGHTS		DAYLIGHT	Service Vehicle	Other Vehicle	NOT LIT	NOT LIT	NOT GIVEN BY ME	NOT GIVEN BY OTHER			

D. OWNER OF OTHER VEHICLE	Name Napoli Antonio		Address and Occupation as above		Telephone ///////
E. INJURED PERSONS	Name	Age (approx.)	Address and Occupation	Telephone	Hospital (if known)
1. State whether civilian or in Armed Forces	Napoli Antonio	41	Via Galvani 9 - Roma (Merchant)	/	Civiltavecchia Civil Hosp.
2. If the latter, give Service, number and Unit	Dell'Orgoglio	19	Via Mazzario Suro 12 Roma (Student)	/	Ditto
F. WITNESSES	Name	Age	Address	Telephone	Occupation
1. Name, address etc., of every person present must be obtained	Capt Bifarelli	25	S. Marinella - Roma Area	/	Army Officer

G. (in greatest detail possible) Can be seen at

Front of motor cycle; badly twisted. Front wheel buckled. Head lamp broken. Handlebars buckled.

H. INJURY TO ANIMALS	Name of Property		Exact Location	Damage	Telephone
1. HORSE	COW	How many	LED	Condition	NAME & ADDRESS of OWNER or OCCUPY
2. POULTRY	PIG	/	STRAYING	/	IT was not with/lost have to be KILLED
3. SHEEP	DOG	/	/	/	Property is NOT requested
I. DAMAGE TO PROPERTY	Name		Police Station	Other Vehicle	Telephone
1. Name	/	/	/	/	1619
2. He did NOT see accident	/	/	/	/	He did NOT see accident

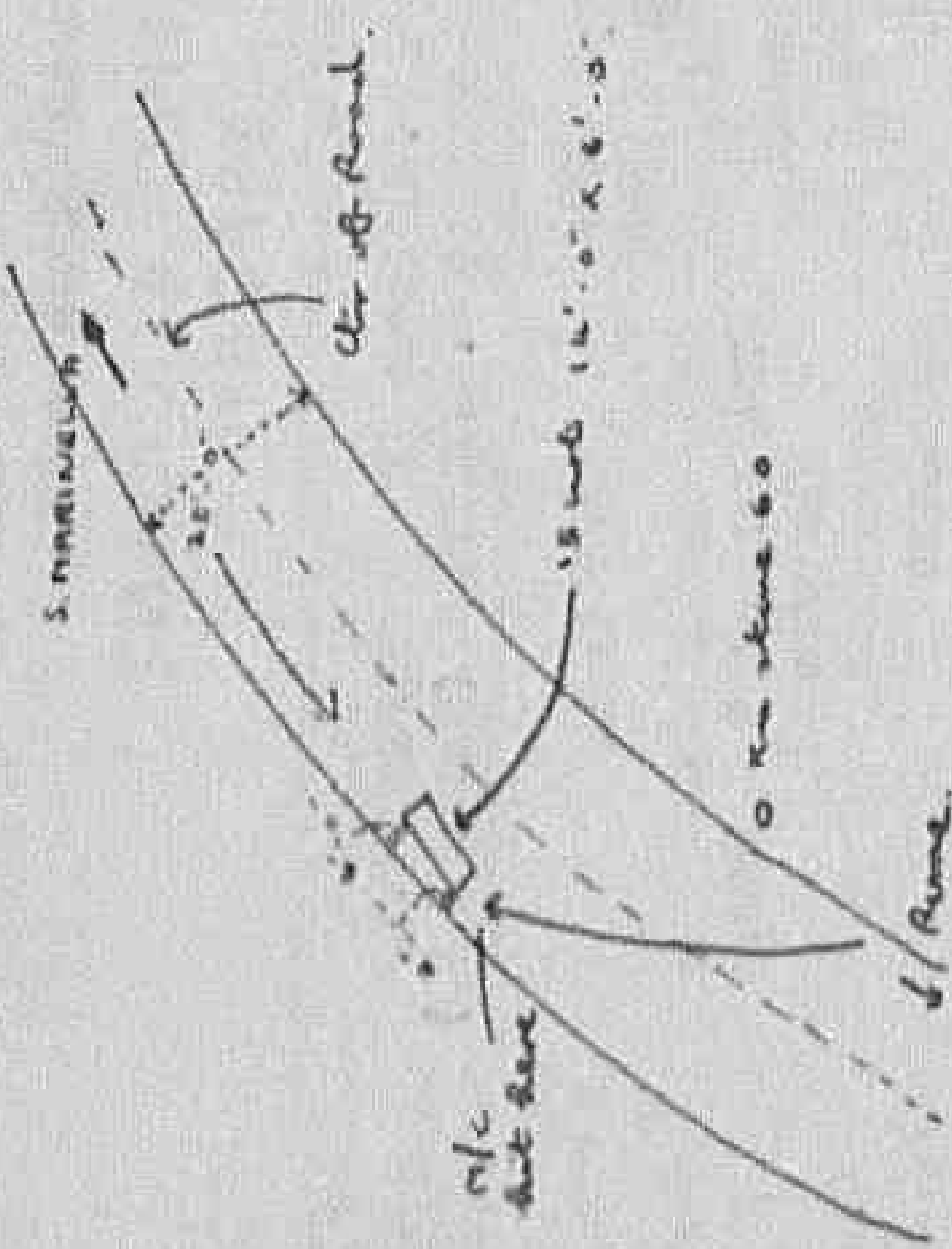
K. LIGHTS	DAYLIGHT	Service Vehicle	Other Vehicle	NOT LIT	NOT LIT	NOT GIVEN BY ME	NOT GIVEN BY OTHER
1. Service	Other	NOT LIT	NOT LIT	NOT LIT	NOT LIT	NOT GIVEN BY ME	NOT GIVEN BY OTHER
2. Service	Other	NOT LIT	NOT LIT	NOT LIT	NOT LIT	NOT GIVEN BY ME	NOT GIVEN BY OTHER
L. SPEED OF VEHICLE	25 m.p.h.	30 m.p.h.	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP
1. Service	Other	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP
2. Service	Other	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP	NOT BUILT UP

M. I GAVE THE ACCIDENT SLIP BELOW TO Mr. Napoli Antonio - Via Galvani 9 - Roma.

MAKE SKETCH ON BACK WHILE ON SCENE OF ACCIDENT

This Accident Slip must be given to the other person involved or to the Police Officer, if one appears on the scene.	
SERVICE DRIVER	ACCIDENT
Name	Rank
Number	Unit
Date	Time
Place	Place
Vehicle No.	Code
This slip is handed you for your convenience and is not to be taken as an admission of liability.	
[Please Turn Over.]	

Use this space for SKETCH and particulars for which there is no room on Page 1.
Put in all the measurements, skid-marks and details possible.



SEE ATTACHED

TO BE COMPLETED ON RETURN TO UNIT.

N. SERVICE DRIVER		Name in full (all Christian Names)		W.E. CHAPMAN		Number		210260		Unit		12 E.D.U.		Driving Experience		Years		6-3		Date of entry into Service		4-3-40		Age		28		Rate of Pay per day		/	
O. SERVICE or HIRED VEHICLE		No. of Service Vehicle		Z 5313398		Type of Bodywork		15 cwt		Load capacity		15 cwt		Ford		H.P.		H.P.		H.P.		H.P.		H.P.		H.P.		H.P.		H.P.	
P. JOURNEY		Major CHAPMAN		Serial No. 4		From S. MARINELLA		Receives with		Date 1 July		To S. MARINELLA		Italian Office		Yes		No		No		No		No		No		No		No	
Q. UNIT		12 British Liaison Unit		Address		Palazzo Sabatini, Rome		Telephone		478808		Unit's file reference		AQ/40/5		Command		/		/		/		/		/		/		/	
R. HIRED VEHICLE		Hired through		Contractor's Name & Address		/		Telephone		/		Name & Address of Insurance Co. (if applicable)		/		Insurance Cert. No.		/		Rate of Hire per day		/		/		/		/		/	
S. DAMAGE TO SERVICE or HIRED VEHICLE and/or LOAD CARRIED		NONE, EXCEPT SLIGHT DENT IN FRONT BUMPER		Will probably be repaired by		/		Policy No.		/		Rate of Hire per day		/		/		/		/		/		/		/		/		/	
T. I certify that the Service Vehicle was being driven		Name of Officer who gave authority for issue of A.F.G.3518		Mad. W.E. CHAPMAN R.E.		Statements of Witnesses		A.D. Claims to arrange		COURT OF INQUIRY		Place		/		/		/		/		/		/		/		/		/	

TO BE COMPLETED ON RETURN TO UNIT

N. Name in full (Full Christian Name)		W.E. CHAPMAN		Number		210260		Unit		12 B.L.U.		Age		20		Rate of Pay per day	
O. Rank		Major		Occupation		Surveyor		Driving Experience		6		Civilian Service		3		Date of entry into Service	
P. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
Q. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
R. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
S. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
T. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
U. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
V. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
W. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
X. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
Y. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	
Z. No. of Service Vehicle		5313398		Type of Bodywork		15 owt		Make		Ford		H.P.		8		Present Location of Vehicle	

I declare that the above particulars and my signed statement are true in every respect. I hereby authorize the War Department if they so desire to instruct the Treasury Solicitor to act on my behalf in any proceedings which may be instituted against me arising out of the above traffic accident. Further, I authorize the War Department and the Treasury Solicitor to take such action as may be considered proper and generally in what may be considered necessary in my interests by the Treasury Solicitor in his capacity as my Solicitor and legal adviser. This statement includes my authority to admit liability if deemed advisable at a later date, after the facts have been fully investigated by the Treasury Solicitor.

On the War Department Law Form 1000, the War Department Solicitor for the War Department, in the case of a driver, has been signed by the Driver's Signature (This must be in Driver's handwriting, not typed).

UNIT		12 British Liaison Unit		Address		Palazzo Saviati, Rome		Telephone		478808		Unit's file reference		Command	
Hired through		/		Contractor's Name & Address		/		Name of Insurance Co.		/		Insurance Cert. No.		Rate of Hire per day	
Hired through		/		Contractor's Name & Address		/		Name of Insurance Co.		/		Insurance Cert. No.		Rate of Hire per day	

DAMAGE TO SERVICE OR HIRED VEHICLE AND/OR LOAD CARRIED

NONE, EXCEPT SLIGHT DENT IN FRONT BUMPER

Will probably be repaired by —

(In greatest detail)

Name of Officer who gave authority for issue of A.P.G.518

ON ITS AUTHORIZED ROUTE

(Name of Repair Shop or Garage)

Number of previous accidents in which Driver has been concerned to blame

NIL

T. I certify that the Service Vehicle was being driven		ON ITS AUTHORIZED ROUTE		Place		/		Date of Injury		/		Date of Injury		/	
T. It is essential that A.D. Claims be furnished		/		Place		/		Date of Injury		/		Date of Injury		/	
T. It is essential that A.D. Claims be furnished		/		Place		/		Date of Injury		/		Date of Injury		/	

W. IT IS NOT INTENDED TO HOLD

Opinion of Officer commanding Unit as to responsibility.

(Only to be completed in respect to Higher Authorities)

It would appear that no blame is attached to Major Chapman R.E. the driver of the 12 B.L.U. Vehicle.

X. Forfeiture awarded		/		Date		9 July 1946		Signature of Brigadier or other Commanding Officer		/		Signature of Brigadier or other Commanding Officer		/	
X. Forfeiture awarded		/		Date		9 July 1946		Signature of Brigadier or other Commanding Officer		/		Signature of Brigadier or other Commanding Officer		/	
X. Forfeiture awarded		/		Date		9 July 1946		Signature of Brigadier or other Commanding Officer		/		Signature of Brigadier or other Commanding Officer		/	

Any correspondence concerning this statement should give all the particulars set out on the other side of this slip and be addressed to: THE SECRETARY, CLAIMS COMMISSION, WING HOUSE, PICCADILLY, LONDON, W.1. In Northern Ireland, 2, Market Place, Belfast.

Should any person have been injured, full particulars should be given together with the address at which the person could be examined if necessary. Should a vehicle have been damaged, the following information should be given: (i) the name and address of the Insurance Company; (ii) the number of the Policy; (iii) whether this is comprehensive, third party only or Road Traffic liability only; (iv) the amount of the excess (if any).

TESTIMONIANZA sull'incidente stradale che ebbe luogo sulla strada Nazionale "Aurelia" - Km. 60 - tra l'autocarro 15 cwt Ford No. 25313398 e la motocicletta targata Roma No 15989.

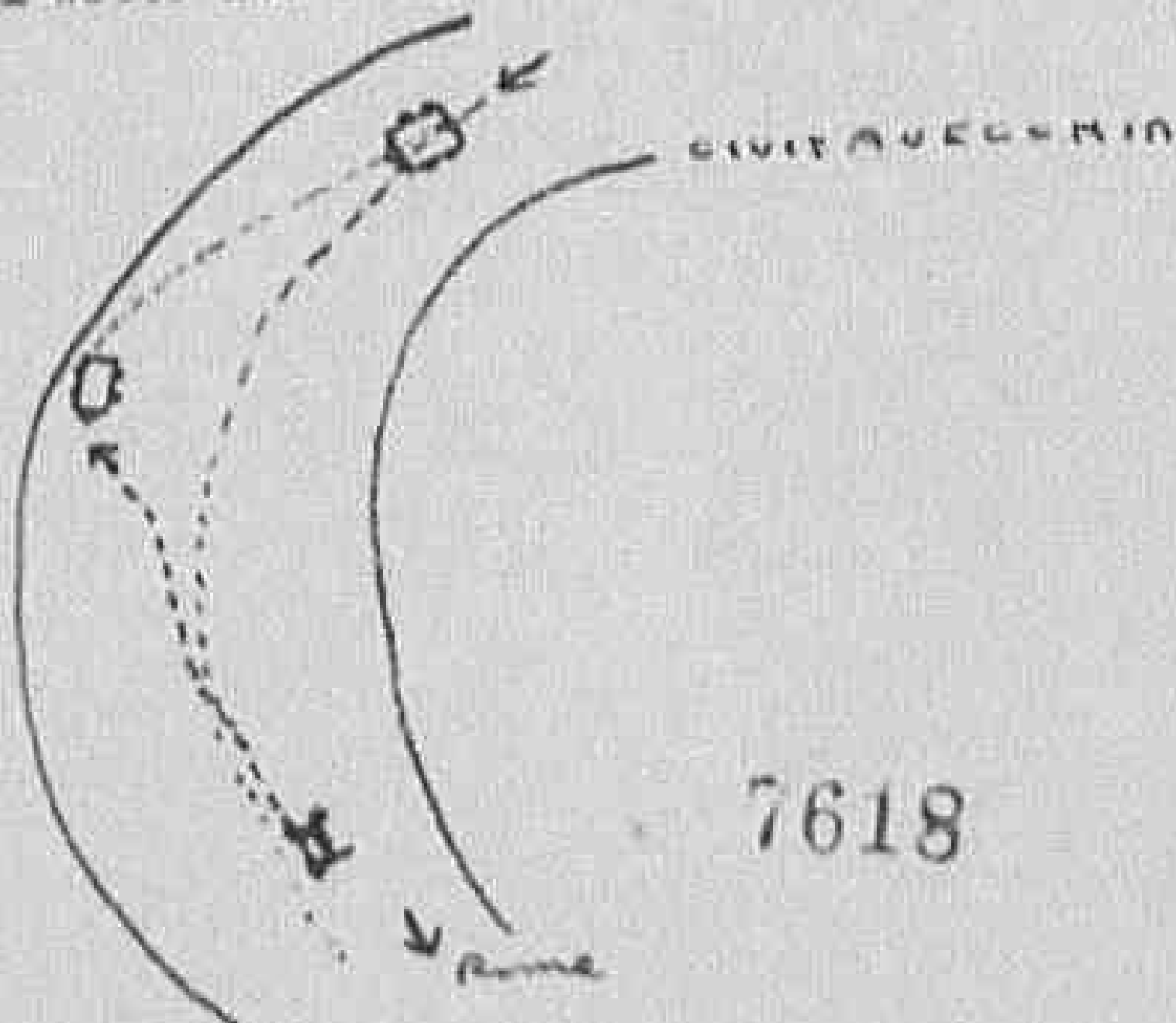
Lo scrivente, Capitano del Genio, BIFERALI MARIO, effettivo al Comando Scuole Genio Artieri di Civitavecchia, recandosi nella mattinata del 1 Luglio 1946, ore 10,45 circa, per una ricognizione tecnica in prossimità di S. Severa, con un autocarro leggero 15 cwt No 25313398 di cui il Maggiore CHAPMAN del 12 B.L.U. ne era il conducente, e avendo preso posto nella cabina anteriore, e' stato testimone oculare di come si' avvenuta la collisione tra questo e la motocicletta targata Roma No. 15989.

In prossimità del Km. 60, quasi all'inizio della curva quivi esistente, lo scrivente ha visto ad una distanza di circa una ventina di metri una motocicletta guidata da un civile proveniente da Roma e marciante nel centro della strada.

Poiche' il motociclista invece di dirigersi verso la sua mano, deviava verso sinistra e cioè verso la nostra direzione, il Maggiore Chapman (che all'imbocco della curva aveva rallentato la velocità a circa 40 Km/ora), allo scopo di evitarla, spostava l'autocarro il più possibile a destra e, nel contempo frenava bruscamente, sì che, allorché avvenne la collisione, l'autocarro era praticamente fermo, mentre la motocicletta che peraltro marciava a moderata velocità, urtava contro l'estremità destra del paranti.

Una jeep del Traffic Patrol di Grosseto, che ci precedeva, provvedeva immediatamente a prendere l'autoambulanza a Civitavecchia dove i feriti venivano trasportati e soccorsi all'ospedale civile.

Lo scrivente riporta qui sotto uno schizzo illustrativo:



In fede
Capt. Biferali Mario.

Civitavecchia 1-7-1946.

Appendix "A"Details of Injuries sustained and Damage to property in Road Accident

1 July 46, in which W.D. Vehicle No 35313398 was involved.

DAMAGE.

W.D. Vehicle No. 35313398. Driver, Major W.E. Chapman.
Unit, 12 B.L.U. Front Bumper slightly bent.

Civilian Motor Cycle, Reg. No. RCMA 15989
Front badly twisted. Front wheel buckled. Head Lamp broken.
Handlebars twisted. Foot Rest badly bent.

INJURIES.

Army personnel.....NIL

Civilian driver.....Right leg practically severed at knee.
Right Shin Bone Fracture.
Bad cuts to head and face.
Grazes and cuts to both hands and arms.

Civilian Pillion.....Cuts to face and hands.
(Apparent) Possible fracture of bones in Right Foot.

(Sgd) W.E. CHAPMAN
Major R.E.
12 B.L.U.

REPORT BY MAJOR W.E. CHAPMAN 210260ROAD ACCIDENT 1 JULY 46, LOCATION ROUTE 1.100 YARDS NORTH KM STONE 60

On 1 July 46 at approx 10.45 hrs, I was driving 15 cwt FORD No Z5313398 from Santa Marinella to Santa Severa (Route 1).

I was accompanied by Capt. BIFERALI, of the Scuola Genio, Civitavecchia. This Officer is my interpreter, and was riding in the passenger seat in the driving cab.

I approached a left hand curve (100 yards north of Km Stone 60) and as visibility at the commencement of this curve is bad, I slackened speed to about 25 m.p.h.

I had got approximately half way round the curve, when a civilian motor cycle, coming from the direction of Rome, shot round the bend and headed straight for my vehicle. The driver was apparently trying to brake hard, but appeared to have lost control of the machine. For my part I braked and pulled as far over to the right hand side of the road as possible. The motor cycle, however, struck my vehicle bumper by the near side (Right Hand) front wheel. When the impact occurred my vehicle was nearly stationary. An American Traffic Police Patrol from GROSSETO was travelling behind my vehicle; they accordingly proceeded to Civitavecchia and arranged for an ambulance to collect the two injured men, who were later taken to Civitavecchia Civil Hospital. On their return, the American Patrol did not stop, and I was unable to ask them if they had witnessed the accident. There were no pedestrian witnesses, the only witness being Capt. Biferali, the Officer travelling in my vehicle. His statement is attached.

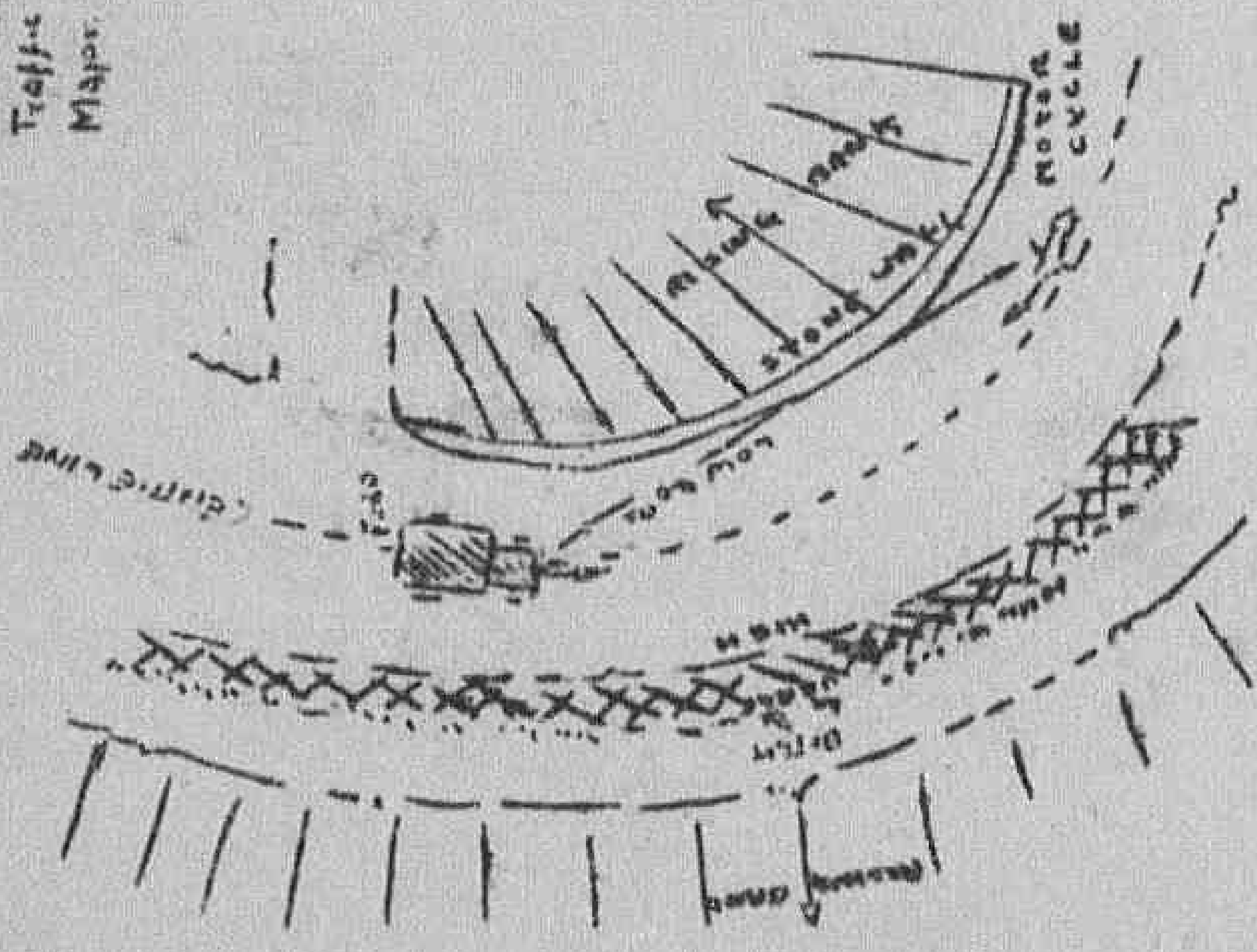
A Sgt of Carabinieri, who arrived later, took details of my vehicle position on impact. I gave him my particulars, but made no statement.

1 July 1946.

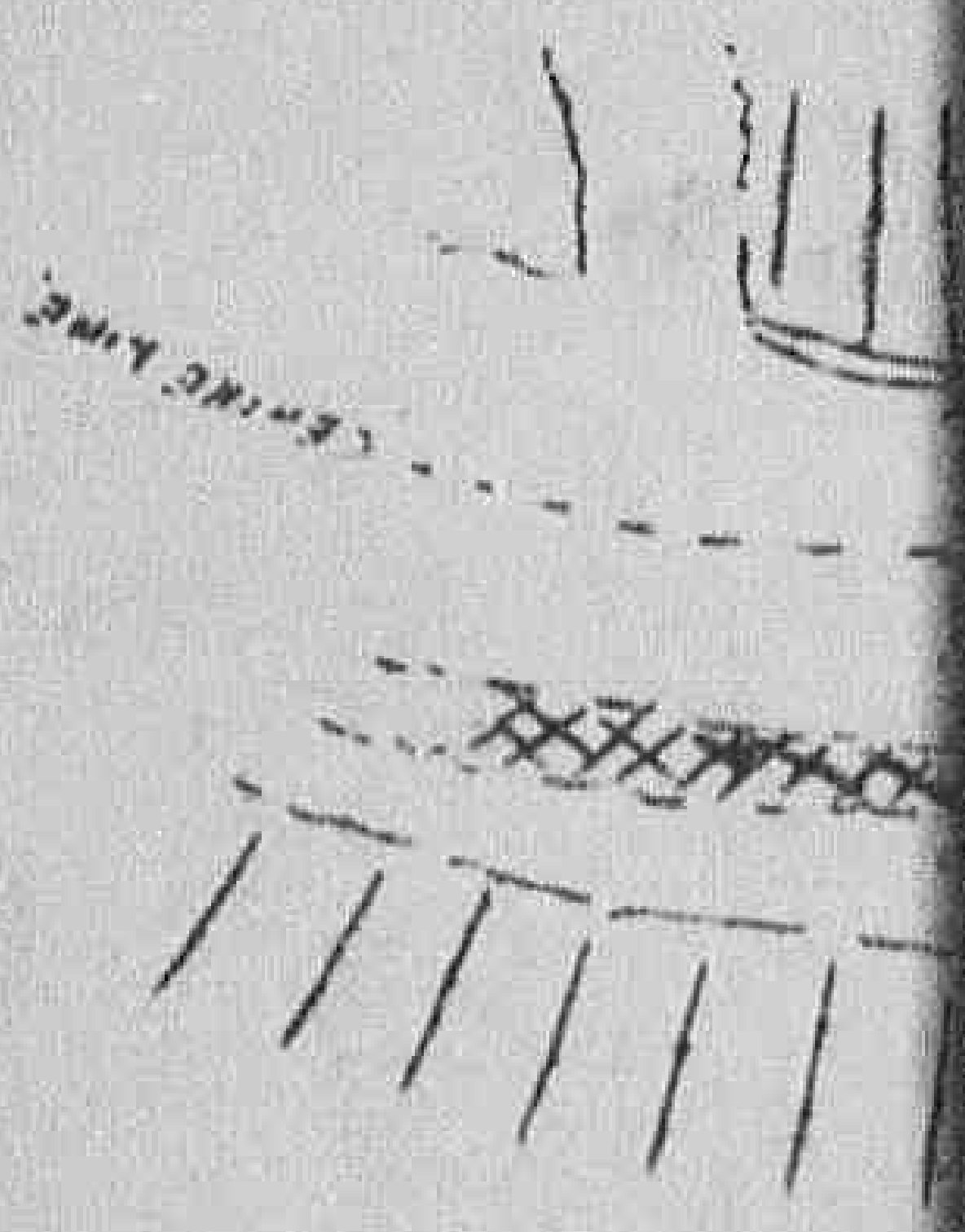
Major R.E.
12 B.L.U.

7616

PLAN A
Phase 1
Traffic Incident
Major: Chapman



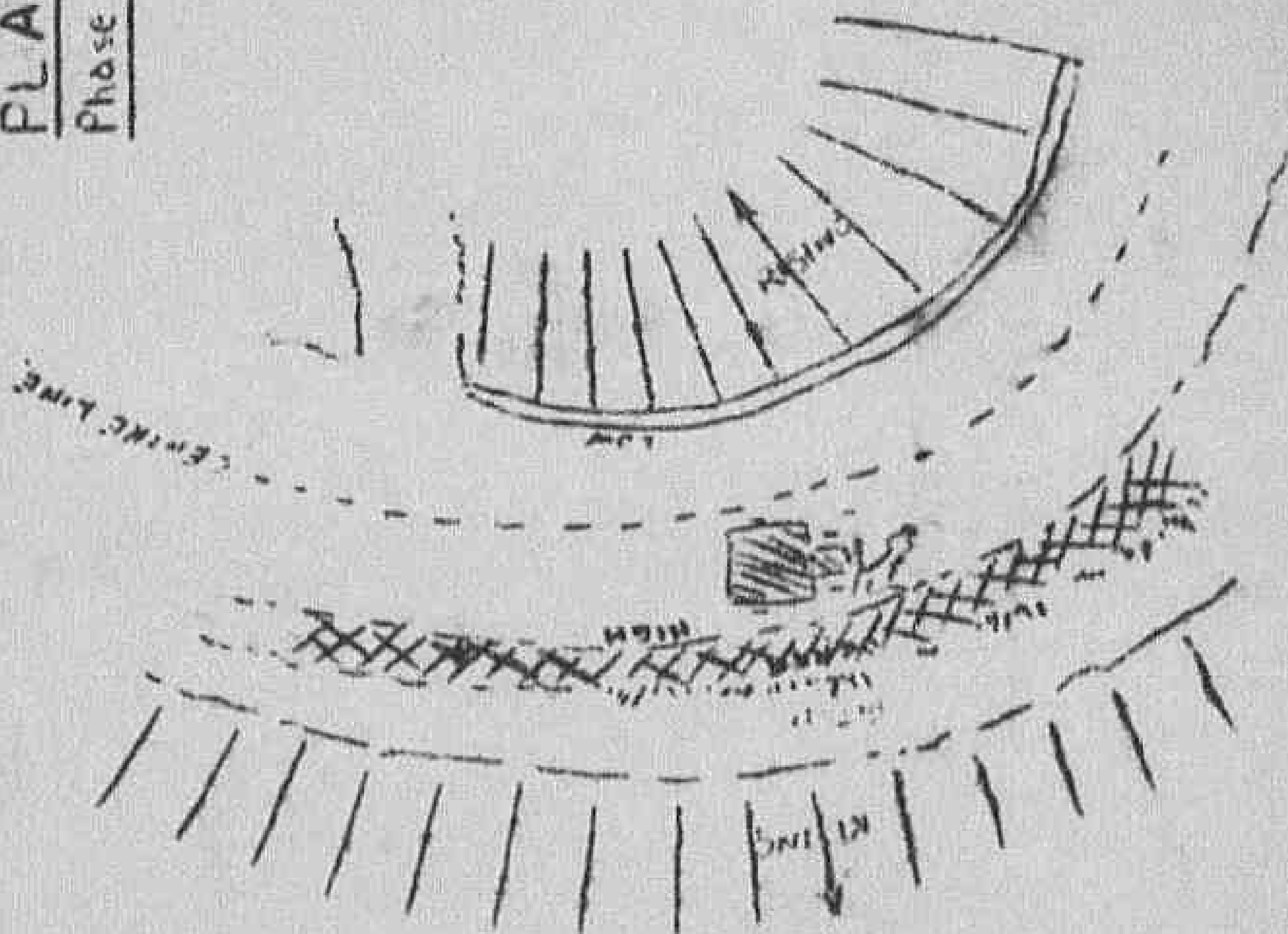
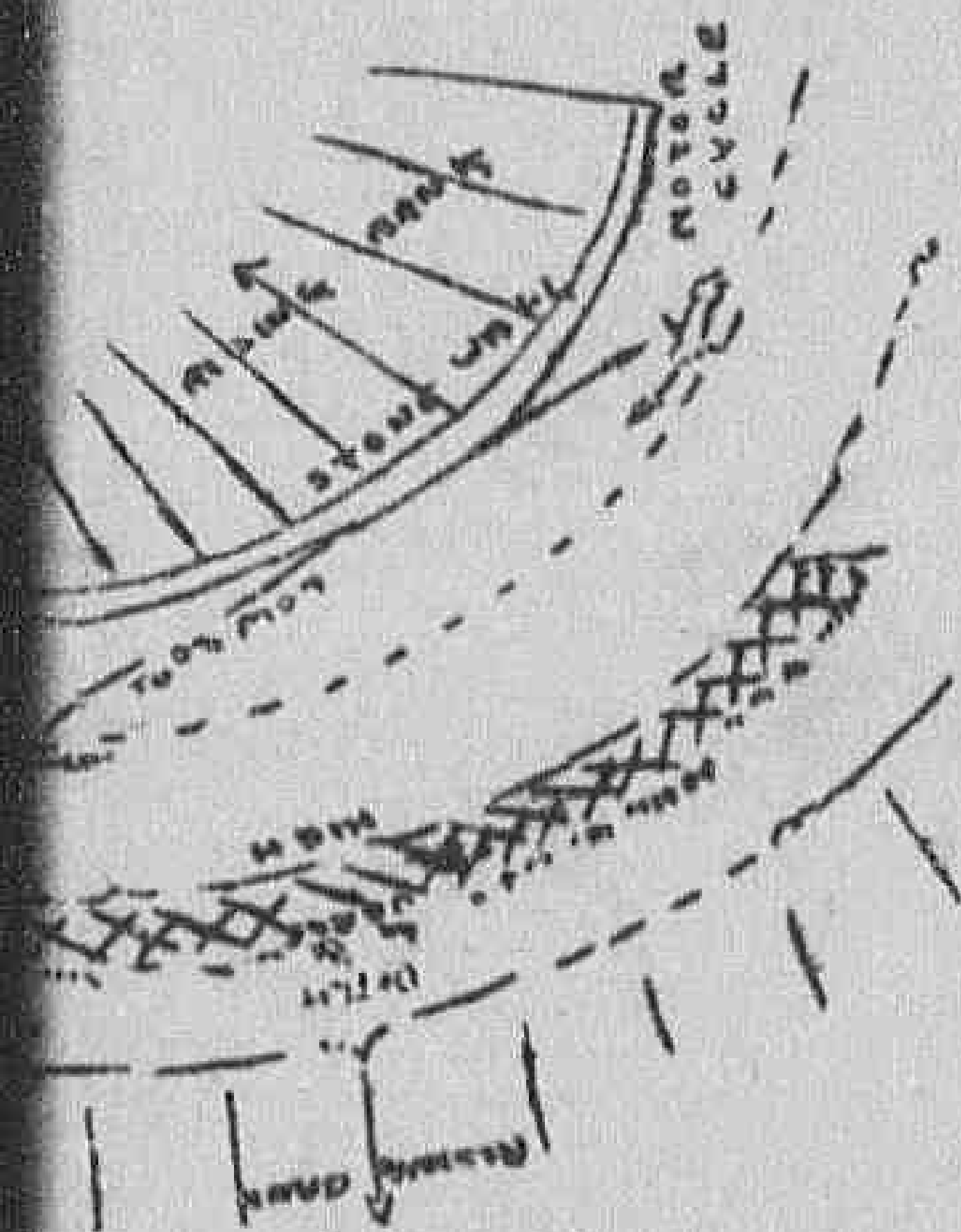
PLAN A
Phase 2



7615

PLAN A
Phase 2

7615



Subject: Court of Inquiry.

12 HUNTER LIAISON UNIT

For the

ITALIAN CAPITAL DEFENSE GROUPS

(Tel: ROMA 478-88)

15/13/1964.

27 July 1964.

1. A Court of Inquiry composed as under will assemble at 1000 hrs on Monday 29 July '46 at R.O. 12 B.I.L., Rome.

PRESENTER: Major H.P. Chance, R.I.R.

WITNESSES: Captain A.T. Twino, R.I.L.R.

549943 O/43. Woy. J. R. Sumer.

2. The Court will investigate the circumstances in which Sig. Napoli Antonio and Sig. Dell'Oro Giorgio received injuries said to have been caused by accidental collision between a motor cycle ridden by Sig. Napoli and a 15 cwt truck No. 7 54333-8 driven by Major I.A. Chapman R.M. of 12 B.I.L. on 1 July '46.

3. The evidence will be taken on oath.

4. The Court will record a finding with a view to eliciting:

(a) That an accidental collision did in fact occur between the motor cycle ridden by Sig. Napoli and a 15cwt truck driven by Major Chapman on 1 July '46.

(b) If established as in (a), how did the accident occur?

(c) Who was responsible (i.e.), Major Chapman or Sig. Napoli? In this connection, was the speed of either the motor cycle or the 15 cwt truck excessive? Was warning of approach given by either, and if so, was it adequate having regard to the rate of approach?

(d) That the injuries from which Sig. Napoli and Sig. Dell'Oro are now suffering were caused by the accident if established as such.

(e) The extent of such injuries.

MEMORANDUM: Major H.L. Chance, R.I.R.

MAJORS: Major A.T. Twiss, R.I.R.
Major J. H. Soper.

2. The Court will investigate the circumstances in which Sig. Napoli Antonio and Sig. Dell'Oro Giorgio received injuries said to have been caused by accidental collision between a motor cycle ridden by Sig. Napoli and a 15 cwt truck No. 5 5543348 driven by Major Chapman R.I.R. of 12 B.L.U. on 1 July '46.

3. The evidence will be taken on oath.

4. The Court will record a finding with a view to eliciting:

- (a) That an accidental collision did in fact occur between the motor cycle ridden by Sig. Napoli and a 15cwt truck driven by Major Chapman on 1 July '46.
- (b) If established as in (a), how did the accident occur?
- (c) Who was responsible (i.e.), Major Chapman or Sig. Napoli? In this connection, was the speed of either the motor cycle or the 15 cwt truck excessive? Was warning of approach given by either, and if so, was it adequate having regard to the rate of approach?
- (d) That the injuries from which Sig. Napoli and Sig. Dell'Oro are now suffering were caused by the accident if established as such.
- (e) The extent of such injuries.
- (f) What damage, if any, was caused to the motor cycle and the 15 cwt truck?
- (g) If established as in (c) that Major Chapman was responsible for the accident, was he guilty of having driven dangerously, recklessly, or negligently? If so, should disciplinary action be taken?

5. Staff Capt. A/O will arrange for the following witnesses to be present at 12 B.L.U. at the time stated above:

- (1) Capitano Difarelli
E. Marinella.
- (2) Signor Dell'Oro Giorgio
Via Nazario Sauro, 12
Rome

- 2 -

(3) Major W.E. Chapman, R.E.
S. Marinelli

6. The President and Members of the Court will also visit the Clinic Lusi Saturno, Via Giovanni Maria Lemisi, 29, Rome, to receive the testimony of the following witnesses:

(1) Signor Napoli Antonio.

(2) Dottor Lusi Saturno.

The Court will also visit El Padiglione Chirurgia, Policlinico di Roma, to receive the testimony of Dottor Loffa, in respect of injuries received by Signor Dell'Orco.

7. Majo. Lenzoni is appointed Official Interpreter, and will be at the disposition of the Court throughout the entire proceedings.

8. The attention of the President of the Court is drawn to R.P. 425(A) B and R.P. pages 764-773.

Attesto
Capt. R.E.
Staff Capt.

Dist: Major R.E. Chance, R.E.
Major A.E. Twine, R.E.
Capt. Grey, R.E.
Major W.E. Chapman, R.E.
Capt. Marinelli.
Sig. Napoli Antonio.
Sig. Dell'Orco Giorgio.
Dottor Lusi Saturno.
Dottor Loffa.
Staff Capt.

7613

on 22 July 46 at H.Q., 1st S.S.D., Rome.

President: Major. M.L. Martines, R.A.O.C.

Members: Capt. T.R. Brown, R.P.
Major. M.L. Martines, R.P.
Major. M.L. Martines, R.P.

The Court will investigate the circumstances in which Serg. M.L. Martines, R.P. of 2nd S.S.D. of Motorization, Decollina, received injuries which have been caused by accidental collision with a motor cycle ridden by 1st S.S.D. (M.L. Martines, R.P. 1st S.S.D. on 10 July 46).

1. The evidence will be taken on oath.

2. The Court will record a finding a view to elicitation:

(a) That an accidental collision did in fact occur between Serg. M.L. Martines and a motor cycle ridden by 1st S.S.D. on 10 July 46.

(b) If established as in (a) how did the accident occur?

(c) Who was responsible (i.e.), the motor cyclist or the pedestrian? In this connection, was the motor cyclist responsible? Was the pedestrian responsible? Was the motor cyclist responsible? Was the pedestrian responsible? Was the motor cyclist responsible? Was the pedestrian responsible?

(d) That the injuries were caused by the accident if established as above.

(e) The extent of such injuries.

(f) How damaged, if any, was caused to the motor cycle?

(g) If established as in (c) that the motor cyclist was responsible for the accident, was he guilty of having ridden dangerously, recklessly, or carelessly? If so, should disciplinary action be taken?

3. The Court will answer for the following witnesses to be present at H.Q. 1st S.S.D. at the time stated above:

(i) Major. M.L. Martines, R.P.
Major. M.L. Martines, R.P.
Major. M.L. Martines, R.P.

.....2/.

- 2 -

(11) Sig. Salvatore Morroni,
1st Despatcher Allievi
School of Intercession, Coochiguala.

(12) 1136345 Gr. Teller. J. H.
12 B.L.U.

(13) 1600250. Sgt. M. Grogan, J.H. R.H.
12 B.L.U.

6. The Capt. will also arrange for the President and Members of the Court to visit the Virgilio Italian Military Hospital, Rome, to receive the testimony of the following witnesses:

(1) Sgt. M. Grogan, 12 B.L.U.

(2) The Medical Officer
Monsieur Paul Vittorio Mansueto.

7. The President is appointed Official Interpreter, and will be at the disposition of the Court throughout the entire proceedings.

8. The attention of the President of the Court is drawn to R.E. 1254 (B) and R.E. para 764 - 77.

R.H. M. Pittard, Major R.H.
for Lt. Col.

Comd. 12 British Liaison Unit for the
Italian Central Military Schools.

Intercepted
by

Ref. R.H. Shortness, S.A.C.G.
Capt. R.H. Newell, R.H.
Major R.H. M. Pittard, R.H.
Major R.H. M. Pittard, R.H.

7611

SUBJECT : Review of SentencesCONFIDENTIALRECEIVED

47 12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS
(Tel : ROMA 478105)

Ref : 43/43/1901

13 July 1946

To : O.C.
H. P.W. Detachment
Naples Area

439288 Pte. CLARK, E. (R)

1. Attached please find AF.A.3104 in respect of the above named O.R., who was posted to the Unit under your command on 12 July 46.
2. Also enclosed is letter from Rome Area Allied Command, ref. 34 A dated 8 July 46 directing that the balance of the sentence be remitted. Would you please promulgate this decision to the above named soldier and return the documents to C.H.Q. 2nd Echelon.
3. Please acknowledge receipt.

[Signature]
Major H. Steffen
Comd. 12 British Liaison Unit for the
Italian Central Military Schools

Internal

File ✓

MV/sp

7610

C O P YCONFIDENTIAL

HQ RCME AREA ALLIED COMMAND

Telephone : 66501SUBJECT:- Review of Sentence

Ref:-344

8 July 46

To : 12 B.L.U.

No 4399488 RK Pte Name CLOUGH, W. DWR

1. The attached AF A3104 in respect of the above-named soldier is returned herewith.
2. Commander British Troops RCME has directed that the balance of the sentence be remitted on 6 July 46.
3. Please promulgate this decision to the above-named O.R.

Sgd.
B. DATTES
Staff Captain
for LV 6609
AA & QMC

JWE/mf

figured

Formation College/Army School of Education,
A.P.O. S. 558
C.M.F.

10 July '46.

[illegible]

13 Jul Entd 63 63 6780

Chief Clerk
Col.
Comd.

Formation College/Army School of Education.

7608

785020

LROF V MEDY NR 12 131 IMPORTANT
 FROM "H" PW DETACHMENT 188905B
 TO 12 BLM FOR ITALIAN CENTRAL MILITARY SCHOOLS CMF
 BT
 HU/735 (.) REF YOUR AQ/A3/1921 DATED 13 JULY 46 (.)
 4329488 PTE CLOUGH W
 RECEIPT ACK OF ~~A4-114~~ A/Q LETTER IN RESPECT OF A/B OR
 BT
 CON 1- WA IN RESPECT IMI RESPECT
 SENT NR 131 AFM AR K
 RD NR 131 JWG AT 1210/19 BI KKKK

AA & QMG
 DAA & QMG
 SC "A" & "Q"
 DADBY
 DADGE
 DADMT

The Department

Adm. Serv.

Inf

7607

ACN

PRO

20 JUL Entd 194 194 43
 6879

(45)

12 B.L.U.

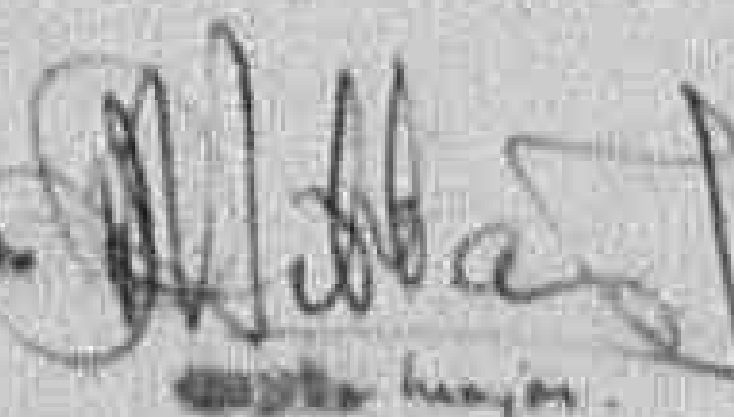
G.H.Q. 023

13/1092

(enclos)

Your 023/57452/Can/DE dated 8 July 46 received.

7606

L.H. WILKINS
Sgt. Major
Sgt. Major

Confidential
EXCLUDEDSUBJECT: Review of Sentences12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS
(tel: ROME 478308)

Ref: AQ/43/1091.

12 July 1946.

TO : C.H.Q.
And NielsenSECRET File: TRADESAFE A.

Reference to your OIR/97452/Can/1P dated 8 July '46.

1. The attached documents are returned to you as the above named O.I. was posted to B.R.D. on 6 June '46 under authority OIR/82361/2P/1P dated 8 April '46, and his present location is unknown.

2. Please acknowledge receipt.

[Signature]
 Maj. M. Staffe
 Comd. 12 British Liaison Unit for the
 Italian Central Military Schools

Original

File

AM/

Enclosure Letter ref: OIR/97452/Can/1P dtd 8 July '46 AF. A. 3104.

7605

RAAC MESSAGE FORM

CALL	CIRCUIT No. NR	PRIORITY	TRANSMISSION INSTRUCTIONS
SPACES WITHIN RED LINES FOR SIGNALS USE ONLY			
FROM (A) MMIA	DATE-TIME OF ORIGIN 05 09 00		B
TO (FOR ACTION) NO 12 B L U	MESSAGE INSTRUCTIONS OR		
TO (FOR INFORMATION)			

(REF. No.) A 854

(SECURITY CLASSIFICATION) UNCLASSIFIED

42
 RECEIPT ACK YOUR AQ/43/1831 OF 2 JULY

AA & QMC
DAA & QMC
SC "A" & "Q"
DADST
DADOS
DADMF
Trg. Increment
Schedule
Inf
EA
RE
RCS
PRO

25 JUL 1944

194

AQ/43

4692.

7604

LOCAL DISTRIBUTION 338 A MMIA	PRECEDENCE: ROUTINE	THI OR TOR	Or
ORIGINATING SECTION:	A. G. AUTHENTICATION: <i>MMIA</i>	TIME CLEARED	
ORIGINATOR'S AUTHENTICATION: <i>MMIA</i>	MAJ JH MOTT		

AA & QMG
 DAA & QMG
 EC-AP & Q
 DAF
 DAF
 DAF

A P S

Tel No VALTRAV 43

Subject

Inf

RA

PART ONE

RE

RCS

PRO

O C

12 British Liaison Unit.

1 JUL 1946

m. 43

Review of Sentence. 4399488 Pte Clough, W.

OZE/97267/CASIE

27 JUN 1946

1. The sentence now in suspension relative to the above named is ~~is~~ due for review ~~xxx~~.
2. Please attach by pasting in the margin (in duplicate) on page two of the attached AF A3104, a report on the soldier's conduct since the suspension of the sentence, and also a copy of the Field Conduct Sheet.
3. After doing this, please complete Part Two of this memo and forward it, together with the AF A3104 and attached documents, through the normal channels, to the Competent Military Authority.
4. If the soldier is no longer serving with your unit, please forward under covering letter (copy to this Headquarters) the AF A3104 and this letter to the unit to whom he was despatched, with a request that they take the necessary action.
5. Please acknowledge receipt.

C.M.P.

Encl: AF A3104

7603

G.M.Q., 2nd Echelon.

H.Q.,
Land Forces Sub Comm AD (ROMA)

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOL
(Tel : ROME 47808)

4399488 Pte. CLOUGH, W. (DSE)

Ref: 10/13/1951
2 July 1946.

1. The sentence now in suspension upon the above named is ~~XXX~~ due for review ~~XXX~~ by the competent Military Authority.
2. I have been instructed to forward the enclosed AF A3104 and attached documents, and to request that the sentence may be reviewed in accordance with the procedure prescribed by the "Instructions regarding the suspension and review of sentence awarded by Courts Martials" Part One para 4, in the Manual of Military Law, pages 798 - 800.
3. Please acknowledge receipt.

Field
Encls:

Officer Commanding.

[Signature]
Colonel

Commander
12 B.L.U. for the Italian
Central Military School.

HEADQUARTERSNo. 2 Claims Commission
and
No. 2 Directorates of Hirings and Disposals (F. H. H. H.)A.P.O. E. 551
C. M. P.O.C.,
12 B.L.U.,
C. M. P.
-----Subject:- Loss of motor-cycle

Attached for your information are two copies of statements obtained from personnel of this unit in connection with loss of motor-cycle left at the O.Ns billets of this HQ by Sgt. Langman of your unit.

AA & QMC	
BAA & QMC	
SC "A" & "B"	
DADT	
DADME	
See Instructions	
School	
Inf	
HA	COHD/650/4
RE	19 Jun 46
RCS	
PRO	
27 JUN 1946 / m. 43.	

4573.

(D.L. JONES)

Lt. Col.

for Brigadier,

V.P.C.C. and D. of Hgn. and Disposals

7801

7/02

Tel. 66329

Sigs Address:

No. 2 Claims and Hirings, ROME.

STATEMENT OF 14075883 PUS. JACKSON, P.W.
ROYAL FUSILIERS

I, 14075883 Pus. Jackson, P.W. state that on the night of the 16th/17th June 1946 I was in bed - awake - when I heard strange noises which seemed to be coming from the cookhouse which is below my window. The other occupants of the room were 181298 Gnr WILSON, P - R.A. (32 Gp) and 1135507 Gnr COOK, B - R.A. (44 Gp) who have now left the unit on release.

I was awakened twenty minutes (approximately) before I heard the noise downstairs by Gnr Wilson and Cook entering the room and I had not been able to get to sleep since their entry. On hearing the noise downstairs I remarked to the two of them that I was going down to see what it was and Gnr Wilson said he would accompany me. We went down the stairs and I went to the cookhouse while Wilson went to the front door. As we were descending the stairs we both heard the front door close with a bang and Wilson went straight to the front door but told me that he saw nothing suspicious. When I got to the cookhouse all I found was a strange dog which must have entered at sometime while the front door was open; I chased it out of the billet and then Wilson and I returned to bed. I noticed that the motor cycle was NOT parked in the hall but I didn't realise anything was wrong for the motor cycle is only there on occasions. *True?*

I have read over the above and it is correct and true.

Peter W Jackson

18 June '46

Pus.

STATEMENT OF S/2148017 S.S.M. (WO 1) PERRY, R.S.
R.A.S.C.

I, S/2148017 S.S.M. Perry R.S. state that on the night of 16th June '46 I entered the billet at 2330 hrs. I noticed that the motor cycle on charge to Sjt. Langman was parked in the hall by the staircase. I am quite definite about this because I smelt petrol and I looked under the m/c to see if there was any petrol leaking. I definitely closed the door as is my habit when I came into the billet. The door is fastened by means of a spring-lock and therefore locks automatically. I heard the lock spring into position when I closed the door, thus making the door fast.

The loss of his m/c was reported to me by Sjt. Langman at 1300 hrs 17th June '46.

R. Perry
S.S.M.

18 June '46

STATEMENT OF S/11263981 Sjt. DOUGLAS, D -
R.A.S.C.

I, S/11263981 Sjt. Douglas, D, state that on the night of the 16th June '46 I returned to billets in company with SQMS Wright, Sjt. Gayton, and Cpl. Reeve at approximately 2340 hours. The billet door was locked and we obtained entrance by using a key belonging to one of the party after which the door was locked from the inside. I can't remember whether the m/c on charge to Sjt Langman was parked in the hall or not.

D Douglas
Sjt.

18 June '46

STATEMENT OF S/1612029 S. Q. M. S. (WO II) WRIGHT, L. G.
R.A.S.C.

I, S/1612029 S. Q. M. S. Wright, L. G., have read the above statement. It is correct and true.

Wright
S. Q. M. S.

18 June '46

STATEMENT OF S/10685588 Sjt. GAYTON, G. G.
R.A.S.C.

I, S/10685588 Sjt. Gayton, G. G., have read the above statement. It is correct and true.

G Gayton

18 June '46

Sjt.

STATEMENT OF S/14236681 Cpl. REEVE, H. E.
R.A.S.C.

I, S/14236681 Cpl. REEVE, H. E., have read the above statement. It is correct and true.

7599

18 June '46

H E Reeve
Cpl.

STATEMENT OF S/14373864 L/Cpl. BARKER, R.H.
R.A.S.C.

I, S/14373864 L/Cpl. Barker, R.H., state that on the night of 16th June '46 I returned to billets at approximately midnight. The front door to the billet was locked and I opened the door with my key. I closed the door after me but did not lock it. I didn't notice whether the m/c on charge to Sgt. Langan was parked in the hall or not.

18 June '46

L/Cpl R.H. Barker

STATEMENT OF S/14888426 Pte. JOHNSON, P.W.
R.A.S.C.

I, S/14888426 Pte. Johnson, P.W., state that on the night of 16th June '46 I returned to the billet at quarter past nine and proceeded to my room and I can't remember whether the m/c was in the hall-way or not. I went out again and did not return till midnight and to the best of my knowledge the m/c was not in the hallway at that time.

18 June '46

Pte

STATEMENT OF 5185671 Pte. TRANTER, J -
HALPS REGT

I, 5185671 Pte. Tranter, J., state that on the night of 16th/17th June I returned to billets at approximately 0030 hours. The billet door was open. I closed the door and locked it before going to bed. I am not certain but I cannot remember seeing the m/c belonging to Sgt. Langan in the hall.

18 June '46

Pte.

7598

(34)

SUBJECT : Loss of Motor Cycle.

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS
(Tel : ROME 478808)

Ref : AQ/43/1765

20 June 1946.

To: D.A.P.M.
H.Q.
Rome Allied Area Command.

1. It is notified that TRIUMPH motor cycle No. C.5426264 on charge to this Unit was stolen by a person, or persons, unknown from the O.Re. billets of the No.2 Claims and Hirings Commission (Albergo Portoghesi, Via del Portoghesi) on the night of 16/17 June 46.
2. The theft was reported to "R" Detachment 111 Provost Coy. on 17 June.
3. A Court of Inquiry has been convened and proceedings will be forwarded to H.Q. M.M.I.A. when completed.


R.N.J. HIRSHARD, Major, RM.
DAA & CMO.

12 British Liaison Unit for the
Italian Central Military Schools.

REJH/ag

Internal.

File.

7597

Summary: Court of Inquiry.

(36)

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS.
(Tel: Rome 478808)

Ref: AQ/43/176A

20 June 45.

1. A Court of Inquiry composed as under will assemble at 10.00 hrs.
on 24 June 45 at F.Q., 12 B.L.U., RME.

President: Capt. A.W. CLARK. R.A.

Members:

Capt. W.R. TURNER. R.E.

54399A3 C.O.M.S. MAJOR. J. (A. SUMNER)

2. The Court will investigate the circumstances in which Triumph Motor Cycle No. C.5126284, 12 B.L.U., was lost at HQE on the night of 16 - 17 June 45.

3. The evidence will be taken on oath.

4. The Court will record a finding, with a view to eliciting:

(a) That the motor cycle alleged to have been lost was actually held in charge by the unit.

(b) Who was responsible for its safe custody.

(c) What steps were taken to safeguard public property and whether they were adequate, having regard to all the circumstances.

(d) How the loss occurred.

(e) What individuals were responsible, whether due to gross negligence or not.

(f) The degree of financial responsibility and penalty recommended to be imposed on the person, or persons, found responsible.

(g) What other disciplinary action should be taken.

5. The C.O. will arrange for the following witnesses to be produced: **7526**

Major R.H.J. Hibbard, R.A. (RMA & GRC)

S/2448017 S.S.H. PATTY, R.S., (RASC)

S/14263981 Sgt. Douglas, D. (RASC)

14075083 Pte. Jackson, P.W. (R.A.)

1870365 W/Bgt. LANTANA, G.T. (R.E.). (Driver of L/C).

Members: Capt. V.R. TOWLEMAN, R.E.
5439943 G.I.S. WOOL. J. (A. Stinson)

2. The Court will investigate the circumstances in which Triumph Motor Cycle No. C.5426264, 12 R.L.U., was lost at RMEZ on the night of 16 - 17 June 40

3. The evidence will be taken on oath.

4. The Court will record a finding, with a view to eliciting:

(a) That the motor cycle alleged to have been lost was actually held on charge by the unit.

(b) Who was responsible for its safe custody.

(c) What steps were taken to safeguard public property and whether they were adequate, having regard to all the circumstances.

(d) How the loss occurred.

(e) What individual, or individuals were responsible, whether due to gross negligence or not.

(f) The degree of financial responsibility and penalty recommended to be imposed on the person, or persons, found responsible.

(g) What other disciplinary action should be taken.

5. DAA & QAC will arrange for the following witnesses to be produced 7546

Major R.M.J. Hubbard, R.A. (DAA & QAC)
S/2148017 S.S.M. Perry, R.S. (DAA & QAC)
S/11263981 Sgt. Douglas, D. (DAA & QAC)
4075883 Pte. Jackson, P.W. (DAA & QAC)
1876365 W/Sgt. Langdon, G.V. (DAA & QAC)

6. Attention of the President of the Court is drawn to R.P. 125A (a) and K.R. paras. 764 - 773.

Initial.
P.L.

BJ/ah.

Colonel.

Cmd. 12 British Liaison Unit for the
Italian Central Military Schools.

Distribution:

Major R.M.J. Hubbard, R.A. (DAA & QAC)
Capt. A.W. Gibbins, R.A. (DAA & QAC)
Capt. W.R. Trevoyan, R. (Staff Capt. 4/0)
S/2148017 S.S.M. Perry, R.S. (DAA & QAC)
S/11263981 Sgt. Douglas, D. (DAA & QAC)
4075883 Pte. Jackson, P.W. (DAA & QAC)
1876365 W/Sgt. Langdon, G.V. (DAA & QAC)

~~CONFIDENTIAL~~SUBJECT :- Court of Enquiry.

(30)

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS
(Tel : RMSS 478908)

Ref : AG/13/1610

24 May 1946

To: Major D.R. SKIDDELL,
Instructor, R. Corps,
12 British Liaison Unit.

As guidance to the court, it will be necessary to stipulate :

- (1) That the money reported stolen was in fact stolen, i.e., did it ever exist.
- (2) That it was money belonging to the P.R.I.

It will be difficult to arrive at a conclusion without thorough investigation. Further witnesses undoubtedly will be required. They will arise as the investigation proceeds.

W.L.P.

Major, R. Corps,
Cmdr. 12 British Liaison Unit for the
Italian Central Military Schools

WLS/RAW

Internal.

File.

7595

(34)

SUBJECT: Write-off - Austin No: 588340

12 BRITISH LIAISON UNIT
For the
ITALIAN CENTRAL MILITARY SCHOOLS
(Incl: Rome 66318/9)

Ref: AQ/AS/1433

13 April 1946.

To: H.Q.
Last Person Sub Comd. AG (MZA)

Reference conversation Major KITE / Captain TREVELLICK and
MCA letter A 376 dated 11 April, A.F. 6998 are returned to you for
necessary action.

Colonel.
Comd. 12 British Liaison Unit for the
Ital 1st Central Military Schools

WIT/aw

Internal.

File.

7584

Form of Designation

Designation		Description		Remarks	
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48
49	50	51	52	53	54
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ARTICLE 14

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THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

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(33)

LAND FORCES SUB COMMISSION
A.C. (M. M. I. A.) R O M E
A 176

11 Apr. 45

Herewith copy of GHQ GMP letter GHQ/8400/1623/Q(AS) dated 8 Apr. 46 and AFS G 998 in respect of the write off of the above mentioned vehicle, for information and necessary action.

for Major General
M. M. I. A.

7592

AA & QMC
BAA & QMC
SC -A- & -Q-
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Anti Eng.

10 April End.

257

COPI

(32)

SUBJECT : Write off - Austin No. 5288140 Value
£ 221 on charge to 12 P.L.U.

GENERAL HEADQUARTERS GMP
Tele No. Freedom 518
GHQ/8400/1523/Q(AE)
8/4/45

TO : EXIA

Reference your A 376 dated 7 Jan. 45.

1. The application to write off the above mentioned items has been considered.
2. Authority is hereby given for this loss to written off as a charge against the public.
3. APs G 998, endorsed, are returned herewith.

(Signed) J. SMITH, Capt.

CLG

for Major General
Major General, Administration.

Copy to GHQ MEP
PA GHQ GMP.

7591

TO MAS PRICE at once

HQ ROLE AREA ALLIED COMLAND
APO No 794, US ARMY

Telephone: 56671

Ref: 4A259

SUBJECT: Field General Court-Martial

26 Mar 46

OC 53 LAA Regt (2) School of Artillery (2)
OC 12 BLU Capt C.V.P. DOOTH, RA - 56 Rest Camp
DAAG HQ LAA OC 56 Rest Camp
OC 6 CHESHIRE (2)

1. A Field General Court-Martial composed of the officers detailed hereunder will assemble at HQ 53 LAA Regt, Semola Military, at 1000 hrs on Monday 1 April 46 for the purpose of trying the under-mentioned accused.

President
Members

Major W.L. PRICE, ABE No 12 BLU.
A Captain to be detailed by OC 6 Cheshire.
A Lieutenant " " Commandant,
School of Artillery.

Under Instruction Capt C.V.P. DOOTH - RA.

2. Accused 1770901 Gnr W. GRIEVE, 53 LAA Regt.

3. Prosecutor An Officer of the JAG's Branch will prosecute.

Defending Officer Capt J.R.C. PARNATT - 53 LAA Regt.

4. The accused will be medically examined on the morning of the trial, and certified fit to stand trial by Field General Court Martial.

5. OC 53 LAA Regt will be responsible for the preparation of a Court Room, providing the necessary stationery, and detailing a Senior NCO as Court Orderly.

6. OC 53 LAA Regt will ensure the attendance of witnesses as listed below:-

14274157 L/Sjt J. LOORE

53 LAA Regt

1. A Field General Court-Martial composed of the officers detailed hereunder will assemble at HQ 53 IAA Regt, Scuola Militare, at 1000 hrs on Monday 1 April 46 for the purpose of trying the under-mentioned accused.

President
Members

Latimer V. E. PPTCS, LEE No 12 210.

For a complete list of references, see the end of this article.

† Captain to be detailed by CG 6 Cheshire.

" Lieutenant "

School of Artillery.

Under Instruction Capt C.V.P. BOOTH - RA.

2. Accused 1770901 Gar W. GRISWE, 53 LAM Regt.
3. Prosecutor An Officer of the JAG's Branch will prosecute.
Defending Officer Capt J.R.C. PARLATT - 7590 53 LAM Regt.

Prosecutor

An Officer of the JAG's Branch will prosecute.

Defending Officer Capt J.R.C. PARFITT - 31428882.

4. The accused will be medically examined on the morning of the trial, and certified fit to stand trial by Field General Court Martial.

5. CC 53 LAA Regt will be responsible for the preparation of a Court Room, providing the necessary stationery, and detailing a Senior NCO as Court Orderly.

6. OC 53 LAA Regt will ensure the attendance of witnesses as listed below:-

14274157 L/Sjt J. LOORE
GAGLIARDI Cesare
TRACAPPELLI Giuseppe
MANZONI Gabriele
Doctor RICCI, Surgeon

53 LAA Regt
21, Via Cerveteri
1, Via Policetto
13, Via Dei Cornelli
S. Giovanni Hospital

7. The attendance of a competent English-Italian interpreter will be arranged by this HQ.

8. On completion of the Field General Court-Martial, the proceedings will be forwarded to G-1(Br) this Headquarters. ✓

B. OATES,
Staff Capt,
for Lt-Col,
1A & QMG.

pg/acc.

43

30

Received from the Sergeants Mess, in
respect of the following:-

- 2a Bott Whiskey at 10/6d
- 3a " Gin at 10/6d
- 6 " Sherry at 10/6d

the sum of ££ " 6 " 0, (5670 Lire)

15th February 1946.

St. Charles Yarn

12, B.L.S. for the Italian
Central Military Schools.

7589

CONFIDENTIAL

SUBJECT: Discipline - A/REG. STOCKLEY. S.O. (RAGG) (A/S Op. 20 D)

(21)

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS.
(Tel: ROME 66319)

Ref: AG/43/677

22 Jan. 46

To: H.Q.
Land Forces Sub Comm. AG (MIA).

1. Attached hereto is Charge Sheet and Summary of Evidence in connection with the above Warrant Officer.
2. Although in my opinion the explanations given and the evidence show that he has in fact not committed the offence on which he has been charged, I consider that as the charge was preferred by the S.I.B. Department, Higher Authority should express an opinion as to whether the case should be proceeded with.
3. In my opinion A/R.S.M. Stockley was NOT in improper possession of V.D. property.
4. It will be noted that although this Warrant Officer was placed under arrest on the 14 January it was not possible to take the Summary of Evidence earlier as the S.I.B. evidence did not reach this H.Q. until Saturday, 19 January.

Colonel

7588

Comd. 12 British Liaison Unit for the
Italian Central Military Schools

DM/ab.

Internal
File

To: G-1 (Mr) H.A.
From: Asst. Atty. General.

Copy to: H.A.
Local Personals Sub Com. 10 (H.A.).

Reference letter from D.A.H., H.A. 1040., 11/14/56 dated 10 Jan. 56, to you.

1. Please find attached hereto, George Smith, Summary of Evidence, original and four copies, in respect of the above mentioned Bureau Officer, for your consideration.

2. In the face of the evidence and the explanation given by Sub. Cdr. Stockley I am of the opinion that the charge under Section 46 as framed by the S.I.B. will not stand, but I feel it is a matter which should receive the consideration of Higher Authority.

3. In my opinion Sub. Cdr. Stockley was not in improper possession of H.A. property. There is no conclusive evidence to disprove the fact that portions of the articles furnished by the S.I.B. which concerned the "Black Market" and those which were due to non-compliance of legislation.

4. It would appear, however, that a charge could be ~~proved~~ against this Bureau Officer as:

(a) Lying in a petition handed over to H.A.A.A. Bureau Order No. 305 dated 11 July 48,

but on this charge it should be borne in mind that the only evidence, other than that of the accused, is of an Italian civilian man and it is a matter for consideration whether admission of such evidence is in the public interest.

(b) Failure to return the unexpired ration not ordered for the purpose for which they were issued.

This is admittedly a technical offense but in view of the circumstances, namely that he was contingently giving a party to his services on the occasion of his birthday, there are mitigating circumstances.

5. The accused is a War Substantive Staff Sergeant, an Acting W.O.II. Local W.O.I., and therefore, if necessary, can be tried entirely subject to his right to elect trial by P.O.I. In the case of a War Staff Officer I feel it is of great importance that Higher Authority should satisfy itself that there is indeed a case to answer before a P.O.I.I. is convened.

6. The following information in consideration of the evidence contained in the Summary of Evidence is submitted for your information. On 14 August 1948 Sub. Cdr. Stockley applied for permission to sleep in the H.A.A.A. Officers Mess, and a copy of this application with attachments is attached.

...../s/

On this date Sub. Officer Stoddley was not on the strength of this unit but was attached to it under an arrangement made with N.A.A.S., an whom strength he was held. Authority was in fact granted for him to sleep at the N.A.A.S. Garrison Detachment house.

7. At the time of his appointment to N.O.I. he was issued with a pass authorizing him to be away from his unit daily. This pass was signed by my later Staff Captain, who has now been released, and is now in possession of the accused.

8. The facts relating to this accused Officer were brought to my notice on my return from Italy on the 7th January and it will be noted that, with the exception of the original authority granted on 14 August 1945, all the evidence concerned while I was either in hospital or in the U.S. on Italy. Owing to the fact that Capt. EDWIN, my Staff Captain, has now been released, I am unable to ascertain from him the reasons which prevented the granting of a pass for Sub. Officer Stoddley to be absent from his quarters daily. I can state, however, that the authority given on the 14th August was of the same nature as that of Major JENNINGS, D.A.D.C., who has also been released in the interim.

9. Finally, there is one other factor which I would like to be brought into consideration. Sub. Officer Stoddley has suffered his release under a "Confidence Agreement" until October 1946. This would mean immediately been seriously in the factory and I consider him to be a most important and useful member of my staff. In the event of proceedings being instituted on the technical offence, it would appear possible that he could render the Confidant's Agreement and obtain his release almost immediately. It would appear that if this is the case the service would lose the value of an extremely useful warrant Officer and the disciplinary effect of any award likely to be made by the Court would be insignificant. His conduct sheet (A.S.D. 122) has no entries.

10. I should very much appreciate the guidance of higher authority in dealing with this case and their direction as to whether it is considered justifiable for me to deal with it summarily, within the powers at my disposal.

7586

General

Genl. 12 British Liaison Unit for the Italian General Military School

all the evidence submitted which I had either in hand or in the field. On 12th. On 13th I saw that the report, my staff report, has not been reviewed, I am unable to corroborate from him the remarks which accompanied the granting of a pass for Sub-10. According to the statement given him yesterday daily. I can state, however, that the authority given on the 14th August was of the nature of a request of Major Zetter, Sub-10, that he also been released in the interim.

2a. Finally, there is one other factor which I would like to be brought into consideration. Sub-10. Wootley has delivered his statement under a 'Confidential Agreement' until October 1945. This must have immediately been entirely satisfactory and I consider him to be a most competent and useful member of my staff. In the event of his continuing being instructed on the technical side, it would appear possible that he could provide the Government's Agreement and obtain his release almost immediately. It would appear that if this is the case the service would lose the value of an extremely useful technical officer and the disciplinary effect of any award likely to be made by the Court would be nullified. His conduct sheet (A.2.2.422) has the following.

2b. I should very much appreciate the evidence of Major Wootley in connection with this case and their direction as to whether it is considered justifiable for us to deal with it separately, within the powers at my disposal.

7586

200/10.

200/10.

200/10.

Conf. 18 Reddish Jackson Brief for the
National Central Military Tribunal

COPY

Subject: Privileges, Sleeping out Pass.

To: Colonel. Mackay, U.S.A.
 O.C. "P" B.L. & T.H.
 R.A.C., I.C.S., C.M.F.

Sir,

I beg to submit formal application for sleeping out pass in 1945, when five of duty. Mackay born on the strength of the R.A.C. for over the past year my comrades and friends are there. Don't would not interfere in any way with my duties under your jurisdiction. My address would be, should you have your kind consideration as follows :-

"Garrison House, R.A.C."

Thanking you, I remain,

Your obedient servant,

(Signed) H.D. STUBBS. S/Lt. R.A.C.
 1054224

August 14th 1945

True.
 Yr.
 sub-ordn.

RECEIVED
 1555
 (Sd) L.H.H.

4841

CONFIDENTIALSubject:- Discipline (70a).

Hq., RAAG.
Tel: 478679
Ref: PR/41/5056
13 Jan 46

G-1 (Dr) Hq RAAG.

10543254. A/RM STOCKLEY S. O.
12 B.L.U., RAAG.

1. Attached Military Police report 31866/A/46/17 dated 18 Jan 46 is herewith forwarded.
2. One copy is being supplied direct to 12 B.L.U., who have previously been informed that this enquiry was being made.
3. It is not known if any authority exists to permit A/RM Stockley to sleep out of his quarters.

S.H. Bond

Lt-Col,
Deputy Provost Marshal,
(S.H. Bond).

Copy to:- 12 B.L.U.

7584

CONFIDENTIAL

Reference No.
ST/6/1/16/17.

Headquarters, 66 Section,
Special Investigation Branch,
The Corps of Military Police,
Central Mediterranean Force.

Ref. No. BA3059

MEM.

18th January, 1946.

Subject :-

Person in Custody - Evaporator Possession.

No. 1074229A, A/NSM. STOKLEY S.C.,
12 British Legion Unit,
R.A.O.C.,
C.M.F.

To :-

The D. A. P. M.
66 Section, Special Investigation Branch,
The Corps of Military Police, C.M.F.

READ A SUMMARY.

L. H. Hain
M. A. HENSON Capt.
D. A. P. M. SECTION.

Distribution :-

MEM. D. A. P. M. (3)
File.

Sir, About 1600 hours, on the 14th January, 1946, I arrested the above named on a charge of 'Evaporator Possession' of M.D. Ration, contrary to Section 40 of the Army Act.

The accused now stands in arrest at his unit pending a Summary of Evidence.

The facts leading up to the arrest of the accused and evidence obtained since are as follow :-

On the 14th January, 1946, a civilian Policeman GIANFRANCESCO GEMERO, reported to this office that he had reason to believe that a British soldier was taking rations and M.D. Property to No. 5 Internes 12, Via due Macelli, Rome.

As a result of this information, about 1600 hours on the 14th January, 1946, accompanied by two Gentlemen Agents, MESSRS. Andello, and MESSRS. Antonio, I went to the above mentioned address. The house of MESSRS. Antonio. On arrival I found the accused present in the

To :-

The D. A. P. M.
66 Section, Special Investigation Branch,
The Corps of Military Police, G.M.P.

READ & SUBMITTED.

L. E. Holm

M. G. HENSON Capt.
D.A.P.M. SERVICE

Distribution :-

THE D.A.P.M. (3)
File.

Sir, About 1600 hours, on the 14th January, 1946, I arrested the above named on a charge of 'Illegal Possession' of M.D. Rations, contrary to Section 40 of the Army Act.

The accused now stands in arrest at his unit pending a Summary of Evidence.

The facts leading up to the arrest of the accused and evidence obtained since are as follows :-

On the 14th January, 1946, a ³civilian policeman ~~COMMANDER~~ Gennaro, reported to this office that he had reason to believe that a British soldier was taking rations and M.D. Property to No. 5 Interno 12, Via due Macelli, Rome.

As a result of this information, about 1600 hours on the 14th January, 1946, accompanied by two Quarters Agents, ENYA Andello, and ENYA Antonio, I went to the above mentioned address. The house of ~~ALBERTO~~ Dora. On arrival I found the accused present in the apartment with the woman. I told him I was Sgt. SPENCE of the Special Investigation Branch, and that I was going to search the premises.

During the subsequent search, I found in various cupboards and drawers, 2 1/2 bottles of whiskey, 3 1/2 bottles of gin, 6 bottles of sherry, 3 tins of bacon, 2 tins of berrings, 2 tins of Steak & Kidney, 4 tins of Corn Beef, 1 tin of sausages, 5 tins of Jam, 4 tins of Salmon, 1 tin of Cheese, 1 tin of Beans, 7 tins of Sardines, 2 tins of Milk Powder, 3 packets of Biscuits, 4 packets of sweets, 1 Confectioner's.

Upon finding these articles, I said to ENYA Gennaro, "Who brought these rations and spirits to this house?" He replied, "They are mine, Sergeant, I paid for the spirits and some of the food."

ci
P
a
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"The others are rations I had when I was travelling to and from Naples. I have brought all this stuff here over a period of about two years".

RM Stockley then asked to see a Warrant Officer
 whereupon I conveyed him to this Section Office where he was
 seen by RM Priestley W. SIB. to whom I made known the foregoing
 facts. In my presence, when cautioned by RM Priestley, the
 accused repeated the explanation he had already given as for the
 presence of the rations in the flat. He later elected to make a
 voluntary statement under caution which I took down in writing
 at his dictation. I then made out a list of the property I had
 confiscated at the house which he read over and signed. I then
 caused him to be placed in the Town Guard Room RMOS pending
 inquiries.

About 1900 hours on the 14thth enemy, 1946, I went to No 12 British Indian Unit BAOO where I saw Major E.L. SHUTCHES (127395) R.A.O.C. and during the course of conversation I ascertained that P.W. Stockley had permission to stay in Rome and that he had in fact purchased the spirits. It was also learned that he had given rations whilst travelling about but as far as it was known, these had been consumed during the journey.

On the 15th January, 1946, I saw AMORUSO DORA, she stated that she has known BEN Stockley for about twenty months during which period he had taken food and spirits to her house. It appears that BEN Stockley sleeps at Amoruso's residence two or three times a week and since he eats there he has been in the habit of taking food there to help supplement the civilian rations. He apparently had taken the timed foods in return for the fresh foods supplied to him by Amoruso. Some difficulty was experienced in obtaining the truth of the situation from Amoruso since she stated that she had bought a lot of timed food on the 'Black Market' but was not sure whether the rations I had taken into my possession were what she had purchased or what BEN Stockley had taken into her house.

On the 15th January, 1946, I showed the rations recovered as stated above to Sir G. S. B. H. J., D.S.C who identified the following property as British Issues Rations :-

3 x 1lb tins of bacon, 2 x 1lb tins of herrings,
4 x 12oz tins of corned beef, 3 tins sausages approx 5lbs in all,
5 x 1lb tins of jam, 1 x 12oz tin of cheese, 7 x 3oz tins of
sardines, 2 x 1lb tins of milk powder, 4 x 1lb tins of salmon.

caused him to be placed in the Town Guard Room BMOE pending inquiries.

About 1900 hours on the 14th January, 1946, I went to No 12 British Liaison Unit BMOE where I saw Major W.E. SHERRIDGE (127395) R.A.C. and during the course of conversation I ascertained that BSM Stockley had permission to stay in Rome and that he had in fact purchased the spirits. It was also learned that he had drawn rations whilst travelling about but as far as it was known, these had been consumed during the journey.

On the 15th January, 1946, I saw AMORUSO DEEA, she stated that she has known BSM Stockley for about twenty months during which period he had taken food and spirits to her house. It appears that BSM Stockley sleeps at Amoruso's residence two or three times a week and since he eats there he has been in the habit of taking food there to help supplement the civilian rations. He apparently had taken the tinned foods in return for the fresh foods supplied to him by Amoruso. Some difficulty was experienced in obtaining the truth of the situation from Amoruso since she stated that she had bought a lot of tinned food on the 'Black Market' but was not sure whether the rations I had taken into my possession were what she had purchased or what BSM Stockley had taken into her house.

On the 15th January, 1946, I showed 313 rations recovered as stated above to No 8/96866 BSM. / AMORUSO R.A.C. BMOE who identified the following property as British issue Rations :-

- 3 x 1 1/2 lbs tins of bacon, 2 x 1 1/2 tins of harrings,
- 4 x 12oz tins of corned beef, 3 tins sausages approx 5lbs in all,
- 5 x 1 1/2 tins of jam, 1 x 12oz tin of cheese, 7 x 3oz tins of sardines, 2 x 1 1/2 tins of milk powder, 4 x 1 1/2 tins of salmon.

Property confiscated by me is now held at the Central Property Room, GMR. Rome, pending instructions for its disposal or production when required. Copies of all relevant statements are attached to this report.

In view of the accused's admission to me that he had taken the whole of the property to the woman's house it would appear that a charge of larceny or improper possession of the items identified as War Department property might now be preferred against him.

R. G. Smith

R. G. SMITH SGT. 66 Section,
Special Investigation Branch.

Rome.

CONF.

66 Section, S.I.R.,
C.M. Police,
19th January, 1946.

Statement of :- No. S/368664 SGT. GHEZMAN, P.J.,
British Cadre, R.A.S.C.,
199 Italian D.I.D.

who states :-

About 1100 hours on the 15th January, 1946, I was shown a quantity of tinned food which I identified as being British issue rations, which consisted of the following :-

5 tins of bacon at 1 1/2 lbs. per tin, 2 tins of herrings at 1 lb. per tin, 4 x 12 oz. tins of Corned Beef, 3 tins of sausages approximately 5 lbs. in all, 5 x 1 lb. tins of jam, 1 x 12 oz. tin of cheese, 7 x 3 oz. tins of sardines, 2 x 1 lb tins of milk powder, 4 x 1 lb tins of salmon.

Without consulting the ration scale and to the best of my knowledge, the daily ration for one man is as follows :-

Bacon, 2 oz., Fish, 1 oz., 12 days per month, Milk powder, 3/7 oz., 3 times per week, Sausages 4 oz. per week, Jam, 1 oz. per day, Corned Beef 2/7 oz. per day when issued, Cheese 6/7 oz., 6 times a week.

I have read over the above statement, it is correct and true.

Signed. P.J. GHEZMAN, P.J.
199

Statement taken down, read over and signature witnessed by SGT. SPENCE, 66 Section, S.I.R., C.M.P., on the 15th January, 1946.

SIB Office,
RMB.

Statement of :-

No 768754 ESM W. RUMBLEY,
66 Section
Special Investigation Branch,
The Corps of Military Police.

The states :-

On the 14th January, 1945, in consequence of what No 612073, SIB E.O. 88763, of this Section, said to me I saw the accused whom I know recognised. I said to him, "I understand that you wish to see a warrant officer in connection with certain 30 rationals left in a civilian house."

He replied, "Yes, I can explain all about the rations and whisky."

I then said to him "You realise, of course, that whatever you say will be written down and may be used in evidence".

He then said "I just want to make everything quite clear. The spirits are my own black label and I have been taking them to that house for a period of nearly two years. I can prove that I have paid for them - I am the Mess President - and they are for my own consumption. The rations are what I've had left over from those supplied to me whilst travelling about from place to place in connection with my job in the 12th British Locomotive Unit."

I pointed out to the accused that the WCO who had found the rations had been acting upon information and instructions received and that he would be obliged to make the matter the subject of a report to his Officer Commanding.

7580

Who states:-

On the 4th January, 1946, in consequence of what No. 613223, 808 M.C. 57183, of this section, said to me I saw the accused when I knew him. I said to him, "I understand that you wish to see a Warrent Officer in connection with certain ration cards left in a civilian house."

He replied, "Yes, I can explain all about the ration and whisky."

I then said to him "You realise, of course, that whatever you say will be written down and may be used in evidence".

He then said "I just want to make everything quite clear. The spirits are my own home issue and I have been taking them to that house for a period of nearly two years. I can prove that I have paid for them - I am the home President - and they are far my own consumption. The ration cards are what I've had left over from those supplied to me whilst travelling about from place to place in connection with my job in the 12th British Liaison Unit."

I pointed out to the accused that the 1930 who had found the ration cards had been acting upon information and instructions received and that he would be obliged to make the matter the subject of a report to his Officer Commanding.

End.

W. J. M. M. M.

7580

CONT.

List of U.D. Property held by 66 Section, S.I.B., in the case of
No. 105492A A/251, FRODIER, S.O., 12 B.I.U., B.A.O.G.

20	Bottles of Whisky.	H.A.A.F.I.
2	" " Gin.	"
2	" " Sherry.	"
1	Tins of Bacon.	
1	" " Herring.	
1	" " Steak & Kidney Pudding.	H.A.A.F.I.
1	" " Corned Beef.	
1	" " Sausages.	
1	" " Jam.	
1	" " Cheese.	
1	Packets of Biscuits.	H.A.A.F.I.
1	" " Sweets.	"
1	Tin of Beans.	
7	Tins of Sardines.	
1	Confection.	
2	Tins of milk powder.	
1	" " Salmon.	

Certified a copy of confiscated property.

Signed. S.O. STONLEY. S/Odr.

Signed. H.A. STILES SGT.
66 Section, S.I.B.

7579

SIA Office
Rome.

Statement of :- No. 6482234, SGT. SPINIS E.C.,
66 Section,

Special Investigation Branch,
The Corps of Military Police,

who states :-

About 1600 hours on the 14th January, 1946,
as a result of information received, I visited the house of
ANTONIO DORA at No. 5-12 Via dei Macelli, Rome. Upon entering
the house, I saw the accused whom I informed of my identity and
that I intended to search the house.

During the search which followed, I found the
following property contained in various cupboards and drawers
about the house :-

2 bottles of whiskey, 3 bottles of Gin, 6 bottles of sherry,
3 tins of bacon, 2 tins of herrings, 2 tins of Steak & Kidney
pudding, 4 tins of Corned Beef, 3 tins of Sausages, 5 tins of
Jam, 1 tin of Cheese, 3 Packets of Biscuits, 4 Packets of sweets,
1 tin of Beans, 7 tins of Hardtots, 2 tins of Milk Powder,
4 tins of salmon and 1 Cotton Bed Comforter. This property I
now produce.

I then said to the accused, "Who brought these
reactions and spirits to this house?"

He replied, "They are mine, Sergeant." "I paid
for the spirits and some of the food." "The others are
reactions I had when I was travelling to and from Naples. I have
brought all this stuff here over a period of about 2 years."

He then expressed a desire to see a Warrant
Officer of the Special Investigation Branch, and I therefore
accompanied him to my Headquarters, where I informed E.C.M.
WINTERMAN of 66 Section, S.I.B., of the foregoing facts. In
my presence, E.C.M. WINTERMAN cautioned the accused who repeated
the explanation he had already given to me at the house in
Via dei Macelli.

As a result of what E.C.M. WINTERMAN then said
to me, I said to the accused, "Do you wish to make a statement
in writing?" "You are not obliged to make a statement unless
you wish to do so, but write or you may still be written ~~up~~
and may be used in evidence." He then elected to make a
statement which I took down in writing at his dictation which
he later read over and signed. I now produce that statement.

On the 15th January, 1946, I showed the
property I had recovered from the house in Via dei Macelli
to No. 8/968664 Sgt. P.J. COLLIER, S.I.B., at the S.I.B. Office,
this No. 8, after examining this property, made a statement in

2, bottles of whisky, 3 bottles of Gin, 6 bottles of sherry, 3 tins of bacon, 2 tins of herrings, 2 tins of Steak & Kidney pudding, 4 tins of Corned Beef, 3 tins of Sausages, 3 tins of Jam, 1 tin of Cocoa, 3 packets of Biscuits, 4 packets of sweets, 1 tin of Beans, 7 tins of Sardines, 2 tins of Milk powder, 4 tins of salmon and 1 Cotton Bed Comforter. This property I now produce.

I then said to the accused, "Who brought these rationals and supplies to this house?"

He replied, "They are mine, Sergeant." "I said for the supplies and some of the food." "The others are rationals I had when I was travelling to and from Naples. I have brought all this stuff here over a period of about 2 years."

He then expressed a desire to see a warrant officer of the Special Investigation Branch, and I then accompanied him to my Headquarters, where I informed R.S.M. MINNIEY of 66 Section, S.I.A., of the foregoing facts. In my presence, R.S.M. MINNIEY cautioned the accused and repeated the explanation he had already given to me at the house in Via des Macelli.

As a result of what R.S.M. MINNIEY then said to me, I said to the accused, "Do you wish to make a statement in writing?" "You are not obliged to make a statement unless you wish to do so, but write or you say will be written, right and may be used in evidence." He then elected to make a statement which I took down in writing at his dictation which he later read over and signed. I now produce that statement.

On the 15th January, 1946, I showed the property I had recovered from the house in Via des Macelli to No. 2/568664 Sgt. P.J. O'BRIEN, R.A.S.C., at the S.I.A. Office. This R.C.O., after examining this property, made a statement in writing in respect of certain items of that property. This statement I now produce.

Rome.

R. L. Spink

R.C. SPINK, S.I.A.

CONFIDENTIAL

66 Section, S.I.B.,
G.M. Police,
14th January, 1946.

Statement of :- No. 1054923, A/MSI, SPANISH, S.C.,
42 S.I.U. for Italian Central Military Schools,
S.A.S.C.,
G.M.P.

who states :-

I have been cautioned that I am not obliged to say anything unless I wish to do so, and that anything I do say will be written down, and may be given in evidence.

Signed, S.C. Stockley. 4/chr.

Having been stationed in Rome for the past 20 months, I have been visiting my friend ANTONIA Dora, 5 Via dei Macelli, Rome, where I have spent my leisure time.

On various occasions in the past few months, my duties have taken me to Naples for a period of 2 or 3 days, for this I have drawn my unexpired ration and have left them with my friend for eating at week-ends, and evenings when free. I have also drawn rations the week-ends (Saturday afternoons and Sunday).

The whisky and wine are my purchases from WAFI and Mess, this also includes biscuits and sweets.

The Com'ndor is on my A.P. 1157 and was left in the house over the Christmas holiday. These statements can be verified at my unit, this is all I have to say.

Signed, S.C. Stockley. 3/chr.

I have read over the above statement, and have had the opportunity of making any alterations or additions where necessary. It is true and is made voluntarily.

Signed, S.C. Stockley. 3/chr.

Statement taken down, read over and signature witnessed by MR. SPANISH, S.C. 66 Section, S.I.B., G.M.P., on the 14th January, 1946.

1-44/10/17

In case of AF. P. 352.

CHARGE SHEET.

<u>Royal Army Ordnance Corps.</u>	<u>Regiment</u>
<u>12 British Liaison Unit. C.M.F.</u>	{ <u>Battery</u> <u>Squadron</u> <u>Troop or</u> <u>Company</u>

CHARGE against No. 1059223.

Rank A/2.L.M.

Name. STOKLEY. S.C.

Place. ROME.

Date of Offense 14/1/46

NA. Sec 40

OFFENSE W.C.A.M. Conduct to the Prejudice of Good Order and Military Discipline, in that he, at Rome on 14th January 1946, was improperly in possession of 27 tins of feedstuff, the property of the War Department.

Names of Witnesses :-

648223. Sgt. Spinks. R.C.
66 section S.I.B. C.M.F.

7576

[illegible]

STATEMENT OF EVIDENCE

In the case of Ho. 1024254 L/NO.I. DEBENHILL, S.O., RAO
12 D.L.B. for the Italian Central Military Schools.

By direction of the C.O. the evidence is taken on oath.

1st Witness: CAPTAIN LUTHER. S.O., CAP 66 Section VII RIF
A/1 Group A5, having been duly sworn states:-

"I recognise the person as the person to whom my evidence
relates. About 1600 hrs. on the 14th Jan. 46 as a result of
information received, I visited the house of ALBERTO DOMI at
No. 5 - 12 Via San MICHELE, MILAN. Upon entering the house I
saw the person whom I informed of my identity and that I intended
to search the house.

"During the search which followed I found the following
property both NAZI supplies and S & F supplies contained in
various cupboards and drawers about the house

NAZI Supplies

- 2 1/2 bottles whisky.
- 2 1/2 bottles gin
- 6 bottles of Cherry
- 2 tins Stank & Kidney Baking.
- 5 tins of biscuits.
- 4 tins of sweets.
- 1 tin of Desser.

S & F Supplies

- 5 tins of Bacon
- 2 tins of Marmalade.
- 4 tins Corn Beef
- 4 tins of Salmon
- 5 tins Marmalade.
- 5 tins Jam
- 1 tin Citrus
- 7 tins Marmalade
- 2 tins of Milk Powder.

In addition to these I found one bed coverlet. I then sold
to the person who brought these various and spirits to this
house. He replied "they are mine Sergeant". "I told for
the spirits and some of the food". "What others are yours I
had when I was travelling to and from MILAN". "I have brought
all this stuff here over a period of about 2 years".

"He then expressed a desire to see a warrant officer
of the Special Investigation Branch and I therefore accompanied
him to my headquarters, where I informed S.O. DEBENHILL of
66 Section VII, of the foregoing facts. In my presence, MR
DEBENHILL questioned the accused, who repeated the explanation he
had already given to me at the house in Via San MICHELE. As a
result of what MR DEBENHILL then said to me, I said to the accused,
"Do you wish to make a statement in writing?" "You are not
obliged to make a statement unless you wish to do so, but whatever
you say will be written down and may be used in evidence". It
then elapsed to make a statement which I took down in writing

On 5-12-68 the [redacted] was [redacted] and that I [redacted] to search the house.

" During the search which followed I found the following property both MAFFI supplies and S & P supplies contained in various cupboards and drawers about the house

MAFFI Supplies

- 20 bottles whisky.
- 30 bottles gin
- 6 bottles of Sherry
- 2 tins Oxo & Mincey Pulping.
- 3 plates of Idem.
- 4 plates of Idem.
- 1 tin of Idem.

S & P Supplies

- 3 tins of Bacon
- 2 tins of Ham.
- 4 tins Corn Beef
- 4 tins of Salmon
- 3 tins Soups.
- 5 tins Jam
- 1 tin Choc.
- 7 tins Sardines
- 2 tins of Milk Powder.

In addition to these I found one bed comforter. I then said to the accused "who brought those milkcom and aprons to this house?" He replied "they are mine Margaret". "I paid for the aprons and some of the food". "The others are mine I had when I was travelling to and from MAFFI". "I have brought all this stuff here over a period of about 2 years".

" He then expressed a desire to see a warrant officer of the Special Investigation Branch and I therefore accompanied him to my headquarters, where I informed R.A.M. HENDRIK of 66 Section 82, of the foregoing facts. In my presence, R.A.M. HENDRIK questioned the accused, who reported the explanation he had already given to me at the house in Via San MARCO. As a result of what R.A.M. HENDRIK then said to me, I said to the accused, "Do you wish to make a statement in writing?" "You are not obliged to make a statement unless you wish to do so, but whatever you say will be written down and may be used in evidence". He then elected to make a statement which I took down in writing at his dictation, which he later read over and signed. I now produce that statement marked exhibit 'A' and attached to the proceedings. The witness etc are now held at the Central Property store at the C.I. Headquarters.

Goods examined by accused:

- Q.1. Did I or did I not give you every assistance in the search of the flat?
- A.1. You rendered every assistance.
- Q.2. Did you also see other things FEDERALIAN CIVILLIAN and ITALIAN INQUIRY in the flat?
- A.2. There was ITALIAN STIFFED BREAD and bottled ITALIAN SPICES in the flat as well.
- Q.3. Did you ask me if I held a gun?
- A.3. Yes, you replied I have permission to be in MAFFI, no [redacted] was produced to me.

to the fact of your

(Signed) M.J. Opaton,
Sgt. 66 Sec. S.I.B.

2nd Witness

Mrs MAURIO DORA of No. 5-42 VIA SAN MARCELLO, ROME.

A written statement of this witness's evidence pertaining to be signed by her has been read to the accused and is marked Exhibit 'D' and is included in the summary of evidence. A certified true translation of this witness's statement is also attached to the proceedings marked Exhibit 'E'. In my opinion the statement of this witness cannot readily be procured.

(Signed) H.J. Sanford, Major,
OFFICIAL DATED MARCH,

The accused does not deny the attendance of this witness for crime-construction.

The accused having been authorized in accordance with R.P. 4(b) elects to give evidence on oath and to call witnesses.

The accused, No. 10193054, W/S S/Sgt. 4/40. II, 1/40. I REGIMENT, S.S., MACC (A/S Op 20 W) 12 S.I.B. for the Italian Central Military Schools, having been duly sworn states:-

"On the morning of the 14 June 46 I was detailed by MAJOR 12 B.I.B. for the Italian Central Military Schools to proceed to CANTIERI to inspect accommodation and signal stores at the Italian Signal School, leaving CANTIERI at 1400 hrs.

" I did not eat in the night mess at 12 B.I.B. neither did I eat at CANTIERI this being an Italian unit. Having finished my duties I left for 12 B.I.B. returning by vehicle to my station at CANTIERI, this being at about 1530 hrs. I proceeded to a friend residing at 5 Via del VIGNO, Rome where she gave me a meal, having not eaten previously. The lady in question I have known when attached to 12 B.I.B. I have stayed at the flat several weekends when off duty and had meals there.

" On the 14th June 46 the day in question the 12 B.I.B. arrived at the above mentioned house. The Sgt in charge stating that on information received he wished to search the flat. I gave him every assistance. The 12 B.I.B. found what was the subject of this charge were issued to me in a regular manner this being the approval of MAJOR 12 B.I.B. MAJOR then came to CANTIERI, MACC, when I made four trips of several days' duration to MACC and also two journeys to CANTIERI on duty. On two occasions one of the three of visitors were down for weekends when on short rest and I did not eat in the night mess 12 B.I.B. a fact which can be substantiated by Mess records. The 12 B.I.B. were to be eaten by me with fresh food supplied by the lady who I also believe bought some of these from in the "Black Market". The MACC goods were bought and paid for by me and can be substantiated by the MACC Cpl., mess masters and the present Sgt Mess officer 12 B.I.B. (Sgt. DORA). The previous mess officer

From when I also revealed some has now been released from service. ILLI SPERS (0301 12 000) can confirm also that I received permission to draw rations mentioned above and also that there were down per 3.4 further the base on tower at first this (also released), the cook actually handing rations over on instructions. The ILLI SPERS who kept at the address above, was for a birthday party to be held on the 27th Jan. 46. ILLI SPERS and Sgt. S. WATKINS (MAYN) having already received an instruction on our own this fact. The commander was taken temporarily at base for surgery and was on the bed used by me. This was on my A.S. 11.1157.

(signed) D.C. WATKINS. 3/04/46.
1054823 12 ILLI.

J. WATKINS. Capt. D.I.I.
M. 1. 46.

OFFICER WATKINS' REPORTING AND
SITING OF WATKINS.

1st Witness for the Defence:

No. 127322 2/04/46. WATKINS, 1200 12 000 for the Italian Central Military School 4/8 Group 40 1st Landing Force did, upon station.

On several occasions only after reporting that I was receiving, on my instructions has proceeded to WATKINS to draw stores and conduct the survey back to WATKINS. I was well aware that on those occasions he drew rations for a period of 4 or 5 days. On the 14 Jan. 46 I detailed the accused to report to WATKINS to report on the conditions of the stores at the Italian 152 Signal School, for which I received a report. On the evening of the 14 Jan. 46 at approx 1945 hrs Sgt. WATKINS and a corporal from the 5th came to the Officer's Mess (WATKINS) to inform me that his character WATKINS had been placed under arms arrest and they wished me to confirm that he was employed by me. This I did. I would like to add that the accused has been to WATKINS several times on duty when he has taken rations, owing to the absence of a was not possible for him to return home for his midday meal.

(signed) T.L. WATKINS, Major, RMC.
" 1312

2nd Witness for the Defence:

No. 151956 1946 WATKINS, 1200 12 000 for the Italian Central Military School 4/8 Group 40 1st Landing Force did, upon station.

(4)

2nd witness for defense:

No. 623570 Sgt. WARD, 2d Regt. 12 S.L.A. For the Indian Central Military Schools A/S Group 26 having been duly sworn states:-

" I have been invited to a birthday party by the accused when I was not registered, on or about the 16 - 17th Jan. 45. I can also state that I have known the accused to buy from the Suta Khas, Hyderabad for the purpose of consuming the tea party which was to be held in them."

(Signed) S. WARD, Sgt.
623570.

3rd witness for the defense:

No. 214490 Sgt. WARD, 2d Regt. 12 S.L.A. For the Indian Central Military Schools A/S Group 29 having been duly sworn states:-

" I have been Suta Khas when stated above 7 Jan. 45. When then I have sold the accused, when I was registered, 2 bottles whisky & 1 tin 1 tinsary."

(Signed) S. WARD, Sgt. No.

Stated above by me this first day of January 1945.

No 4 (a) (b) (c) (d) (e) and (f) have been consulted with.

(Signed) M.J. WARD, Major RAO.
OFFICE THE DEPT. SECRETARY.

7571

UNIT "A" *by [signature]*

Major MAG
DIA & GSO

Officer Taking Summary.

66 Section S.I.B. O.M.P.
14/1/46.

Statement of: 1029075, A/K/A STOKES, S.O.
12 III for Italian Central
Military Schools
R.A.O.C. O.M.P.

The States:-

I have been questioned that I am not obliged to say anything unless I wish to do so but what ever I do say will be taken down in writing and may be given in evidence.
S.O. STOKES, S/O.

Having been stationed in Rome for the past 23 months I have been visiting my friend ANGELO DORA, 5 Via Cava Vecchia, Rome, whom I have spent my leisure time, in various occasions in the past few months my duties have taken me to Naples for a period of 2 or 3 days for this I have done my regular rotation and have left then with my friend for seeing at week-ends and evenings when free. I have also done rotations the week-ends (Saturday afternoon and Sunday). The whisky and wine are my purchases from RAIPI and these also includes biscuits and sweets. The converter in an A.B. 1457 and was left in the house over the Christmas holiday. These statements can be verified at my unit this is all I have to say.

S.O. STOKES, S/O.

I have read over the above statement and have had the opportunity of making any corrections or additions where necessary. It is true and is made voluntarily.

S.O. STOKES, S/O.

Statement taken down, read over and signature witnessed by Sgt Spinks, L. 66 Section S.I.B. on 14/1/46 at 16.30 hrs.

7570

Certified True Copy.

[Signature]
Major MAG
DIA & GSO

12 British Liaison Unit for the
Italian Central Military Schools

Having been stationed in base for the past 20 months I have been visiting my friend in 1953, 5 via the Redoubt, base, where I have spent my leisure time, in various occasions in the past few months my duties have taken me to Naples for a period of 2 or 3 days for this I have drawn my respective pay and have left then with my friend for getting at week-end and overings when from. I have also drawn returns the week-end (Saturday afternoon and Sunday). The weekly and also are my purchases from NALFI and these also include biscuits and sweets. The conductor is on my A.P. 1157 and was left in the house over the Christmas holiday. These statements can be verified at my unit this is all I have to say.

S.O. STANLEY. S/Obs.

I have read over the above statement and have had the opportunity of making any corrections or additions where necessary. It is true and is made voluntarily.

S.O. STANLEY. S/Obs.

Statement taken down, read over and signed and witnessed by Sgt. Stanley, R. 66 Norton S.I.S., on 14/1/53 at 16.30 hrs.

7570

Certified True Copy.

Major MCG
D.A. 6 1953

12 British Legion Unit for the
National Central Military Schools

EXHIBIT 13

Major RAG

MAJ RAG
MAJ & JAG

OFFICIAL EATING SUPPLY.

List of U.S. property held by 66 Section M.I. in the
case of No. 10513234, U.S. PROPERTY U.S. 12 U.S. R.A.O.C.

21	Bottles of wine.	MADE.
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Certified a copy of confiscated property.

MAJ. RAG.
MAJ.
66 MAJ.

MAJ. RAG. 4/6/46

MAJ. RAG. 7569
12 British Liaison Units for the
Italian Control Military School.

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Certified a copy of confiscated property.

Major RAO,
DIA & USA,
12 British Liaison Unit for the
Italian Central Military Schools.

Major RAO,
DIA & USA,
12 British Liaison Unit for the
Italian Central Military Schools.

Major RAO,
DIA & USA,
12 British Liaison Unit for the
Italian Central Military Schools.

Certified True Copy.

Major RAO,
DIA & USA,
12 British Liaison Unit for the
Italian Central Military Schools.

COPY

EXHIBIT "C".

(Signed) H.J. Bedford
Major
OFFICE TALKING BUREAU.

66 Seniors,
Servizio Speciale Investigativo,
Polizia Militare Britannica,
Roma.

15 Gennaio, 1945.

Dichiarazione di:- ARMANDO DORA,
Via Des Moscati 5/12
ROMA.

Che dichiara:-

Conosco il Mareciallo STUCKER da circa venti anni. Durante questo periodo ha portato scatole di sigari e bottiglie di liquori. Il Mareciallo dorme a casa mia due o tre volte la settimana. Il partito qualche volta residence da me che io tengo una parte ed una parte meglio e in cambio gli do del cibo fresco. Ogniqualvolta scatole al mercato nero se non sono sicure se quelle trovate dalla Polizia Inglese sono quelle da me consegnate con quelle portate dal Mareciallo.

Ho rilevato la soprascritta dichiarazione, essa e vera e corretta.

(Signed) ARMANDO DORA.

7568

Dichiarazione scritta, rilevata e firmata e controfirmata da GIORGIO R., Interpretato Ufficiale, in presenza del Sgt. STUCKER, 66 Seniors, Servizio Speciale Investigativo, Polizia Militare Britannica, il 15 Gennaio, 1945.

COPYING THE COPY

TRUE TRANSLATION.

RECEIVED
D. J. [unclear]

Major MAG
DAI & JAC
12 British Indian Unit for the
Italian Central Military School.

Officer Fielding Summary.

66 Section,
Special Investigation Branch,
The Corps of Military Police,
R.M.P.

15th January, 1946.

Statement of:- AMINO DAI,
No. 5/12, Via Dos Mercalli,
Milan.

who states:-

I know Sergeant Major Giuliano since about twenty months ago. During this period he has brought him of various and things. The Sergeant Major always at my house two or three times a week. Now and again he has brought me various things a part I keep and a part I eat and in exchange I give him fresh food. I bought some things on the Black Market but I am not sure if these found by the British Police are the ones bought by me or the ones brought by the Sergeant Major.

I have read over the above statement, it is correct and true.

Signed: AMINO DAI.

Statement taken down, read over, and signed by AMINO DAI, official Interpreter, in the presence of MR. ARTHUR, 66 Section, S.I.B., C.M.P., on the 15th January, 1946.

I certify the above is a true translation from the original to the best of my knowledge and ability.

Signed: AMINO DAI.
Interpreter.

the statement--

I have Sergeant Major Staschall since about twenty months ago. During this period he has brought three or four times a week. The Sergeant Major always at my house two or three times a week. Now and again he has brought me various things a part I keep and a part I eat and in exchange I give him fresh food. I bought some things on the black market but I am not sure if these found by the British Police are the ones bought by me or the ones brought by the Sergeant Major.

I have read over the above statement, it is correct and true.

Signed: ANTONIO MARIA

statement taken down, read over, and signed by ANTONIO MARIA, Official Interpreter, in the presence of W. W. W. W., 66 Madison, U.S., U.S.P., on the 15th January, 1945.

I certify the above is a true translation from the original to the best of my knowledge and ability.

Signed: ANTONIO MARIA
Interpreter

Certified True Copy
[Signature]

Major MAC,
DIA & JSC,
12 British Indian Unit for the
Italian Central Military School.

SUBJECT: Court of Inquiry.

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY STAFF
(Tel: ROMA 66319)

Ref: 40/43/746

15 Dec. 45.

1. A Court of Inquiry composed as under will assemble at 06.00 hrs.
17 Dec. 45 at M.Q., 12 B.I.U., CESSANO.

President: Major J.W. SWINERTON, R.S.O.

Members: Capt. T.H. SHERRIFF, R.A.C.O.
1519356 R/SBS. SPERS. 1.

2. The Court will investigate the circumstances in which Austin 2-ctr
4 x 2 W.D. No. H.520343, 12 B.I.U., was stolen by theft at ROMA on 14 Dec. 45.

3. The evidence will be taken on oath.

4. The court will record a finding with a view to eliciting :-

(a) That the vehicle alleged to have been lost by theft was actually
held on charge by the unit.

(b) Who was responsible for its safe custody.

(c) What steps were taken to safeguard public property and whether they
were adequate, having regard to all the circumstances.

(d) How the loss occurred.

(e) What individual or individuals were responsible, whether due to
gross negligence or not.

(f) The degree of financial responsibility and penalty recommended to be
inflicted on the person or persons found responsible.

(g) What other disciplinary action should be taken.

(h) What steps can be taken to avoid a recurrence of such losses.

5. Staff Captain will arrange for the following witnesses to be in
attendance :

Major H.M. DAVIS, DFR, Cmdr.

Major H.J. BARFORD, RAC. DAA & QAE.

Capt. H.J. HARRIS, R.A. Staff Capt.

1905139 Sgt. SHAPTON, R.T. (Capt. MOO)

7566

Memorandum: Capt. T.H. STORMON, R.A.O.C.
1519556 W/AGS. SPENS, L.

2. The Court will investigate the circumstances in which Austin 2-3tr
4-x 2 H.D. No. M.530340, 12 B.D.U., was stolen by theft at ROME on 14 Dec. 45.

3. The evidence will be taken on oath.

4. The court will record a finding with a view to eliciting :-

(a) That the vehicle alleged to have been lost by theft was actually
held on charge by the unit.

(b) Who was responsible for its safe custody.

(c) What steps were taken to safeguard public property and whether they
were adequate, having regard to all the circumstances.

(d) How the loss occurred.

(e) What individual or individuals were responsible, whether due to
gross negligence or not.

(f) The degree of financial responsibility and penalty recommended to be
inflicted on the person or persons found responsible.

(g) What other disciplinary action should be taken.

(h) What steps can be taken to avoid a recurrence of such losses.

5. Staff Captain will arrange for the following witnesses to be in
attendance :

Major M.H. DAVIS, DMR. Comd.
Major H.J. BARNARD, RAC. B.A. & C.D.
Capt. H.S. MOORE, R.A. Staff Capt.
1905129 Sgt. SUMPTON, S.T. (Capt. MOO)
1136345 Cmr. PALMER, J. (Det. of Vob).
Sgt. VIVIANI ALBERTA. (Civilian in Vob. Prov. ROME)
Major LAMONI, (Interpreter)

6. Attention of the President of the Court is drawn to R.P. 125A(b) and
R.A. paras. 754 - 773.

HJB/ab.

Distribution:-

Major M.H. Davis, DMR. Comd.
Major H.J. Barnard, R.A. Staff Capt.
Capt. H.S. Moore, R.A.
Major LAMONI.

Major DMR.
Comd. 12 British Liaison Unit for the
Italian Central Military Schools.

Major M.H. Davis, DMR.
Capt. H.S. Moore, R.A.
Sgt. VIVIANI ALBERTA.

14300, WT.12065/WHI, 32000, 1/40, 1-402/WHOG, LBL Y31-408

Army Form A2.

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

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

Attention is particularly drawn to the Rules for Courts of Inquiry contained in Rules of Procedure 124-125A, and especially to Rule 125A(10); also to paragraph 781, et seq., King's Regulations, 1949.

PROCEEDINGS of a COURT OF INQUIRY

assembled at HQ 12 British Liaison Unit C.M.F.

on the 17th day of December

by order of Maj. E.H. Davis, D.F.R.,
Comm. 12 British Liaison Unit

for the purpose of inquiring into the circumstances in which
Austin vehicle 2 str. V.D. No. 5108340 was stolen at Rome
on 14 Dec. 45

PRESIDENT.

Major J.W. Swinerton, R.Signals
12 Brit. Liaison Unit (A/S Gp. 23)

MEMBERS.

Capt. T.H. Skerthorne, R.A.O.C.
12 Brit. Liaison Unit (A/S Gp. 10(D))
B.Q.M.S. Spence, L. (RA)
12 Brit. Liaison Unit (A/S Gp. 27)

IN ATTENDANCE.

7565

The COURT having assembled pursuant to order, proceed to
take evidence.

1st witness 113645 Capt. FAYREMAN, J. (A/S Gp. 44) having been duly sworn,
states:-

"At about 1700 hrs. on 14 Dec 45 I was detailed by the R.A.O. 1/c transport
12 British Liaison Unit to take Capt. Moore and Major Bedford to Rome on
Vehicle No. 5108340. The Work Ticket authorizing the journey, which I
heretofore produce, was signed by Sgt. Sharphington, HQ 1/c Transport, and
handed to me. (Appendix 'A'). We reached Rome at about 17.30 hrs., and
after the officers had performed certain duties I left them at the
HOTELIA 1911, 0800 and took the train to the LIA station on the OMERO
ROMA-TO.

In front of the YMCA there is an area wired off into which I took my vehicle, and left it and went into the canteen. The time was about 1950 hrs.

I left the canteen at about 2045 hrs and saw that the truck was no longer in the parking place. There was a civilian standing by who appeared to me to be in charge of the Park. I asked him what had happened to my vehicle, and he told me that he saw an English soldier get into the truck and drive it away.

I returned to the DADA and notified the Loss to HQ CDR, from the details on the work ticket which was still in my possession.

Question
What steps did you take to immobilize the vehicle when you left it?

Answer - None.

Question
Why was it not immobilized?

Answer
Because I understood that vehicles are not to be immobilized in a guarded car park.

Question
What led you to believe that the car park was guarded?

Answer
I saw the civilian standing there as though his duty was to guard the vehicles.

Question
Did you enquire of the civilian whether he was there for the purpose of guarding vehicles?

Answer
No, but I had seen him in attendance before.

Question
Did he give you any form of iden or paper by which you could be identified when claiming the vehicle?

Answer
No.

Question
Have you read Unit Standing Orders stating that vehicles ^{are} to be immobilized when left alone?

Answer
I have read Unit Standing Orders but they contain no reference to immobilizing vehicles. (Appendix "B").

Question

Answer - No.

Question
Why was it not immobilized?

Answer

Because I understood that vehicles are not to be immobilized in a guarded car park.

Question

What led you to believe that the car park was guarded?

Answer

I saw the civilian standing there as though his duty was to guard the vehicles.

Question

Did you enquire of the civilian whether he was there for the purpose of guarding vehicles?

Answer

No, but I had seen him in attendance before.

Question

Did he give you any form of diagram or paper by which you could be identified when claiming the vehicle?

Answer

No.

Question

Have you read Unit Standing Orders stating that vehicles *not* to be immobilized when left alone?

Answer

I have read Unit Standing Orders but they contain no reference to immobilizing vehicles. (Appendix "B").

Question

Was any notice displayed describing the area as a Guarded Car Park or not?

Answer

Both a notice was displayed, but I did not see it until after the vehicle had been stolen.

Question

How many other vehicles were using the area as a Park at the time?

Answer

About nine.

Question

Is there any possibility that the vehicle was taken in mistake for another?

Answer

No, because I remained in the area until it was clear of all vehicles.

Question:

Have you ever seen a list published of all the official Guarded Car Parks in Rome?

Answer:

No.

Question:

Have you ever been issued by the Unit with any materials, O.G. padlock and chain, for rendering the vehicle inmobile in the event of it becoming necessary to leave it in other than a Guarded Car Park?

Answer:

No.

Question:

Have you ever been instructed to immobilize the vehicle if necessary by removing an essential working part, O.G. motor arm.

Answer:

No.

(Signed) Cnr. Fullmer. J.

2nd Witness. 190532 Sgt. Sharlington. P.I. (4/8 G.N. 27) having been duly sworn states:

" In compliance with an order from Capt. Moore of 12 British Liaison Unit given at 1000 hrs on 14 Dec 45 I advised Cnr. Fullmer to drive two officers to Room at 1700 hrs in vehicle No. 5286346, on charge to the above unit.

I instructed Fullmer to take a spare wheel from a William Utility. This wheel is kept for the purpose of providing a spare for a number of vehicles as required.

At about 2200 hrs the same day the vehicle and spare wheel were reported to me as having been stolen.

Question:

What evidence can you produce to show that the vehicle is held on charge by 12 British Liaison Unit?

Answer:

I have in my possession and custody produce, Voucher 14/12/45/160 of 6 Mar 45 transferring the vehicle to the Unit from 14 Vch. Park. (Appendix 'C').

1363

Question:

Are you in possession of Unit Standing Orders for the control of vehicles, and if so, have you ascertained that their content is known to all drivers under your control?

Answer:

Yes. They are hereby produced. (Appendix 'B')

Have you ever been instructed to immobilize the vehicle if necessary by removing an essential working part, e.g., rotor arm.

Answer: No.

(Signed) Cdr. Faulkner, J.

2nd Witness, 1905112 Sgt. Storrington, P.E. (A/S G.O. 27) having been duly sworn
Exhibit 1-

" In compliance with an order from Capt. House of 12 British Liaison Unit given at 1000 hrs on 14 Dec 45 I detailed Cdr. Faulkner to drive two officers to Ram at 1700 hrs in vehicle No. 588340, on charge to the above unit.

I instructed Faulkner to take a spare wheel from a Gillman Utility. This wheel is kept for the purpose of providing a spare for a number of vehicles as required.

At about 2200 hrs the same day the vehicle and spare wheel were reported to me as having been stolen.

Question: What evidence can you produce to show that the vehicle is held on charge by 12 British Liaison Unit?

Answer: I have in my possession and hereby produce, Voucher 14/12/45 of 8 Mar 45 transferring the vehicle to the Unit from 14 Feb. 45. (Appendix 'B').
1563

Question: Are you in possession of Unit Standing Orders for the control of vehicles, and if so, have you ascertained that their content is known to all drivers under your control?

Answer: Yes. They are hereby produced. (Appendix 'B')

Question: What orders have you given the drivers to carry out in the event of their vehicle being left unattended e.g. in case of accident?

Answer: None.

Question: Have you at any time obtained, or endeavored to obtain, some means of safe-guarding your vehicle in an emergency, e.g. as padlock and chain?

Answer: No.

Question: Do you understand that it is not necessary to immobilize vehicles in Guarded Car Park, and have you acquainted your drivers of this fact?

Answer: Yes.

- 4 -

Question:

Have you at any time seen a list of Guarded Car Parks in Rome, and if so have their locations been published for compliance by your drivers?

Answer:

I have seen notices displayed in Rome giving the location of the Guarded Car Parks, and have told the drivers about them.

Question:

Have you ever told the drivers that the area in front of the YMCA in the Corso Umberto is a Guarded Car Park?

Answer:

No.

(Signed) P.T. Sherryman. Sgt.

3rd Witness - 222322 Capt. R.S. Hurre, R.A. (A/S Gp. 23) having been duly sworn,
states:-

I proceeded to Rome at 1700 hrs on 14 Dec. 45, on duty, in transport detailed by the HQ I/c Transport of this Unit, Austin Utility No. 5200740, driven by Mr. Paulkner. The vehicle deposited me at the Bastarda Dell'Orso at about 1900 hrs. at the conclusion of my duty. I instructed Mr. Paulkner to return at 2030 hrs with the vehicle, and entered the premises in the company of Major Bamford.

We left at 2055 hrs. and waited outside until 2055 hrs. when Mr. Paulkner arrived on foot.

He stated that his vehicle had been stolen from the vehicle enclosure outside the YMCA at the Piazza Calceola on the Corso Umberto, where he had proceeded after leaving the Bastarda Dell'Orso. He stated that he discovered the loss at about 2030 hrs on leaving the YMCA, and had immediately telephoned the Central Police Station notifying the loss.

In company with Major Bamford and Mr. Paulkner I visited the YMCA vehicle enclosure and ascertained that the vehicle was in fact missing. Paulkner showed me the place where the vehicle had been parked.

I ascertained that at the time there were in the area four three ton lorries and seven 15 cwt trucks, all unattended.

There was a civilian in attendance who stated that 1562 was Vittorio Augustine, of Via Paolo Paruta 24, Rome, and that he was there to guard vehicles from 1300 hrs to 2200 hrs daily. He said that he had seen a driver arrive and leave his truck and that about 10 minutes prior to his return a soldier had entered the vehicle and driven it away.

I instructed Paulkner to remain in the parking area in case the vehicle should return, and in company with Major Bamford went to the Central Police Station on the Corso D'Italia where I reported the loss at 2200 hrs., in confirmation of Paulkner's telephone call.

3rd Witness - 222232 S/Capt. R.S. Moore, R.A. (A/S Gp. 23) having been duly sworn, stated:-

" I proceeded to Room at 1700 hrs on 14 Dec. 45, on duty, in transport detailed by the HQ i/c Transport of this Unit, Austin Utility No. 5385340, driven by Cdr. Paulkner. The vehicle deposited me at the Hosteria Bell'Orso at about 1940 hrs. at the conclusion of my duty. I instructed Cdr. Paulkner to return at 2030 hrs with the vehicle, and entered the premises in the company of Major Bedford.

We left at 2035 hrs. and waited outside until 2055 hrs. when Cdr. Paulkner arrived on foot.

He stated that his vehicle had been stolen from the vehicle enclosure outside the YMCA at the Financas Callesas on the Corso Umberto, where he had proceeded after leaving the Hosteria Bell'Orso. He stated that he discovered the loss at about 2030 hrs on leaving the YMCA, and had immediately telephoned the Central Police Station notifying the loss.

In company with Major Bedford and Cdr. Paulkner I visited the YMCA vehicle enclosure and ascertained that the vehicle was in fact missing. Paulkner showed me the place where the vehicle had been parked.

I observed that at this time there were in the area four three ton Lorries and seven 15 cwt trucks, all unattended.

There was a civilian in attendance who stated that ~~at 1940~~ ^{at 1945} was Vittorio Augustino, of Via Paolo Paruta 24, Rome, and that he was there to guard vehicles from 1300 hrs to 2200 hrs daily. He said that he had seen a driver arrive and leave his truck and that about 10 minutes prior to his return a soldier had entered the vehicle and driven it away.

I instructed Paulkner to remain in the parking area in case the vehicle should return, and in company with Major Bedford went to the Central Police Station on the Corso D'Italia where I reported the loss at 2200 hrs., in confirmation of Paulkner's telephone call.

We returned to the YMCA, where we found that the truck had not returned.

(Signed) R.S. Moore, Capt. R.A.
(222232)

4th Witness - 222232 S/Capt. R.S. Moore, R.A. (A/S Gp. 23) having been duly sworn, stated:-

" I travelled to Room in the vehicle detailed by Capt. Moore, in the course of duty. I was present when Cdr. Paulkner was dismissed at about 1930 hrs and again when he reported to Capt. Moore without his vehicle at about 2055 hrs.

I accompanied them to the parking area, where the theft was reported to have taken place, and listened while Capt. Moore interrogated the civilian employed there to safeguard vehicles.

- 5 -

Together with Capt. Moore I went to the C.M.P. headquarters and confirmed the information previously telephoned by Cmr. Paulner.

We then returned to the YMCA and ascertained from Paulner, who had remained, that the vehicle had not returned to the parking area."

(Signed) F.J. Buford.
Maj.

5th Witness - Vittorio AGOSTINO, Having been duly sworn, states:

" At about 2045 hrs. on 14 Dec. 45 I was on duty outside the Y.M.C.A. Piazza Colonna. I am employed to supervise the parking of vehicles, but not to accept any responsibility for their safe custody.

I observed that a small vehicle had been parked by its driver while I was attending to the parking of another vehicle. The small vehicle was now unattended.

About ten minutes later I was standing in the parking area of the YMCA when a man dressed in British uniform who had been standing in the passway came out of the club and got into the small vehicle. I helped him to steer it out of the parking place, and he then drove away.

About five minutes later another soldier came out and asked me what had happened to his truck. I told him that another soldier had driven it away.

The soldier went away and came back later with two officers, who asked me what had happened. I explained to them what I had seen, and gave them particulars of my name and address.

(Signed) Vittorio Agostino.

I certify that the above is a true and exact translation of the statement given in Italian by the above named Vittorio Agostino. 561

(Signed) Enrico Lorenzi.

Certified that the conditions of E.P. 125A(b) have been complied with.

(Signed) J.W. Seimertan, Maj.
President.

- 6 -

The Court, having examined all statements produced before it, and having been satisfied on all questions asked of the witnesses, is of the opinion that :-

- (a) the vehicle was stolen by person or persons unknown,
- (b) at the time of theft the vehicle was held on charge by 12 British Liaison Unit, and that its value at that time is assessed as an A.P. 6,998 attached,
- (c) at the time of theft, 1136345 Cmr. Faulkner, J. was responsible for its safe custody, and was guilty of an error of judgment for which he must be held to blame. There was, however, no evidence of any gross negligence on his part.
- (d) insufficient information was available to Cmr. Faulkner, in the form of up-to-date Standing Orders for H.F. giving a list of Official Guarded Car Parks in Rome, to deter him from using what he believed to be an Official Guarded Car Park.

Signed :-

J.W. Swinerton,	
Maj. R.Signals.	PRESIDENT.
F.N. Shortness,	
Capt.R.A.O.C.	MEMBER.
L. Speers, B.Q.M.S.	MEMBER.

Opinion of Unit Commander:

Although the Y.M.C.A. car park is not an official guarded car park, it has, however, the appearance of being such. This does not, however, exonerate Cmr. Faulkner from blame; but I do not consider he was grossly negligent. In view of the circumstances I recommend that Cmr. Faulkner contribute a small sum of money towards the cost of the vehicle, the balance to be borne by the public. = 7560

(Signed) H. H. Davis. Major.
Cmd. 12 British Liaison Unit.

OPINION OF DIRECTOR MIA

I concur with the finding.

(Sgd) L. BROWNING
Major General,
M.M.I.A.

ROME
5 Jan. 46.

7559

DATE	FOR WHOM JOURNEY IS PERFORMED	DETAILS OF LOAD	ROUTE		SIGNATURE OF PERSON AT DEPT. OF JOURNEY	LABORAL TYPE	FUEL GALLON			TIME	SPEEDOMETER					
			From (A)	To (B)			Mileage Driven At (C)	(D)	(E)		(F)	(G)	(H)			
			Revised forward from Receipts		K											
					O											
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					V											
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					X											
					I											
8007 as totals carried to Work Ticket No. _____																
REMARKS	SPECIAL INSTRUCTIONS TO DRIVER	DATE	DRIVER'S REPORT OF BREAKDOWNS, ACCIDENTS AND DELAYS						SIGNATURE OF DRIVER					FOR STEERING ROOM USE		

APPENDIX 'B'

COPY

'P' B.L.B., R.F.C., I.C.F.
'Q' Training Unit, R.F.C., I.C.F.
'H' B.T.U., R.F.C., I.C.F.

M. F. STANDING ORDERS.

1. The Motor Transport Park is situated to the rear of the main office building, and will be used for parking all vehicles. Staff cars will use the limited space available in front of the main office building, during daytime only.
2. Lieut. L.M. Roberts, The Wiltshire Regiment, is Officer i/o Transport, and is responsible for the organization, maintenance of the transport and for the detailing and discipline of the Italian Staff. B.S.M. McKeachie is R.C.O. i/o Transport.
3. All requisitions for transport will be placed with Officer i/o Transport or, in his absence, R.S.M. McKeachie.
4. Normal demands for transport will be submitted to the transport Officer the day previous to requirements.
5. Documents:
Each vehicle and driver will be in possession of :-

A.B. 412	
A.B. 406	
A.P.G. 3518	(Works Ticket)
A.F.A. 3676	(Accident Report Form - British)
A.F.A. 3684	" " " (Italian)

 Standing Instructions for Drivers.
6. Work Tickets.
Every driver WILL be in possession of a Work Ticket signed by an Officer, before he commences each journey.
7. No vehicle will proceed on a journey unless it is authorized.
8. Except in the transport parks in the camp precincts, vehicles ⁷⁵⁵⁷ MUST, repeat MUST, be left unattended, except in an authorized, guarded car park.
9. Fire Precautions.
A "No Smoking" sign will be displayed prominently at the P.O.L. Store and will be strictly enforced. Adequate fire-fighting equipment will be installed and maintained.

3. All requisitions for transport will be placed with Officer i/c Transport or, in his absence, S.S.A. McKeachie.

4. Normal demands for transport will be submitted to the Transport Officer the day previous to requirements.

5. Documentation:

Each vehicle and driver will be in possession of :-

A.B. 412	
A.B. 406	
A.F.S. 3513	(Works Ticket)
A.F.A. 3676	(Accident Report Form - British)
A.F.A. 3684	" " - Italian)

Standing Instructions for Drivers.

6. Work Tickets.

Every driver WILL be in possession of a Work Ticket signed by an Officer, before he commences each journey.

7. No vehicle will proceed on a journey unless it is authorised.

8. Except in the transport parks in the camp precincts, vehicles ⁷⁵⁷⁷ ~~vehicles~~ ^{will} ~~will~~ NOT, repeat NOT, be left unattended, except in an authorised, guarded car park.

9. Fire Precautions.

A "No Smoking" sign will be displayed prominently at the P.O.L. Store and will be strictly enforced.
Adequate fire-fighting equipment will be installed and maintained.

(Sgd) L.H. Mackay

Ident-Col. R.A.
A.A. & Q.M.G.

14 March 1945.

RSV/ah.

CERTIFIED TRUE COPY

L. A. Mackay
R. A. C.

APPENDIX

In Lieu of AF 6-9020

COPY.

VIOLATION FOR STORIES.Incident Demand
or I.C.No.
66/WD/7/160From: 14 Y.P.
38 Y.Ouy. R.A.C.O.Type of Transmittion:
ISSUEDate:
8/3/65

VENDOR TO:

ADDRESS FOR RECEIPT:

B.L.N. attached
INDEXED

Collected.

AUTHORITY: SUB. 1667

SECTION: IN.7.

RECOMMENDATION.

A-2220 Utility 4 x 2 G.S.

W.D. Nos: 5205340
5394632KODAK 15 emb. 4 x 2 G.S.
4756508RECOMMENDATION.
Rec'd. 2

To follow.

2 2

1 1

G/S tools equipment as per list.

1227

ORIGINAL FILE COPY.

F. J. Johnston
Capt
RAC

SUBJECT: Court of Inquiry.

18

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS
(Tel: ROME 66319)

Ref: AQ/43/809

31 Dec. 45.

To: H.Q.
Land Forces Sub Comm. AG (ISMA).

Reference your A.376 dated 28 Dec. 45.

1. Proceedings of the Court of Inquiry on the loss of vehicle No. 528834D are returned herewith.
2. Adjustments in accordance with paragraph 5 of your above quoted letter have been made and the Commanding Officer's opinion appended.

5.12.45
Major D.W.R.
Cmd. 12 British Liaison Unit for the
Italian Central Military Schools

ASJ/eh.

Internal.

File.

7555

Subject: Court of Inquiry.

Land Forces Sub-Comm A.C.,
(M.M.I.A.) R O M E

A 376

28 Dec. '45.

To : SC,
No 12 P.M.A.

1. With reference to the Proceedings of the Court of Inquiry on the loss of vehicle No 5288340.
2. The Proceedings are returned herewith.
3. It is pointed out that in accordance with the evidence the driver in question took no steps to immobilise his vehicle. The car park outside the Y.M.C.A. is neither guarded or official, nor is it marked as such.
4. It is further suggested that no one would be justified in assuming that one Italian civilian with no form of tally or checking "in and out" system constituted any sort of guard. The fact that other drivers disobey orders by leaving their vehicles unattended outside the Y.M.C.A. does not exonerate the driver in this case.
5. Before submitting these proceedings to the G.O.C. for his opinion, the Court should reassemble and reconsider their opinion, the Commanding Officer adding any remarks he may wish to make.

1028A

Handwritten signature

A.A.C.,
M.M.I.A.

AMS/ccc

16

SUBJECT: Court of Inquiry.

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS
(Tel: Rome 65319)

Ref: AG/43/T12

20 Dec. 45.

To: H.Q.
Land Forces Sub Comm. AG (MCLA).

1. Herewith Proceedings of Court of Inquiry assembled at this Headquarters on 17 Dec. 45 for the purpose of investigating the circumstances in which Austin 2-Gr. 4 x 2 V.D. No. M.5888340 on charge to 12 British Liaison Unit, was alleged to have been stolen by theft on 14 Dec. 45.

2. Forwarded for your consideration and approval.

RWB/ah.

[Signature]
Major D.W.R.
Comd. 12 British Liaison Unit for the
Italian Central Military Schools

Internal.
File.

RE: LIAISON: Convening Order.
Original and 3 copies of Proceedings.
A.P. C. 978 duly priced by GMB and statement by R.E.M.E.

7553

SUBJECT: Court Inquiry.

FILE

12 BRITISH LIAISON UNIT

For the

ITALIAN CENTRAL MILITARY SCHOOL

(Tel: BOAZ 66349)

Ref: 15/43/716

15 Dec. 45.

1. A Court of Inquiry composed as under will assemble at 09.00 hrs. 17 Dec. 45 at H.Q., 12 B.L.U., CASANO.

President: Major J.W. SWINERTON, R.Sig.

Members: Capt. T.H. SHERRIN, R.A.O.C.
151356 W/SQUAD, 22ND S.B.

2. The Court will investigate the circumstances in which Austin 2-10, 4 x 2 M.D. No. 1500000, 12 B.L.U., was stolen by theft at BOAZ on 14 Dec. 45.

3. The evidence will be taken on oath.

4. The court will record a finding with a view to eliciting:-

(a) That the vehicle alleged to have been lost by theft was actually held on charge by the unit.

(b) Who was responsible for its safe custody.

(c) What steps were taken to safeguard public property and whether they were adequate, having regard to all the circumstances.

(d) For the loss incurred.

(e) That individual or individuals were responsible, whether due to gross negligence or not.

(f) The degree of financial responsibility and penalty recommended to be inflicted on the person or persons found responsible.

(g) What other disciplinary action should be taken.

(h) What steps can be taken to avoid a recurrence of such losses.

5. Staff Captain will arrange for the following witnesses to attend:
7552

Major H.M. DAVIS, P.M., 9000.

Major H.J. HARRIS, R.A.O.C. 151356 W/S.

Capt. H.S. HARRIS, R.A.O.C. Staff Capt.

151356 W/S, 22ND S.B. (Capt. 151356)

Witness: Capt. T.H. STANTON, R.A.C.O.
154356 W/NOB. SEERS, I.

2. The Court will investigate the circumstances in which Austin lost
4 x 2 W.L. No. 420340, 12 R.I.N., was stolen by theft or ROB on 12 Dec. 45.

3. The evidence will be taken on oath.

4. The court will receive a finding with a view to obtaining:-

(a) That the vehicle alleged to have been lost by theft was actually
held on charge by the unit.

(b) The man responsible for its loss custody.

(c) What steps were taken to safeguard public property and whether the
same were adequate, having regard to all the circumstances.

(d) How the loss occurred.

(e) That individual or individuals were responsible, whether due to
gross negligence or not.

(f) The degree of criminal responsibility and penalty recommended to be
inflicted on the person or persons found responsible.

(g) That other disciplinary action should be taken.

(h) What steps can be taken to avoid a recurrence of such losses.

5. Staff Captain will arrange for the following witnesses 7552
attendance:

Major M.H. DAVIE, DCM. Ocm.
Major H.J. BARNES, MAC. DCM & QCM.
Capt. H.S. HODGE, R.A. Staff Capt.
190512) Sgt. HARRINGTON, R.T. (Regt. HQ)
1136345 Cmr. PARKER, J. (Dvr. of Veh.)
Sgt. VINCENZI, AUGUSTINE. (Civilian in Veh. Park. Room)
Major LAZZARI, (Interpreter)

6. Attention of the President of the Court is drawn to R.P. 125A(b) and
R.R. paras. 744 - 773.

WTS/ut.

Distribution:-

Major M.H. DAVIE, DCM. Ocm.
Major H.J. BARNES, MAC. DCM & QCM.
Capt. H.S. HODGE, R.A. Staff Capt.
190512) Sgt. HARRINGTON, R.T. (Regt. HQ)
1136345 Cmr. PARKER, J. (Dvr. of Veh.)
Sgt. VINCENZI, AUGUSTINE. (Civilian in Veh. Park. Room)
Major LAZZARI, (Interpreter)

Major DAVIE
Ocm. 12 High Division Unit for the
Italian Central Military Forces.

M. J. J. J.

(15)

SUBJECT: Loss of Vehicle.

12 BRITISH LIAISON UNIT
for the
ITALIAN CENTRAL MILITARY SCHOOLS
(Tel: ROMA 66319)

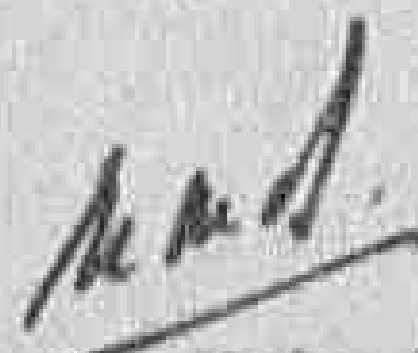
Ref: AQ/43/761

19 Dec. 45.

To: D.A.P.M.
H.Q.
Rome Area Allied Command.

1. It is notified that Austin 2-str. 4 x 2, registered No. M.528540, on charge to this Unit, was stolen by a person or persons unknown from outside the Y.M.C.A., PIAZZA COLONNA on the night of 1/1 Dec. 45. The theft was reported to the Central Police Station, Rome, the same night at 20.20 hrs.

2. A Court of Inquiry has been convened and proceedings will be forwarded to R.C., R.M.I.A. when completed.



Major D.W.R.
Cmd. 12 British Liaison Unit for the
Italian Central Military Schools

RE:/ch.

Internal.

File.

7551

12

SUBJECT: POCH

TO :- C.C.F.B.L.T.U.

COL. F. McKAY, C.D.B.

Ref conversation Col McKay/Capt Beckett of even date.

1. Please arrange for the a/n officer to act as President of PGM to assemble on 29 and 30 Oct 45.
2. Full convening notice will be issued shortly and all necessary papers and documents forwarded.

A.L. LOUDEN
Major
for Lt-Col
AA & CMO

ALL/af

AA & QMG
DAA & QMG
SG -A" & "Q"
DADST
DADOS
DAORE
Teg. Incentivo
Fichas
Inf
VA
RE
ECS
PRO
10-10-1945 no. 40

7550

4474

BLU-RTC-15A



5 Oct 45

DISTRIBUTION:- List "B" (British).

1. Difficulty is being experienced in expediting trials by Field General Court Martial on account of essential witnesses being absent from units on LIAP or other reasons. This also applies to Court of Inquiry where disciplinary action is subsequently recommended.
2. In future, therefore, no witnesses who have given evidence at either the taking of a Summary of Evidence or Court of Inquiry will be permitted to leave their units without prior reference in writing to this Headquarters.
3. Witnesses in Transit or on leave will similarly be retained pending authority from this Headquarters

Copy to File - 5A1

AA & QMC	
DAA & QMC	
SC "A" & Q	<i>mb</i>
DAIST	
DADDS	
DADME	
Top Invariant	
Calculus	
Inf	
NA	
BN	
ECS	
PKG	
T 1943 154	File 43

A. L. LOUDEN,
Major,
for Lt-Col,
AA & SAC.

7549

4207.

OCT 1945 194 FILE 43

(10)

HQ ROME AREA ALLIED COMMAND
APO No. 794, US Army

Ref: 4A1

1 Oct 45

Subject: Field General Courts Martial - Policy

List "P" (Pr)

1. In future all applications for trial by Field General Court Martial will consist of:

- (a) Summary of Evidence and four copies
- (b) Proposed charge sheet
- (c) Proforma of Service in accordance with GRC 303/44
- (d) Certified true copy of AF B122

2. In view of the shortage of staff at the office of the D.J.A.G., it is particularly emphasized that Os C are responsible for preparing charge sheets disclosing offences under sections of the Army Act.

3. Summary of Evidence should disclose all the facts supporting the charge, since if no amendments are required to the summary, trial can be proceeded with as soon as possible, and witnesses due for leave or release will not be required to stay in this theatre longer than necessary.

4. It is only proposed in future to forward the more serious and difficult cases to D.J.A.G. for pre-trial advice.

5. Nothing in this letter precludes Os C requesting advice from this HQ in the taking of a Summary of Evidence in obscure or difficult cases.

CJB/rw

AA & QMG	
DJA & QMG	
SCM & Q	<i>mt</i>
DADST	
DADOS	
DADME	
For Signature	
Date	
By	
2 OCT 1945	

Handwritten signature

A.L. LOUSE
Major
DAAG

Rome Area Allied Command

7548

4106

HQ ROVS AREA ALLIED COMMAND
APO 704 US ARMY

Ref: 641

30 Dec 44

Subject: Courts of Inquiry & Writes-Off

Distribution 'B'

1. All Courts of Inquiry and Applications for Write-Off submitted to this HQ will in future be accompanied by a covering letter (in duplicate) giving information as follows :-

- (a) The nature of the loss, or over-issue, and how it occurred.
- (b) The amount of the loss, distinguishing between W.D. and non-W.D. property.
- (c) On whose charge the cash, stores, supplies, vehicles, etc., alleged to have been lost or destroyed were held.
- (d) Who was primarily responsible.
- (e) Was the loss in any way facilitated by the action or neglect of any officer or O.N., and, if so, is it proposed to make him bear a part of the loss?
- (f) What disciplinary action has been taken? Where none is proposed, reasons should be stated.
- (g) In cases of over-issues, what measures have been taken to secure recovery from recipients?
- (h) What arrangements were in operation at the time of the loss for safeguarding the property?
- (i) Does the case reveal any defect in the existing system of control of accounting and if so, what remedy is proposed not only in the case of the establishment concerned, but similar establishments elsewhere.
- (j) All relevant dates should be given.
- (k) In cases of theft, that the loss was reported to the nearest M.P.

2. It is not intended that such information shall take the form of a schedule which, in the majority of cases, fails to give a connected story of the circumstances.

In future, submissions will take the form of a précis of the case, incorporating the information laid down in the above part, but set out as to give a narrative description of the circumstances which is intelligible without

8
HQ ROYAL AREA ALLIED COMMAND
APO No. 754, US Army

Ref: 5A1

26 Jul 45

Subject: Courts of Inquiry & Waiver off -
Procedure

To: List "B" (Rr)

Reference is made to this HQ letter 5A1 dated 30 Dec 44.

The attention of addressees is again drawn to the necessity of submitting courts of inquiry and applications for waiver off together with an accompanying report (in duplicate) giving full particulars of the case in a manner which facilitates its correct presentation to higher authority. As mentioned in para 2 of the above quoted letter, it is pointed out that the information given should not take the form of a cut and dried schedule, but a narrative/precise setting out the main facts in an easily understood form.

The following hypothetical presentation of a court of inquiry is given as an example of the way in which it is suggested such cases should be submitted in future.

- The attached proceedings of a court of inquiry refer to the theft of clothing and equipment valued at £305/17/9 from a store tent at No. 2 HQ BOME on the night 3/4 Jul 45. The court was not convened until 26 Jul as the principal witness was in hospital.
- The store tent is situated in a large enclosure surrounded by a double-apron wire fence some 8' high. Several smaller tents accommodating personnel are nearby. A barbed-wire gate is the only entrance into the enclosure, which is locked at night.
- At 0800 hrs on 4 Jul 45 the storeman who sleeps at the far end of the store noticed that several boxes were disarranged at the far end of the tent. On further examination it was revealed that the tent ropes had been cut and that four boxes containing binoculars and compasses, and three satchels containing part-worn shirts ED were missing. The Commanding Officer had inspected the store the previous week, when the missing items were last seen. Thefts of clothing from six private soldiers were also reported on this day and Aps H 1157 in respect of the same are also attached at Appx 'B'.
- An armed guard of 1 MCO and six men patrol the area by night and by day there is a policeman at the gate. Guard Orders are attached at Appx 'C'. None of the guard reported anything unusual, but on inspection of the perimeter wire in daylight a gap some 5' wide was found to have been cut.
- CMP were informed the same day and copy of AIB report is attached

higher authority. As mentioned in para 2 of the above quoted letter, it is pointed out that the information given should not take the form of a cut and dried schedule, but a narrative/precis setting out the main facts in an easily understood form.

The following hypothetical presentation of a court of inquiry is given as an example of the way in which it is suggested such cases should be submitted in future.

The attached proceedings of a court of inquiry refer to the theft of clothing and equipment valued at £300/11/9 from a store tent at No.2 BOP FORCE on the night 3/4 Jul 45. The court was not convened until 25 Jul as the principal witness was in hospital.

1. The store tent is situated in a large enclosure surrounded by a double-apron wire fence some 8' high. Several smaller tents accommodating personnel are nearby. A barbed-wire gate is the only entrance into the enclosure, which is locked at night.

2. At 0800 hrs on 4 Jul 45 the storeman who sleeps at the far end of the store noticed that several boxes were disarranged at the far end of the tent. On further examination it was revealed that the tent ropes had been cut and that four boxes containing binoculars and compasses, and three sacks containing port-worn shirts ED were missing. The Commanding Officer had inspected the store the previous week, when the missing items were last seen. Thefts of clothing from six private soldiers were also reported on this day and Aps R 1157 in respect of them attached at Appx 'B'.

3. An armed guard of 1 WCO and six men patrols the area by night and by day there is a policeman at the gate. Guard Orders are attached at Appx 'C'. None of the guard reported anything unusual, but on inspection of the perimeter wire in daylight a gap some 8' wide was found to have been cut.

4. CMF were informed the same day and copy of AIB report is attached at Appx 'D'.

5. It is considered that unit security precautions are satisfactory and orders for the safeguarding of stores are set at Appx 'E'. The boundary wire has since been strengthened with dunnart coils on the inner apron, and the guard has been increased by two men. No blame for the loss can be attached to any British personnel. Please see attached report for delay in submission of proceedings.

6. Authority is requested for the sum of £300/17/9 to be written off as a charge against the public."

ALL ONE	20/7/45	FILE	20
CO-OP A-0			
DATE			
TIME			
DATE			
TIME			
DATE			
TIME			
DATE			
TIME			

RAMJ/rx

T.K.H. JONES
Staff Captain
for Lt Col
AA & QMG

BLV-ORTE - L.F. 300/000000

HQ ROME AREA ALLIED COMMAND
APO No 794 US ARMY.

Ref: 12A1.

5 Jun 45.

SUBJECT:- Closing of Judge Advocate-General's Branch.

Distribution: List "B" (British).

1. The Office of the Judge Advocate-General's Branch in ROME closed with effect from 4 Jun 45.
2. All matters previously referred to Officer IC JAG's Branch, ROME, will now be forwarded to G.1 (Br), ROME Area Allied Command.

ALL/102.

[Signature]
L. L. LOUDER,
Maj,
for Lt Col,
AA & QMG.

AA & QMG	
DAA & QMG	
DC - A & C	
DADPT	
DETOS	
DADME	
The Incumbent	
School	
Lt	
LA	
RE	
EC	
PHO	
17 Jun 45	43

(1454)

7545

HQ ROME AREA ALLIED COMMAND
APO No. 794, US Army

Ref: 41A

2 Jun 45

Subject: - Damage to Matchless M/C C.5804848'P' BLU INTO ICP

Ref your AQ/43/580 dated 23 May 45.

Under Section III Army Order 86/42 no write-off is necessary for damage to vehicles in traffic accidents when no blame is attached to the individual concerned.

All documents are accordingly returned herewith.

TENS/rw



Thurley
T.R.N. JONES
Staff Captain
for Lt Col
AA & CMO

7544

0800

785020

*Note - The forms being applicable to any Board of Inquiry, this blank to be filled in accordingly.

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

Attention is particularly drawn to the Rules for Courts of Inquiry contained in Rules of Procedure 134-135a and 134-135b, and also to paragraph 764, et seq. King's Regulations 1961.

PROCEEDINGS OF A

Court of Inquiry

CE 54N0

assembled at

Twenty Second day of May, 1945

on the

Lieut Col L.H. MacLay, RA, OBE

by order of

Commanding F.B.C.D., R.T.C., I.C.F.

for the purpose of enquiring into the circumstances

whereby hatchling high cycle WD No C 570414, was involved in an accident on 13 April 1945 and thereby suffered damage to the extent of £23 sterling.

PRESIDENT

Capt E.F. Hoare, RA, (222232)

MEMBERS

Lieut Lm Robert Wills (28907)

144126 Lt Col Cockrane, A 7543

IN ATTENDANCE

Affected in particular
given to the Rules for Courts
of Inquiry (continued) in Rules
of Procedure 124-125a, and
especially to Rule 125a(b).
Also see paragraph 744, et seq.
Krieg's Regulations, 1940.

Commanding F.B.C.U., R.T.C., I.C.F.

for the purpose of bringing into the circumstances
whereby hatching hydro cycle
WD No C 5704148, was involved in an
accident on 13 April 1945 and thereby
suffered damage to the extent of £23.
shilling.

PRESIDENT

Capt E.T. Hoare, RA. (222232)

MEMBERS

Lieut L.A. Roberts, Wilt (2907)

148746 Royal Cockrane, A
7543

IN ATTENDANCE

The Court

having assembled pursuant to order, proceed to

take evidence

First Witnesses

Caporale MARCO HESANI Carmine

of 152 Italian Increment attached to F.B.C.U.,

R.T.C., I.C.F., state, I was a despatch

runner attached to F.B.C.U., R.T.C., I.C.F., and

on 13 April 1945 at about 1930hrs

I was riding on a hatchless motor cycle W.D. No. 5804848 along the Valley Klingenberg Angeles in the direction of Longo. The road is about 40 feet wide and I was riding at approximately 10 mph. on my right hand side of the road about 6 feet from the curb. I noticed an American truck approaching from the opposite direction and travelling about 30 mph. and suddenly without warning or with out signals from the driver it swerving across the road in front of me to take a side road on my right. It was so sudden that I could not avoid a collision and my motor cycle struck the right hand front wheel of the American truck. I was thrown off my machine. I was thrown clear of the motorcycle which came to rest in front of the vehicle. The front fork and mud guard were badly damaged. An American MP, came on the scene & took my name and the name of the driver and number of the American truck.

Question 1. How far in front of your motor cycle was it that the American truck started to turn?

Answer 1. About 15 to 20 feet.

warning or with out signals from the driver, it swinging across the road in front of me to enter a side road or my lights. It was so sudden that I could not avoid a collision and my motorcycle struck the right hand front wheel of the American truck. I was thrown from my machine. I was thrown clear of the motorcycle which came to rest in front of the vehicle. The front fork and mud guard were badly damaged. An American MP, and on the scene, took my name and the name of the driver and number of the American truck.

Question 1. How far in front of your motorcycle was it ^{at the time} the American truck started to turn?

Answer 1. About 15 to 20 feet.

Question 2. How far was the American truck from its own side of the road before it started to turn?

Question 2. I cannot say. But it seemed close.

Little Morehouse Township

A Statement made by Mr Julian E
Blank, 13033225 of 596 Republicent
Company, driver of the American truck
concerned, was produced before the
Court and is attached as Appendix 'A'.

A letter from DC 638 L.F.C. Workshop,
REME, and A.F.G. 998, showing total cost
of repair to be £13, was also produced
before the Court and is attached as
Appendix B.

The Court having considered the
evidence, finds

- ① That the cost of damage to
hatchless motor Cycle W.D. No. C5304848
is £23 sterling.
- ② That owing to the divergence of evidence
given and lack of further witnesses it
is not possible to establish which
party is to blame.

Certified that Rules of Procedure 124 - 125A
have been carried out

7541

Shore Cape RA. President

of repair to be £23, was also produced before the Court and is attached as Appendix B.

The Court having considered the evidence, finds

- ① That the cost of damage to matchless motor cycle W.D. No. C570488 is £23 sterling.
- ② That owing to the divergence of evidence given and lack of further witnesses it is not possible to establish which party is to blame.

Certified that Rules of Procedure 124 - 125A
have been carried out 7541

1483846
Hague Cape RA.
F.B.V., I.R.C., I.C.F.
In book here with
F.B.V., I.R.C., I.C.F.
Hague Bldg.
F.B.V., I.R.C., I.C.F.
President
members.

HQ ROME AREA ALLIED COMMAND
APO No. 794, US Army

OPINION:

I concur with the Commanding Officer's opinion and recommend
that the cost of the damage be borne as a charge against Public
Funds.

26 May 45

Alban Low
ALBAN LOW
Brigadier
Commander British Troops Rome

7540

COMMANDING OFFICER'S OPINION.

The following facts appear to be established:

The Italian Caporale Marchesani was travelling on his correct side of the road at a speed which cannot be ascertained.

The American Truck driver, Pfc. Clark, was travelling on his correct side of the road at a speed which cannot be confirmed. Pfc. Clark made a signal and drove across the line of traffic from the opposite direction.

The giving of a signal does not absolve the driver of a vehicle from ensuring that there is no oncoming traffic before he cuts across.

In view of the difficulty of establishing the relative speeds, I consider this aspect must be ignored.

I recommend that the cost of the damage be borne by the public and on the available evidence I consider no blame is attached to Caporale Marchesani.

A. H. H. H.

Lieut-Col. R.A.
Comd. 'F' B.L.U., I.R.T.C., I.C.F.

23 May 1945.

7539

CONFIDENTIAL

A Z Z I D A Y I T

Headquarters, 8th Battalion
1st Replacement Depot, APO 761.

Having been read AW 24 and his rights thereunder explained to and understood by him, Pfc Julian E. Clark, 13033225, 596th Repl. Company deposed as follows:

My name is Pfc Julian E. Clark, 13033225, 596th Replacement Company

Formerly I was a truck driver (MOS 345) for the 2238th QM Truck Co. Avn., located at Foggia, Italy. In that capacity on the date of 13 April 1945, I was assigned the duty of driving a group of soldiers to the Army Air Force Rest Camp in Rome. At about 0715 hours we departed by U.S. Government truck (2 1/2 ton, GMC, 6x6, No. 4105532) from the Headquarters of the 37th Service Group, located 5 miles out of Foggia, on the Bari Road. Highway No. 7 was followed and we arrived at the gate of the rest camp at approximately 1800 hours. I was told by the sentry at the gate that I couldn't enter inside until I had registered. The men then detrucked and registered. I and my relief driver, Corporal Dolph Curtis, also of the 2238th QM Truck Co. Avn., and still with the organization as far as I know, then drove away from the gate to the main road so that I could park the truck and register. I had proceeded about 85 yards and had just shifted into 3rd speed (five speeds forward), travelling at about 12 miles per hour on the right hand side of the road. I gave a left hand signal and had nearly completed the turn to the left when my relief driver yelled and at the same time there was the sound of impact on the right hand side of the truck just to the rear of the gas tank. I immediately applied the brakes and stopped within three feet, the length of the skid marks. I alighted from the truck, together with the relief driver and noticed an Italian soldier on his knees trying to withdraw a motorcycle from under the truck. I am not sure of the Italian's name. It is something like Carmine Marchisani. At any rate he wrote his name on my accident report which I later turned over to my company commander, Captain THOMAS SLAMAL. I also gave my name, rank, army serial number, truck number and organization to the Italian. He placed the motorcycle on the side of the road to await its removal by some British ordnance outfit. As I observed him he appeared unhurt. He was crying apparently because of the slight damage rendered to his motorcycle which, as far as I could see, consisted of a slightly bent front fender. My relief driver, who noticed the Italian a moment before the crash, estimated that the motorcycle was travelling between 30 & 40 miles per hour in what I believe is a 15 mile per hour zone. Soldiers at the scene of the accident, whose names I do not know, but who were staying at the Rest Camp, stated that the Italian soldier was exceeding the speed limit for that zone. I know that I was driving slowly and had clearly given the hand signal for a left hand turn so that if the Italian had travelled at a slower rate and had observed the road in front of him, he easily could have cleared the truck thus avoiding an accident. After the incident I parked my truck which to the best of my knowledge was undamaged. I then registered in after which I drove the truck inside the Rest Camp Gate for a three day stay.

7538

Sworn to and subscribed before me this
16th day of May 1945.

Joseph E. Buckley
JOSEPH E. BUCKLEY
Major, Infantry
Summary Court.

Further deponent sayeth not:

Julian E. Clark
Pfc Julian E. Clark 13033225
596th Repl. Co., 8th Repl Bn.

CONFIDENTIAL

Subject:- Damage to Vehicle - Matchless M/C 58046

Camp Commandant,
'F' & L.U. IRTC, ICP.

Appendix 'B'
638 L of C. Wkep.
REME, CMP.
Ref:- 638/46
18 April '46

Ref your MT/42/356 dated 18 April '46

Cost of repair of above mentioned motor cycle would be labour charges only, approximately £5.

In addition the following spares would be required, cost of which should be obtained from ORDNANCE.

Front Forks,
Front Wheel.

7537

Field.


.....Capt.
O.O. 638 L of C. Wkep. R.E.M.E.

638

AA & QMG	
DAA & QMG	
SC "A" & "B"	
DADST	
DADOS	
DADME	
Tri. Incentive	
Schools	
1st	
2nd	
3rd	
4th	
5th	
6th	
7th	
8th	
9th	
10th	
11th	
12th	
PRO	
20/4	1045
File	17

635

PROCEEDINGS of a Court of Inquiry .

assembled at CESSANO on the twenty-second day of May 1945

by order of Lieut-Col. L.H. Mackay, R.A., O.B.E., Commanding 'P' B.L.U., R.T.C., I.C.F.

for the purpose of enquiring into the circumstances whereby Matchless Motor Cycle W.D. No. C.5804848 on charge of 'P' B.L.U., I.R.T.C., I.C.P. was involved in an accident on 13 April 1945 and thereby suffered damage to the extent of £23 sterling.

PRESIDENT:

Capt. E.S. Hoare, R.A. (222232)

MEMBERS:

Lieut. L.M. Roberts, Wilts. (203907)
1483846 R.Q.M.S. Cochrane, A.

The Court having assembled pursuant to order, proceed to take evidence.

First Witness:

Caporale MARCHESANI Carmine of 152 Italian Movement attached to 'P' B.L.U., R.T.C., I.C.F. states:

"I was a despatch rider attached to 'P' B.L.U., R.T.C., I.C.F. and on 13 April 1945 at about 18.30 hrs I was riding on Matchless Motor Cycle W.D. No. 5804848 along the Viale Langotevere Angellio in the direction of Rome. The road is about 40 feet wide and I was riding at approximately 10 m.p.h. on my right hand side of the road about 6 feet from the kerb. I noticed an American truck approaching from the opposite direction and travelling about 30 m.p.h. and suddenly without warning or without signals from the driver it swung across the road in front of me to enter a side road on my right. It was so sudden that I could not avoid a collision and my motor cycle struck the right hand front wheel of the American truck and I was thrown off my machine. I was thrown clear of the motor cycle which came to rest in front of the vehicle. The front forks and mudguard were badly damaged. An American M.P. came on the scene and took my name and the name of the driver and master of the American truck.

Question 1. How far in front of your motor cycle was it that the American truck started to turn?

Answer 1. About 15 to 20 feet.

Question 2. How far was the American truck from its own side of the road before it started to turn?

Answer 2. I cannot say, but it seemed close "

(Signed) Caple. Marchesani Carmine.

PRESIDENT:

Capt. E.S. Hoare, R.A. (222232)

WITNESSES:

Lieut. L.M. Roberts, Wilts. (203907)
1483846 R.Q.M.S. Cochran, A.

The Court having assembled pursuant to order, proceed to take evidence.

First Witness:

Caporale MARCHESANI Carmine of 152 Italian Increment attached to 'F' B.L.U., R.F.C., I.C.F. states:

"I was a despatch rider attached to 'F' B.L.U., R.F.C., I.C.F. and on 13 April 1945 at about 18.30 hrs I was riding on Matchless Motor Cycle W.D. No. 5804848 along the Viale Lungotevere Angelico in the direction of Rome. The road is about 40 feet wide and I was riding at approximately 10 m.p.h. on my right hand side of the road about 5 feet from the kerb. I noticed an American truck approaching from the opposite direction and travelling about 30 m.p.h. and suddenly without warning or without signals from the driver it swung across the road in front of me to enter a side road on my right. It was so sudden that I could not avoid a collision and my motor cycle struck the right hand front wheel of the American truck and I was thrown off my machine. I was thrown clear of the motor cycle which came to rest in front of the vehicle. The front forks and mudguard were badly damaged. An American M.P. came on the scene and took my name and the name of the driver and number of the American truck.

Question 1. How far in front of your motor cycle was it that the American truck started to turn?

Answer 1. About 15 to 20 feet.

Question 2. How far was the American truck from its own side of the road before it started to turn?

Answer 2. I cannot say, but it seemed close "

(Signed) Caple. Marchesani Carmine.

A statement made by Pfc. Julian E. Clark, 13033225 of 596 Replacement Company, driver of the American truck concerned, was produced before the Court and is attached at Appendix 'A'.

A letter from O.S. 638 L. of C. Workshop, R.E.M.E., and A.P.S. 998, showing total cost of repair to be £23 was also produced before the Court and is attached at Appendix 'B'.

The Court having considered the evidence, find :

...../2.

HQ NORTH AMERICAN ALLIED COMMAND
APO No. 794, US Army

OPINION:

I concur with the Commanding Officer's opinion and recommend
that the cost of the damage be borne as a charge against Public
Funds.

26 May 46

Alan Low
ALAN LOW
Brigadier
Commander British Troops Rome

7534

- (1) That the cost of damage to Matchless Motor Cycle W.D. No. C.5804818 is £23 Sterling.
- (2) That owing to the divergence of evidence given and lack of further witnesses it is not possible to establish which party is to blame.

Certified that Rules of Procedure 124 - 125A have been carried out.

(Signed) E.S. Hoare, Capt. R.A. - President.
'P' B.L.U., I.R.T.C., I.C.P.

L.M. Roberts, Lieut. Wilts.

'P' B.L.U., I.R.T.C., I.C.P.

1483846 A. Cochrane, B.Q.M.S.
'P' B.L.U., I.R.T.C., I.C.P.

Members.

CONCLUDING OFFICER'S OPINION.

The following facts appear to be established.

The Italian Caporale Marchesani was travelling on his correct side of the road at a speed which cannot be ascertained.

The American Truck driver, Pfc. Clark was travelling on his correct side of the road at a speed which cannot be confirmed. Pfc. Clark made a signal and drove across the line of traffic from the opposite direction.

The giving of a signal does not absolve the driver of a vehicle from ensuring that there is no oncoming traffic before he cuts across.

In view of the difficulty of establishing the relative speeds, I consider this aspect must be ignored.

I recommend that the cost of the damage be borne by the public and on the available evidence I consider no blame is attached to Caporale Marchesani.

(Signed) L. H. Mackay, Lt. Col. RA.

Certified that Rules of Procedure 124 - 125A have been carried out.

(Signed) E.S. Moore, Capt. R.A. - President.
P' B.L.U., I.R.T.C., I.C.P.

L.M. Roberts, Lieut. Wiltz.
P' B.L.U., I.R.T.C., I.C.P. }
1483846 A. Cochrane, B.Q.M.S. }
P' B.L.U., I.R.T.C., I.C.P. }
Members.

COMMANDING OFFICER'S OPINION.

The following facts appear to be established.

The Italian Caporale Marchesani was travelling on his correct side of the road at a speed which cannot be ascertained.

The American Truck driver, Pfc. Clark was travelling on his correct side of the road at a speed which cannot be confirmed. Pfc. Clark made a signal and drove across the line of traffic from the opposite direction.

The giving of a signal does not absolve the driver of a vehicle from ensuring that there is no oncoming traffic before he cuts across.

In view of the difficulty of establishing the relative speeds, I consider this aspect must be ignored.

I recommend that the cost of the damage be borne by the public and on the available evidence I consider no blame is attached to Caporale Marchesani.

23 May 1945.

(Signed) L. H. Mackay, Lt. Col. R.A.
AA & QMG. P' B.L.U., I.R.T.C., I.C.P.

LEGIONE TERRITORIALE DEI CARABINIERI REALI DI ROMA
"TORRE DI NEONE" STATION

Refir 66 del Rapporto.

SUBJECT: Traffic Accident Report.

8 May 1946

On 13 May 1946, about 0830, Sold COCCO Giulio, not better identified belonging to the HQ Coy 'PICENO' Div RM92, while riding a M/C No DTI 05804802, on Via Cassia Vecchia, proceeding NORTHWARD, at 7.800 Km from ROME, was rounding a bend, when he passed in front of a car, FIAT 509, Serial No 33347 Rome, driven by ABBALLE Romano, father late Monnese, mother late Gloria Loreti, born at S. Crasto (Rome) on 18-5-1904, living in Rome, Via Ombrelleri 19, which was proceeding SOUTHWARD. Due to the high speed the M/C could not round the Bend and crashed against the inside rear wheel of the car, which was damaged as follows: Tool case damaged, Transmission shaft moved, Rear part of chassis broken.

The motorcyclist remained lying on the ground unconscious, and the front wheel and fork of the M/C had been broken.

First aid was rendered to COCCO Giulio by Brig. GIULIANI Giovanni of this CORR Station, who was passing at the time of the accident; the injured was then taken to the 73 US STA HOSP by an Allied car vehicle, and thence to the 'VIRGILIO' MIL HOSP (IT) by an Allied Ambulance. The diagnosis was of 'Compound fracture of the cranium and left wall; laceration of left ear and of upper lip', for which a 'Reserved prognosis' was made (See App No. 1).

By the first inquiries made on the scene of the accident by Brig. Giuliani witness at the accident, it was stated that the car kept the right hand side of the road while rounding the bend, and was also close to the ridge of the road, and the M/C, due to its high speed, not could not round the bend keeping to the right hand side, but went over the left hand side of the road, damaging the wheel of the car, which was proceeding at walking pace owing to the danger that the bend presented (See sketch in Appendix No 2).

The above mentioned CORR HQ gave the M/C to SPERELLI Mario, road-worker who lives in the work road workers house, some distance from the scene of the accident, and was instructed to keep it, pending disposal by the Military Authority and this HQ.

Signed

Raffaele Dattilo
Warrant Officer Commanding the Station

7532

no evidence
file

Roman
Staff Capt. R.

La ricerca dell'ultimo, il più recente, periodo registrato
to delle carte e degli altri documenti relativi al periodo
dal 1940 al 1945.

20/10/1945

La ricerca dell'ultimo, il più recente, periodo registrato
to delle carte e degli altri documenti relativi al periodo
dal 1940 al 1945.

Il documento è stato ricevuto e conservato

dal 1940 al 1945.

Il documento è stato ricevuto e conservato

dal 1940 al 1945.

Il documento è stato ricevuto e conservato

dal 1940 al 1945.

Il documento è stato ricevuto e conservato

dal 1940 al 1945.

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dal 1940 al 1945.

Il documento è stato ricevuto e conservato

dal 1940 al 1945.

Il documento è stato ricevuto e conservato

dal 1940 al 1945.

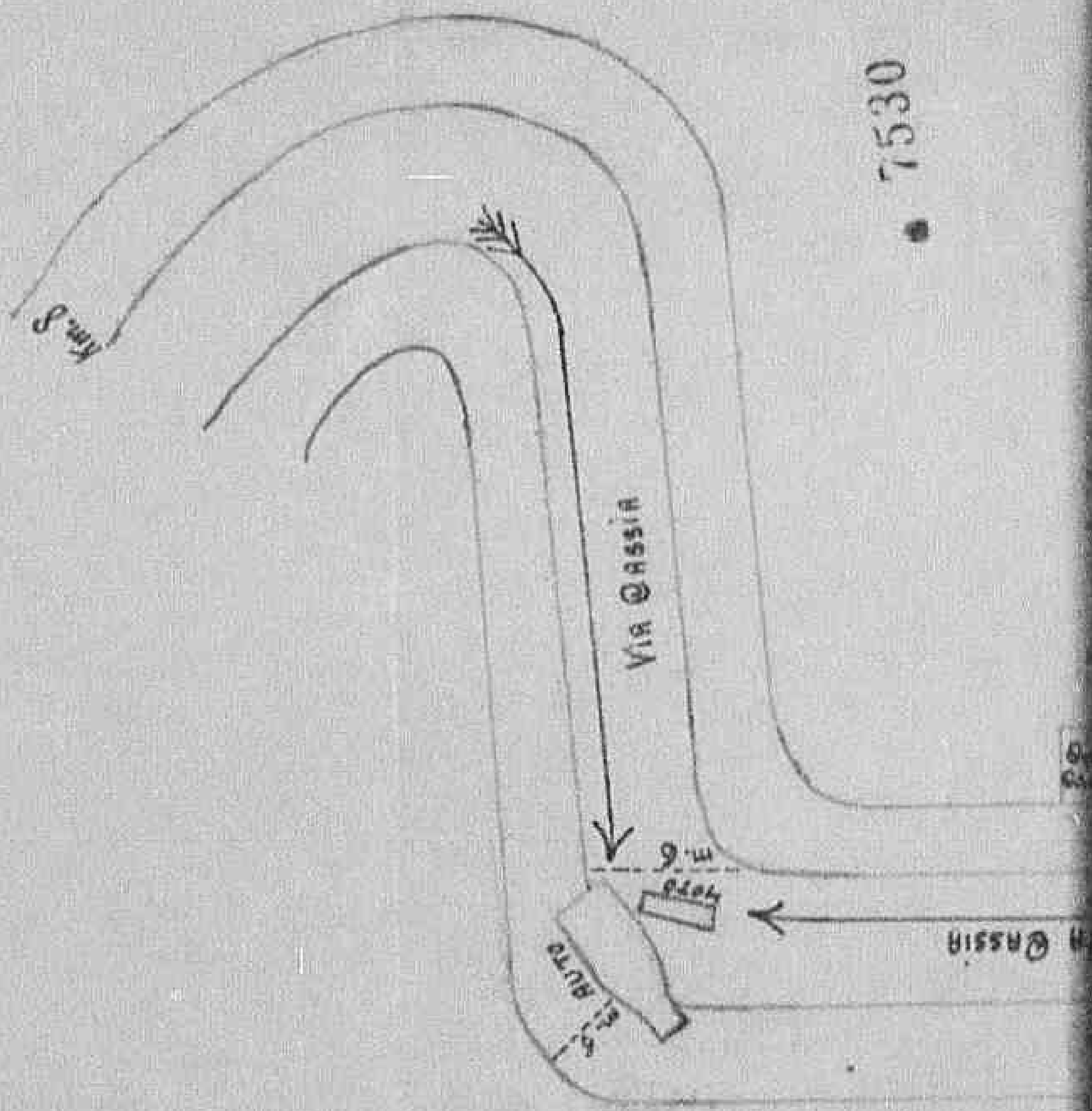
Il documento è stato ricevuto e conservato

dal 1940 al 1945.

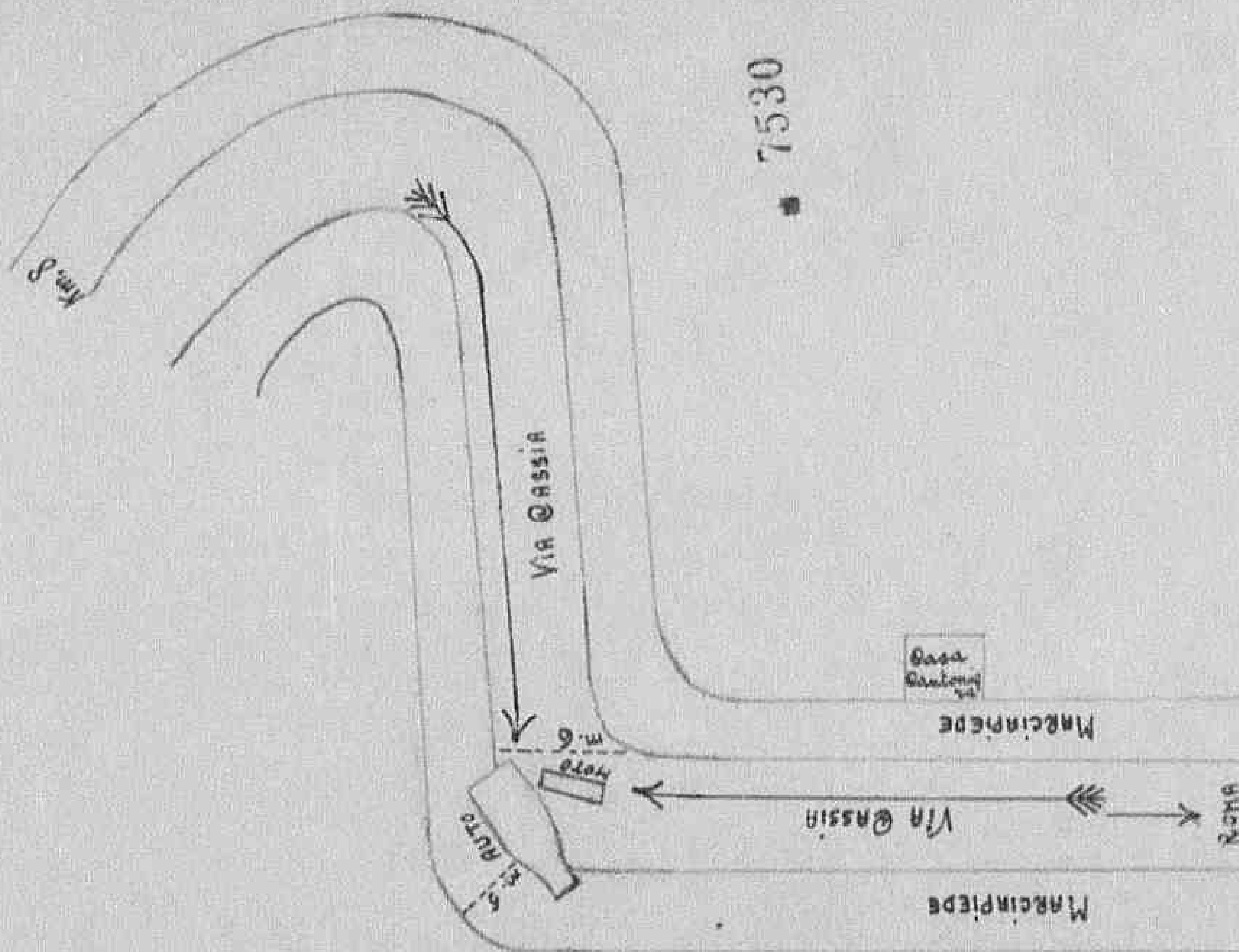
Il documento è stato ricevuto e conservato

dal 1940 al 1945.

CARABINIERI REALI
Stazione Tomba di Nerone



7530



File

/5

SUBJECT: Court of Inquiry, Damage to Hatchless H/C 0.500448.

P BIAJ. DMG. INC.

AQ/43/580

23 May 1945.

To: H.Q.
Rose Area Allied Command.

Herewith Court of Inquiry proceedings, in triplicate, in connection with damage to the above Motor Cycle, for confirmation by the Area Commander, please.


Limit Col. R.A.

REH/sh.

Internal.
File.

752

APPENDIX 'A'

CONFIDENTIAL

EXHIBIT

Headquarters, 8th Battalion
1st Replacement Depot, APO 761.

Having been read AF 24 and his rights thereunder explained to and understood by him, Pfc Julian E. Clark, 13033225, 596th Repl. Company deposed as follows:

My name is Pfc Julian E. Clark, 13033225, 596th Replacement Company

Formerly I was a truck driver (MOS 345) for the 2238th QM Truck Co. Avn., located at Foggia, Italy. In that capacity on the date of 13 April 1945, I was assigned the duty of driving a group of soldiers to the Army Air Force Rest Camp in Rome. At about 0715 hours we departed by U.S. Government truck (2 1/2 ton, GMC, 6x6, No. 4105532) from the Headquarters of the 37th Service Group, located 5 miles out of Foggia, on the Bari Road. Highway No. 7 was followed and we arrived at the gate of the rest camp at approximately 1800 hours. I was told by the sentry at the gate that I couldn't enter inside until I had registered. The men then detrucked and registered. I and my relief driver, Corporal Dolph Curtis, also of the 2238th QM Truck Co. Avn., and still with the organization as far as I know, then drove away from the gate to the main road so that I could park the truck and register. I had proceeded about 85 yards and had just shifted into 3rd speed (five speeds forward), travelling at about 12 miles per hour on the right hand side of the road. I gave a left hand signal and had nearly completed the turn to the left when my relief driver yelled and at the same time there was the sound of impact on the right hand side of the truck just to the rear of the gas tank. I immediately applied the brakes and stopped within three feet, the length of the skid marks. I alighted from the truck, together with the relief driver and noticed an Italian soldier on his knees trying to withdraw a motorcycle from under the truck. I am not sure of the Italian's name. It is something like Carmine Marchisani. At any rate he wrote his name on my accident report which I later turned over to my company commander, Captain THOMAS GLAMAL. I also gave my name, rank, army serial number, truck number and organization to the Italian. He placed the motorcycle on the side of the road to await its removal by some British ordnance outfit. As I observed him he appeared unhurt. He was crying apparently because of the slight damage rendered to his motorcycle which, as far as I could see, consisted of a slightly bent front fender. My relief driver, who noticed the Italian a moment before the crash, estimated that the motorcycle was travelling between 30 & 40 miles per hour in what I believe is a 15 mile per hour zone. Soldiers at the scene of the accident, whose names I do not know, but who were staying at the Rest Camp, stated that the Italian soldier was exceeding the speed limit for that zone. I know that I was driving slowly and had clearly given the hand signal for a left hand turn so that if the Italian had travelled at a slower rate and had observed the road in front of him, he easily could have cleared the truck thus avoiding an accident. After the incident I parked my truck which to the best of my knowledge was undamaged. I then registered in after which I drove the truck inside the Rest Camp Gate for a three day stay.

Sworn to and subscribed before me this
16th day of May 1945.

Joseph E. Buckley
JOSEPH E. BUCKLEY
Major, Infantry
Summary Court.

Further deponent sayeth not:

Julian E. Clark
Pfc Julian E. Clark 13033225
596th Repl. Co., 8th Repl Bn.

CONFIDENTIAL

COPIES

COPIES '13'

Subject: Damage to 3D Vehicle -
Motorcycle W/C 301812.

638 L. of C. Wasp.
 1025, 025.

Ref: 638/46
 19 April '45

Camp Commandant,
'P' B.L.V., LCU, BNF.

Ref your 10/12/45 dated 18 April '45.

Cost of repair of above mentioned motor cycle would
 be labour charges only, approximately 25.

In addition the following spares would be required, cost
 of which should be obtained from GEBHART.

Front Forks.
 Front Wheel.

(signed) 77777 Capt.
 O.C. 638 L. of C. Wasp. BNF.

Field.

7527

Subject:- Damage to WD Vehicle. Matchless M/C 5804641

Camp Commandant,
'P' B.L.U. IRTC ICF.

638 L of C. Wksp.
REMS, CMF.
Ref:- 638/48
19 Apr. '45

Ref your MT/42/385 dated 18 April '45

The above machine has been completely burnt out and is considered to be Class VI., it would therefore not be fit to repair and would be a 'Write Off'.

Field.

.....Capt.

O.C. 638 L of C. Wksp. R.E.M.S.

7526

636

AA & QMG	
DAA & QMG	
SC "A" & "Q"	6
DADNE	
DADUS	
DADME	
Tag Increment	
Schedule	
Lot	
RA	
RE	
RCS	
PRO	
20/11/1965	FDa 17

43

Army Form G 998
(in pads of 100)

(Unit or Department)

B.L.U. I.R.T. - I.C.P.

ARMY
PERSONNEL
CLOTHING, (a)
STORAGE

belonging to the above, reported lost, damaged or destroyed.

Date 47-4-45

Station Casano.

A separate form to be used for each of above.

DATE LAST	ARTICLE	N ^o	DATE	New Value as Variable (a) actual cost at report				REMARKS	Division of the Superior Authority
				A	B	C	D		
	Motor Cycle 350 cc. "MATCHLESS".	1		628					
	E.D. No. C.580464 + Ins. V. 15/10 + Ins. 15/10			11/14					
				318					
				48					

In the case of articles damaged beyond repair the residual value must be deducted.

Signature of the Superior Authority

Signature of the Superior Authority

Signature of the Superior Authority

F. B. U. R.T.C. 15.F.

Signature of the Superior Authority

PROCEEDINGS OF A COURT OF INQUIRY
 HELD AT CHANDLER ON THE TWENTY
 NINTH DAY OF APRIL, FIFTEEN HUNDRED
 AND FIFTY FIVE

BY ORDER OF :- Lieut-Col L.H. MCKAY RA CMB
 Commanding 'F' BATT BNS

For the purpose of ascertaining into the circumstances whereby

BARCLAYS Motor Cycle No G 500464

on charge to 'F' BATT BNS suffered damage by fire at
 CHANDLER on 14 April 1945.

President :- W/Capt S.B. MACK 24 (22233)

Members :- W/Capt L.H. MCKAY 14/5 L (187367)

1433846 BNS CHANDLER
 'F' BATT BNS

The Court having assembled pursuant to order, proceeds to take
 evidence.

First Witness

Q. 1. To WITNESS CHANDLER of 152 Italian Instrument BNS BNS states :-

I am a member of 152 Italian Instrument to 'F' BATT BNS and am employed
 as a dispatch rider. At approximately 0630 hours on 14 April 1945 in the garage
 I was starting my bike start my motor cycle which my Barclays ID No 500464.
 I turned on the petrol and kicked the starter. As I did so, the machine back fired,
 and it immediately burst into flames. I was outside the machine at the time. I
 immediately called for help and tried to extinguish the flames. The flames got so
 fierce I had to let the motorcycle drop to the ground. Four other Italian mechanics
 came to my assistance, and one mechanic tried to smother the flames with a blanket.
 together with the aid of bags of earth and a fire extinguisher the flames were put out.

Question 1
 Answer 1

Were you smoking at the time of the incident.
 NO.

Question 2
 Answer 2

Did you witness the circumstances before starting the motor cycle?
 NO.

Question 3
 Answer 3

How many came to help you.
 Four other Italian mechanics and an English Sergeant Major.

Signed :- Capt L.H. MCKAY 14/5 L

524

For the purpose of identification, the circumstances whereby

MANULAND Motor Cycle No C 50043M

on charge to 1st Bn INP IOP suffered damage by fire at
CHALIN on 11 April 46.

President :- 1st Capt J.S. TOMLIN MA (2822202)

1st Bn INP IOP

Members :- 1st Capt J.S. TOMLIN MA (187267)

1st Bn INP IOP

1st Bn INP IOP

The Court having assembled pursuant to order, proceeds to take
evidence.

First Witness

Cap 1st MAJOR TOMLIN MA (187267)

I am a member of 152 Italian Independent to 1st Bn INP and am employed
as a dispatch rider. At approximately 0630 hours on 11 April 1946 in the garage,
I was starting up by kick start my motor cycle which was Model No C 50043M.
I turned on the petrol and kicked the starter. As I did so, the machine back fired,
and it immediately burst into flames. I was astride the handle at the time. I
immediately called for help and tried to extinguish the flames. The flames got so
fierce I had to let the motorcycle drop to the ground. Four other Italian soldiers
came to my assistance, and one mechanic tried to smother the flames with a blanket.
together with the aid of bags of earth and a fire extinguisher the flames were put out.

Question 1
Answer 1

Were you working at the time of the incident.
NO.

Question 2
Answer 2

Did you prize the carburettor before starting the motor cycle?
150

Question 3
Answer 3

How many cars to help you.
Four other Italian mechanics and an English Sergeant Major.

Signed :- Cap 1st MAJOR TOMLIN MA

...../2

524

HQ ROMAN AREA ALLIED COMMAND
APO No. 724, US Army

OPINION:

On the morning of 11 Apr 45 Cap. 1c MARCHESENI, a dispatch rider of 162 Italian Increment to 'P' BLD INTC ICF was in the garage attempting to start his motorcycle Matchless RD No. C 5804841 by kick-start, when it suddenly backfired, setting fire to the machine.

Cap. 1c MARCHESENI was not smoking at the time, nor had he primed the carburettor and when he called for help every effort was made to extinguish the flames, which was not achieved until the machine was completely burnt out.

I am of opinion that no blame attaches to Cap. 1c MARCHESENI and I recommend that the cost of replacement be written off as a charge against the public.

30 Apr 45

Alban

ALBAN LCM
Brigadier
Commander British Troops Rome

7523

Second Witness

Giacalone Giuseppe of 152 Italian Immigrant UNO DP station :-

I am a member of 152 Italian Immigrant UNO DP station and am employed as a mechanic. At approximately 0630 hours on 11 April 1945, I heard Cap. Le Marescaux shouting for help and I together with three other mechanics rushed into the garage. I saw a motor cycle lying on the floor in flames and immediately obtained a blanket off my bed and tried to smother the flames meanwhile the others were applying socks of earth and finally I used a fire extinguisher until the fire was put out.

Signed :- Cap. Antione Giacalone Giuseppe

Third Witness

1123561 W/8385 DOMENICHI D. of 151 UNO DP station :-

that at approximately 0630 hours on 11 April 1945, I happened to glance out of my window in the office block of 151 UNO DP station when I saw smoke and flames through the door of the garage. I ran down and found a motor cycle lying on its side on the ground and enveloped in flames. There were some Italian mechanics already extinguishing the flames with a fire extinguisher, a blanket and socks of earth. They handled the situation expertly and the fire was extinguished at the earliest possible moment.

Signed :- D.M. DOMENICHI D. 1123561

A letter from G. G. L. of C Workshop HERE was produced before the Court and is attached at Appendix 'A'.

At 9.30 in consequence, showing cost of replacement of Malossi motor cycle No G 580454 to be £ 75, sterling, was also produced before the Court and is attached at Appendix 'B'.

Certified that Rules of Procedure 124 - 125 have been complied with.

The Court having considered the evidence find :-

- (a) That no place can be attached to Cap. Le Marescaux
- (b) That the cost of replacement of motor cycle Malossi No G 580454 is £75.

J.S. JONES President
Capt. R.

school situation

[illegible]

that at approximately 0630 hours on 11 April 1945, I happened to glance out of my window in the office block of 731 Hill Road EOP when I saw motion and flames through the door of the garage. I ran down and found a motor cycle lying on its side on the ground and enveloped in flames. There were some Italian mechanics already extinguishing the flames with a fire extinguisher, a blanket and mops of earth. They handled the situation capably and the fire was extinguished at the earliest possible moment.

Slavici :- D.M. Ivanovic, Zagreb, 1956

A letter from 60 650 L of O Tordaniy 2222 was produced before the Court and is attached at Appendix 14.

AF 8 296 in consideration, showing cost of replacement of Machine Motor cycle ID No 0 584644 to be £ 70, sterling, was also produced before the Court and is attached at Annex 'B'.

assisted that Polio's procedure 15 - 125 have been checked out.

The Court having considered the evidence filed :-

- (a) That no blame can be attached to Day in this instance
- (b) That the cost of replacement of motor cycle in this case WD No 5 580954 is £76.

E. M. HARRISON
 President

U.S. STEAMSHIP
COAST LINE
COAST LINE
1832/6

In my opinion no blame is attached to Gov. Le Harrois and Cardinal and the cost of treatment nearly 275 should be borne by the public.

1997-1998 13

L. B. WALKER
Lieut-Col 1st MA

COPY

SUBJECT :- Damage to WD Vehicle Hatchcock/C 580464

App A

638 L of C Wkps

K222 G22

Ref :- 638/46

19 April 45

Camp Commandant
"P" BLD IRTD-102

Ref your MT/42/356 dated 18 April 45.

The above machine has been completely burnt out and is considered to be class VI., it would therefore not be fit to repair and would be a 'Write Off'.

Field

(sgd) 7777777 Capt
OC 638 L of C Wkps K222

7521

Army Form G 998
(in pads of 100)

(Unit or Department)

1st REG INF IDG

ARMY (a)
PERSONAL JOURNAL (b)
CLOTHING (c)
STORES (d)

belonging to the above, reported lost, damaged or destroyed.

A separate form to be used for each of above.

Date 17 Jan 45

Station

Station

Station

Station

Station

ART. No.	DESCRIPTION (Designated numbers to be quoted where each entry)	QTY	New Value at Voluntary value of actual cost of repair			Value at 15% or actual value if greater or less			REMARKS It must be certified that the amount indicated, when it is less than the voluntary value, is the actual value at date of loss or damage, beyond which the nature of the evidence on which the value first is based must be indicated.	Location of the property destroyed
			A	B	C	A	B	C		
	Motor Cycle 350 cc "HARLEY"	1	62	8	-					
	WD No G 5804541 + Freight Charges 176 + Departmental Charges 28		11	14	-					
			2	18	-					
			6	78	-					

When the amount paid for cost of repair, it must be so stated. In the case of articles damaged beyond repair the residual value must be indicated.

Submitted

Submitted

Submitted

Submitted

Submitted

Signature of the officer in charge the unit

Signature of the officer in charge the unit

Signature of the officer in charge the unit

Signature of the officer in charge the unit

HQ ROME AREA ALLIED COMMAND
APO No. 794, US Army

Ref: 46A

22 May 45

Subject: - Loss of Watchless No. C 5804641

'F' BLU IRTC ICF

(+2)

Ref your AQ/43/430 dated 27 Apr 45.

Financial Advisor AFHQ states that since your unit is not required to keep store accounts for audit and responsibility for the loss has not been brought home to any individual, formal authority to write-off is not required. See para 6 of GRC 719/43.

Relevant documents are returned herewith.

T.R.N. Jones
T.R.N. JONES
Staff Captain
for Lt Col
AA & QMG

rw

75

AA & QMC	
BAA & QMC	
SC -A" & "O"	<i>ADL</i>
DADST	
DADCS	
DADME	
Try to cement	
Schools	
Inf	
LA	
KE	
CS	
PRO	
12/19/45 File 43	

1230

785020

[illegible]

The proceedings should be signed by the President and be read Member at the Board.

Attention is particularly drawn to the Peace for Courts of Inquiry contained in Article 131-125A, and especially to Article 125A-30, which states to paragraph 26A, at the end of the second line: "The

PROCEEDINGS of a Court of Inquiry

assembled at CESANO
Twenty fourth day of April Nineteen
on the hundred & five

by order of Leut Col L H Mackay RA, USMC

Commenting F' B. U. R.T.C., I.C.F.

for the purpose of being moved into the Cincinnati Landing
whereby worthless motor Cycle W.D. & H.C. Stouffer
on change to F.B.U. R.C. I.C.F. -
Suffered damage by fire at CESANO
on 11 April 1945.

PRESIDENT
Capt. E. S. Howe, R.A. (222232)
(F. O. U. R. C. 105)

MEMBERS. 16/52
T/CAPT G R. Pinckney (189267) 1518
123146 G.A.S. Cochrane, A.
(F.B.W. Rec. 107)

IN ATTENDANCE

Commanding F' C. V. R.T.C., I.C.F.

for the purpose of turning money into the circumstances under which whereby matchless motor Cycle W.D. & H.O. Wills Ltd. on charge to F.W. B. U. R.C. 100. suffered damage by fire at CESANO on 11 April 1945.

PRESIDENT.

PRESIDENT.
Capt E. S. Hovey, R.A. (222232)
(F. B. U. R. O. I. C. F.)

MEMBERS

MEMBERS. 16/5 L
T/OA G. R. Smerkin (187267) (187267)

148386 B.Q.M.J. Cochran

CF Bio. Rpt. 10F

IN ATTENDANCE

The Court

having assembled pursuant to order, proceeds to

take evidence:

First Witness Cap. G. MARCOTTESANI Carmine

4 152 Italian Increment, R.C. 10% states

I am a member of 152 Tigian Incrment

to F. B. I., R. I. C. and am employed as

in die patch reinset. Als approximative

Q630 how in "April 1945 in
the garage. I was starting up
by kick start my motor cycle
which was brattled w.D. No. 580461.
I turned on the petrol and kicked
the starter. As I did so, the machine
back fired, and it immediately burst
into flames. I was astride the saddle
at the time. I immediately called
for help and tried to extinguish the
flames. The flames got so fierce
I had to let the motorcycle drop to the
ground. For the Italian mechanics
came to my assistance, and one
mechanic tried to smother the flames
with a blanket. Together with the
aid of lap of earth and a fire
extinguisher the flames were put out.

Question 1. Where you smoking at the time
of the incident?

Answer 1. No

Question 2. Did you remove the carburettor
before starting the motorcycle

Answer 2. No

Question 3. How many came to help? 547

Answer 3. Four the Italian mechanics
and an English Sergeant Major

Signed: 1. Carlo Mariani

I had to get the motorcycle down to the ground. For the Italian mechanics, came to my assistance, and one mechanic tried to smooth the flames with a blanket together with the aid of soap of earth and a fire extinguisher the flames were put out.

Question 1. Were you smoking at the time of the incident?

Answer 1. No

Question 2. Did you remove the carburettor before starting the motorcycle?

Answer 2. No

Question 3. How many came to help?

Answer 3. Four the Italian mechanics and an English Sergeant Major.

Signed: 1 Capt. Marchese (signed)

Second witness GIACALONE Giuseppe of

152 Italian Increment R.T.C. 1st State
I am a member of 152 Italian Increment to F.B.I.V., R.T.C. 1st and am employed as a mechanic. At approximately 0630 hrs on 11 April 1945 Capt. Marchese shouting for help I together with three other mechanics rushed into the garage. I saw a motorcycle lying on the floor in flames

and immediately obtained a blanket
off my bed and tried to smother the flames.
Meanwhile the other were applying each
of earth and finally used a fire
extinguisher until the fire was put
out.

The disinterested
Exp. Active Quiescently

Third witness. 689561 W/18 not hooked, D.
of F. B. L. O. R. C. 10. F. States that at
approximately 0630 hrs on 11 April 1965,
I happened to glance out of my window
in the office block of F. B. L. O. when I
saw smoke and flames ~~was~~ through the
door of the garage. I ran down and
found a smother cycle lying on its side
on the ground and enveloped in flames.
There were some Italian mechanics
already extinguishing the flames with
a fire extinguisher a blanket and
baths of water. They hampered the
situation capably and the fire was extinguished
at the earliest possible moment.

844444 689561 7516
1089561

A letter from A.C. 638 LofC Workshop. R.E.M.E.
and 638 LofC Workshop. R.E.M.E.

Chief witness 6289561 W/12.0.01 two reached

of F. B. C. O. R. C. 12. F. States that at approximately 0630 hrs on 11 April 1945, I happened to glance out of my window in the office block of F. B. C. O. when I saw smoke and flames ~~the~~ through the door of the garage. I ran down and found a motor cycle lying on its side on the ground and enveloped in flames. There were some Italian mechanics already extinguishing the flames with a fuel extinguisher, a blanket and sacks of earth. They handled the situation capably and the fire was extinguished at the earliest possible moment.

84444444 6046 7516
1054561

A letter from O.C. 638 LofC Workshop, R.C.M.E. was produced before the Court and is attached at Appendix A.

A.F.G. 998 in quadruplicate, showing cost of replacement of motorcycle motor cycle No. C 500001 to be £78. sterling, was also produced before the Court and is attached at Appendix B.

Certified that Rules of Procedure 124-125 A have been carried out

HQ ROME AREA ALLIED COMMAND
APO No. 794, US Army

OPINION:

On the morning of 11 Apr 46 Cap. le MARCHESANI, a dispatch rider of 152 Italian Increment to 'P' SLD IRTG IGP was in the garage attempting to start his motorcycle Matchless ED No. C 8804541 by kick-start, when it suddenly backfired, setting fire to the machine.

Cap. le MARCHESANI was not smoking at the time, nor had he primed the carburettor and when he called for help every effort was made to extinguish the flames, which was not achieved until the machine was completely burnt out.

I am of opinion that no blame attaches to Cap. le MARCHESANI and I recommend that the cost of replacement be written off as a charge against the public.

Alvan Low

ALVAN LOW
Brigadier

Commander British Troops Rome

30 Apr 46

- 7515

The Court having considered the evidence

finds

- (a) That no blame can be attached to Cap Le MARCHESAN, Commanding
- (b) That the cost of replacement of motor cycle matchless W.D. No. C 580464 is £78.

Hoare
Cape Rm
President

~~Whitely~~ Capt. 1951.
Chas. B. Rams. } members.
1483846

In my opinion no blame is attached to Cap Le Marchesan. Commence to the cost of replacement nearly £78 shall be borne by the public.

25 April 63
J. H. Marchesan
J.H.M. AM

7513

2

SUBJECT :- Court of Inquiry - Loss of
Matchless MD WD No C 580464

P HAU HRC HRP
Ref AD/13/430

fu

27 April 45

HQ ROAD

Herewith please find original and two
copies of Court of Inquiry Proceedings on the loss
of Matchless Motor Cycle WD No C 580464 for the
consideration of the Area Commander please.

fu

HU/ell

Lieut-Col RA

Internal
File

7512

PROCEEDINGS OF A COURT OF ENQUIRY
ASSEMBLED AT CUSANO ON THE TWENTY
FOURTH DAY OF APRIL, SIXTEEN HUNDRED
AND FORTY FIVE

THE ORDER OF THE COURT OF ENQUIRY
Commanding 'P' PLJ DNO IEF :-

For the purpose of enquiring into the circumstances whereby

WHEELLESS Motor Cycle WD No C 590424

on charge to 'P' PLJ DNO IEF suffered damage by fire at
CUSANO on 11 April 45.

President :- T/Capt E.S. BROWN RA (222232)
'P' PLJ DNO IEF

Members :- T/Capt C.R. BARNHART 16/5 L (107267)
1483846 BDES COCHINCHINA
'P' PLJ DNO IEF

The Court having assembled pursuant to order, proceeds to take
evidence.

First Witness

Cap 1e HANDEBANI Gaudin of 152 Italian Independent BCO IEF states :-

I am a member of 152 Italian Independent to 'P' PLJ DNO IEF and am employed
as a dispatch rider. At approximately 0630 hours on 11 April 1945 in the garage,
I was starting up by kick start my motor cycle which was Wheelless WD No C 590424.
I turned on the petrol and kicked the starter. As I did so, the machine back fired,
and it immediately burst into flames. I was outside the engine at the time. I
immediately called for help and tried to extinguish the flames. The flames got so
fierce I had to let the motorcycle drop to the ground. Four other Italian mechanics
came to my assistance, and one mechanic tried to smother the flames with a blanket,
together with the aid of bags of earth and a fire extinguisher the flames were put out.

Question 1
Answer 1

Were you smoking at the time of the incident.
NO.

Question 2
Answer 2

Did you prime the carburettor before starting the motor cycle.
NO

Question 3
Answer 3

How many came to help you.
Four other Italian mechanics and an English Sergeant Major.

Signed :- Cap 1e HANDEBANI Gaudin

MARSHALL Motor Cycle No C 500A, Q4

on charge to 171 MAR LING 107 suffered damage by fire at
CHIAO on 11 April 15.

President :- 1/10/47 S.S. HALL 2A (222232)
171 MAR LING 107

Witness :- 1/10/47 C.L. SHERMAN 16/5 L (167267)
1435346 16/5 L COCHMAN A.
171 MAR LING 107

The Court having assembled pursuant to order, proceeds to take
evidence.

First Witness

Cap 16 MARSHALL 107 of 152 Italian Document 100 107 states :-

I am a member of 152 Italian Document to 171 MAR LING 107 and am employed
as a dispatch rider. At approximately 0630 hours on 11 April 1947 in the garage,
I was starting up by kick start my motor cycle which was 152 Italian Document No C 500A, Q4.
I turned on the petrol and kicked the starter. As I did so, the machine back fired,
and it immediately burst into flames. I was astride the machine at the time. I
immediately called for help and tried to extinguish the flames. The flames got so
fierce I had to let the motorcycle drop to the ground. Four other Italian mechanics
came to my assistance, and one mechanic tried to smother the flames with a blanket,
together with the aid of bags of earth and a fire extinguisher the flames were put out.

Question 1
Answer 1

Were you smoking at the time of the incident.

Question 2
Answer 2

Did you prime the carburettor before starting the motor cycle.

Question 3
Answer 3

How many came to help you,
Four other Italian mechanics and an English Sergeant Major.

Signed :- Cap 16 MARSHALL 107

Second Witness

Giuseppe Guiseppe of 152 Italian Inherent INDO MY states :-

I am a member of 152 Italian Inherent INDO MY and an employed as a mechanic. At approximately 0630 hours on 11 April 1945, I heard Cap Le MANSANT shouting for help and I together with three other mechanics rushed into the garage. I saw a motor cycle lying on the floor in flames and immediately obtained a blanket off my bed and tried to smother the flames round the others were applying hoses of earth and finally I used a fire extinguisher until the fire was put out.

Signed :- Cap Ardene Giacalone Guiseppe

Third Witness

1489561 W/308 MANSANT D. of 152 INDO MY states :-

That at approximately 0630 hours on 11 April 1945, I happened to glance out of my window in the office block of 152 INDO MY when I saw smoke and flames through the door of the garage. I ran down and found a motor cycle lying on its side on the ground and enveloped in flames. There were some Italian mechanics already extinguishing the flames with a fire extinguisher, a blanket and hoses of earth. They handled the situation capably and the fire was extinguished at the earliest possible moment.

Signed :- D.M. MANSANT D.M. 1489561

A letter from OC 638 L of C Workshop HME was produced before the Court and is attached at Appendix 'A'.

AF 9 938 in duplicate, showing cost of replacement of Matchless Motor cycle NO G 501464 to be £ 76, sterling, was also produced before the Court and is attached at Appendix 'B'.

Certified that Rules of Procedure 124 - 125A have been carried out.

The Court having considered the evidence filed :-

- (a) That no blame can be attached to Cap Le Mansant
- (b) That the cost of replacement of Motor cycle Matchless NO G 501464 is £76.

M.S. HANES President
Capt. J.A.

Special Valuation

While at approximately 0630 hours on 11 April 1945, I happened to glance out of my window in the office block of 97 NEW YORK when I saw smoke and flames through the door of the garage. I ran down and found a motor cycle lying on its side on the ground and enveloped in flames. There were some Italian newspapers already extinguishing the flames with a fire extinguisher, a blanket and coats of earth. They handled the situation calmly and the fire was extinguished at the earliest possible moment.

A letter from EC 630 L of C Warburg 1922 is produced before the Court and is attached at Appendix 'A'.

Over-riding Rules of Procedure 121, - 125 have been carried out.

- (iii) That no blame can be attached to Cap Le Maynard's conduct
- (iv) That the cost of replacement of Motor cycle No. 1000 is Rs. 500/-

U.S. DEPARTMENT OF JUSTICE
 MAY 16 1951
 A. COOPERMAN, JR.
 1183XK6

25 April 195

LEILA MEXLEY
Lumb-Cool PA

COPY

SUMMARY 1-

Damage to WD Vehicle Matchless/O 580/2.1

App A

630 L of O Wagon
 HERE GSP
 Ref 1- 630/46
 19 April 45

Copy Commandant
 "P" BILLY DODD LTR

Ref your BI/42/756 dated 18 April 45.

The above machine has been completely burnt out and is considered to be class VL, it would therefore not be fit to repair and would be a 'write off'.

FIELD

(sgd) 7777777 Capt
 OC 630 L of O Wagon HERE

7509

LIST OF STORES (a) **ARMY** (b) **UNIT OR DEPARTMENT** (c) **ARMY FORM G 938**
REPORTING (d) **DATE** (e) **DATE** (f) **DATE** (g) **DATE** (h) **DATE** (i) **DATE** (j) **DATE** (k) **DATE** (l) **DATE** (m) **DATE** (n) **DATE** (o) **DATE** (p) **DATE** (q) **DATE** (r) **DATE** (s) **DATE** (t) **DATE** (u) **DATE** (v) **DATE** (w) **DATE** (x) **DATE** (y) **DATE** (z) **DATE** (aa) **DATE** (ab) **DATE** (ac) **DATE** (ad) **DATE** (ae) **DATE** (af) **DATE** (ag) **DATE** (ah) **DATE** (ai) **DATE** (aj) **DATE** (ak) **DATE** (al) **DATE** (am) **DATE** (an) **DATE** (ao) **DATE** (ap) **DATE** (aq) **DATE** (ar) **DATE** (as) **DATE** (at) **DATE** (au) **DATE** (av) **DATE** (aw) **DATE** (ax) **DATE** (ay) **DATE** (az) **DATE** (ba) **DATE** (bb) **DATE** (bc) **DATE** (bd) **DATE** (be) **DATE** (bf) **DATE** (bg) **DATE** (bh) **DATE** (bi) **DATE** (bj) **DATE** (bk) **DATE** (bl) **DATE** (bm) **DATE** (bn) **DATE** (bo) **DATE** (bp) **DATE** (bq) **DATE** (br) **DATE** (bs) **DATE** (bt) **DATE** (bu) **DATE** (bv) **DATE** (bw) **DATE** (bx) 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CAT. No.	ARTICLE	No.	RATE	Value at				Value at 15%				REMARKS	Division of the Superior Authority
				(a) actual cost	(b) repair	(c) loss	(d) total	(a) actual cost	(b) repair	(c) loss	(d) total		
	Motor Cycle 150 cc	1		62	8								
	WD No 0 5004241 + Freight Charges 15%			11	14								
	+ Departmental Charges 5%			3	43								
				78									

4) When the amount refers to cost of repair, it must be so stated. 5) In the case of articles damaged beyond repair the residual value must be deducted.

L. J. MACEAY L. J. MACEAY Submitted L. J. MACEAY L. J. MACEAY
 Signature of the officer in charge Signature of the officer in charge Signature of the Superior Authority Signature of the Superior Authority Signature of the Superior Authority

HQ HING AREA ALLIED COMMAND
AF 30 7:4 US ARMY

CONFIDENTIAL

Ref : 1449

22 Mar 45

SUBJECT : Discipline - RUCM

Distribution List "B"

110

Copy below of LHRG DS/4052/2-1 (Br) dated 15 Mar 45 is forwarded for information and future consideration.

[Signature]
L. H. LOUDEN,
Major,
For Lt Col,
AA & QMG.

ONLY

SUBJECT : Discipline - RUCM

CONFIDENTIAL

ALLIED FORCES HEADQUARTERS
GR/4052/2-1 (Br)
15 Mar 45

HQ 15 Army Group
Rear HQ XVIII Army
'A' Branch (Br Iner)
Rear HQ Fifth Army
HQ BTMA
HQ 12 & 13 CZECH
HQ 12 AIRLIFT
HQ No 1 District
HQ No 2 District
HQ No 3 District

7507

1. Cases are arising in which soldiers are brought to trial by field general courts martial without having been recommended for trial on the charge preferred. This fact is not infrequently revealed in a petition by the soldier concerned.
2. In the opinion of the Judge Advocate General it is an essential preliminary to bringing a soldier before a court martial (including a field general court martial) that such soldier should be brought before his examining officer in order that the latter may determine whether the charge should or should not be dismissed (See Section 46 (1) of the Army Act).
3. Cases where this essential preliminary has not been carried out leave no alternative but to quash the proceedings and to order a re-trial in appropriate cases.

Heath
 J. B. LOUDEN,
 Major,
 for Lt Col,
 AA & QMG.

COPY

CONFIDENTIAL

SUBJECT : Discipline - PFC

ALLIED FORCE HEADQUARTERS
 CR/4052/G-1(BR)
 15 Mar 45

HQ 15 Army Group
 Rear HQ Eighth Army
 'A' Branch (Br Inoc)
 Rear HQ Fifth Army
 HQ BINA

HQ 12 & 14 CRIB/22
 HQ 12 AIRLATIC
 HQ No 1 District
 HQ No 2 District
 HQ No 3 District

7507

1. Cases are arising in which soldiers are brought to trial by field general courts martial without having been reminded for trial on the charge preferred. This fact is not infrequently revealed in a petition by the soldier concerned.
2. In the opinion of the Judge Advocate General it is an essential preliminary to bringing a soldier before a court martial (including a field general court martial) that such soldier should be brought before his commanding officer in order that the latter may determine whether the charge should or should not be dismissed (See Section 45 (1) of the Army Act).
3. Cases where this essential preliminary has not been carried out leave no alternative but to quash the proceedings and to order a re-trial in appropriate cases.
4. In order to avoid the waste of time and inconvenience which this must cause, the necessity for bringing a soldier before his Commanding Officer for remand will be brought to the notice of all concerned. This will be done by means of a letter and not by a Routine Order.

Copy to : LWAG
 G-2nd Echelon

5-23-35

(Sgt) B.P.Lt col AAC
 For Major General
 IMC, G-1(BR)

FOR ACTION FOR INFO
<i>Handwritten initials</i>
SC
<i>Handwritten initials</i>
Date 25/3 File 43

67

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