

ACC

10000/120/5801

Q/1/15.A

LOSS OR DAMAGES - LAUNDRY + DYEING CA

opened Nov. 1945 - closed July 1946

From Nov. 1945 - TO: May 1947

5. A LOSS OR DAMAGES - LAUNDRY + DYEING CASH & SHIPPING TICKET PAYMENT

NOV. 1945 - Closed July 1946

NOV. 1945 - TO: May 1947

5911  
EC19

S e e Shipping Ticket

US LOSS No. 1 dtd 27 May 1945

6018 -

Copia

G-5: 975.11

Report of Survey

10. G-5 550 G-3 23 May  
FES Land 1947  
Forces  
Branch

Reference your letter dated 20 March 1947.

Minute 8 establishes the authority for you to initiate the charge against the Italian Government.

For the Assistant Chief of Staff, G-5:

*J.F. SEARS*  
J.F. SEARS  
Colonel, F.D.  
Chief of Branch

6017



G-5: 975.11

## Report of Survey

5. G-5 153 JA

JS  
March  
1947

Reference G-5 letter 975.11 dated  
6 February 1947 to Chief, IMAS, with copy to you.

1. Forwarded herewith is a letter from  
Land Forces Branch dated 20 March 47 together with  
the following enclosures:-

a. Land Forces Branch letter  
Q/1/15A-1 dated 14 February 47 to Ministry of Defense.

b. Ministry of Defense letter 812/RA1  
dated 7.3.47, in reply thereto.

2. Your attention is particularly invited  
to paragraph 3 of letter dated 20 March.

3. To enable a suitable reply to be  
given to the query raised therein, your comments are  
requested, please.

For the Assistant Chief of Staff, G-5:

*F. G. Jeffery*

F.G. JEFFERY  
Major, R.E.

Finance, Economics, & Supply Div.

Encl:  
as above



6010

ALLIED FORCE HEADQUARTERS  
Land Forces Branch  
(Formerly NMIA)

Tel: 489081  
Ext: 200

20 March 1947.

Allied Force Headquarters  
G-5 Section  
AFQ 512

Subject:- Report of Survey

Reference: G-5: 975.11, above subject, dtd 10 March 1947.

1. The Report of Survey in question was resubmitted to the Italian Ministry of War on 14 February 1947, copy of letter attached.
2. A reply was received on 7 March 1947, copy of translation enclosed, in which the Italian Ministry of War reiterated that its decision was based on a written opinion of the State Attorney General. However, for reasons of expediency apart from this opinion the Ministry agrees to accept responsibility.
3. Since this agreement does not admit legal responsibility and since it is contrary to the opinion of the Italian Attorney General, the Legal Advisor of the Allied Commission and the lay views of this Branch it is desired to know whether the Supreme Allied Commander wishes the Italian Government debited in the circumstances. This particular debit is all the more questionable in as much as there is nothing in the evidence presented to indicate that the jeep in question ever left the possession of the U.S. Army.-

NORMAN E. FISKE  
Deputy Director.

NEF/mp  
Incls:

6010

Mar 21, 47

ALLIED FORCE HEADQUARTERS  
ITALIAN MILITARY AFFAIRS SECTION  
LAND FORCES SUB SECTION  
(Formerly NMIA)

Tel: 489081  
Ext: 334

Q/1/15A-1  
14 Feb 1947.

Ministry of War

Subjects- Report of Survey.

Reference 1874/RAI of 10 June 1946.

1. The Commanding General MTOUSA has requested that subject claim be presented to the Italian Government a second time based on the views expressed in Minute 2, Theater Judge Advocate to Field Director dated 6 September 1946, copy of which is enclosed.
2. Please notify this headquarters of your action.

*[Signature]*  
Major General  
Director.

JJE/mp

Incl: 1

6014



ALLIED FORCE HEADQUARTERS  
Italian Military Affairs Section  
Land Forces Sub Section  
APO 794

**SUBJECT:**

Fill in each column, initial action, and draw a line across the sheet just below initials. Number each memo consecutively in first column. Use entire width of sheet for long memos.

No.	From	To	Date	
1.	Dir. IMAS	Chief, IMAS	11 Feb 1947	<p>1. The opinion of the Italian Ministry of War as to the non-validity of this claim has already been expressed. This opinion is concurred in by the Land Forces Sub Section. Since the Italian Ministry of Defense - Army considers all "advice" from this Sub Section, whether offered in the form of suggestion, presentation or otherwise, as tantamount to orders it is considered unfair to again present this claim.</p> <p>2. The Sub Section recommends that this correspondence be returned to G-5 Section by staff minute. The questionable procedure of G-5 Section purporting to issue orders to IMAS by command of General Morgan is also noted.</p> <p style="text-align: right;">Major General Director</p>

6613

6613



ALLIED FORCE HEADQUARTERS  
G-5 Section  
APO 512

G-5: 975.11

6 February 1947

SUBJECT: Report of Survey


TO : Chief,  
IMAS,  
APO 794.

Reference 4th Ind, Land Forces A/C(MIA) AC, APO 794 dated 22 January 1947.

1. The Commanding General, MTOUSA, has requested that the subject claim be presented to the Italian Government a second time, based on the views expressed in Minute 2, Theater Judge Advocate to the Fiscal Director, dated 6 September 1946, copy of which is appended at the back of the file.

2. The entire file, as received, is returned herewith: Please notify this Headquarters the result of your second presentation.

BY COMMAND OF GENERAL MORGAN:

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

6012

4th Ind.

File: Q/1/15A-188

LAND FORCES SUB COMMISSION (M.M.I.A.) ALLIED COMMISSION, APO 794  
US ARMY, 22 January 1947TO: Commanding General  
MTOUSA  
APO 512, U.S. Army

1. This matter which was presented to the Allied Commission as a possible charge against the Italian Government was submitted on behalf of MTOUSA to the Italian Government. The latter declined to accept the charge for reasons stated and with which the Allied Commission concurred. It is, therefore, returned to MTOUSA.

2. If it is desired to resubmit this matter as a claim to be presented to the Italian Government, it should be forwarded to AFHQ.

NORMAN E. FISKE  
Colonel, Cavalry  
Deputy Director, MMIA

6011

File: Q/1/15A-038

2nd Ind.

4430  
NEF/mp  
22 ALAND FORCES SUB COMMISSION (N.M.I.A.) ALLIED COMMISSION, APO 794  
US ARMY, 6 December 1946TO: Commanding General  
MTOUSA  
APO 512 U.S. Army.

1. Reference your 1st Ind. AG 141.8/902 FIN-0 of 23 November 1946, subject: Report of Survey.
2. Copies of all correspondence now available in this Hdqts. pertaining to the subject matter have been made and are enclosed in accordance with your request. It is to be noted that a copy of the original survey cannot be made available.
3. It is requested that a final opinion on this matter be expedited for other claims of a similar nature are being presented at this Headquarters.

NORMAN E. FISKE  
Colonel, Cavalry  
Deputy Director, NMIA

Incls:

AG 141.8/902 FIN-0 3rd Ind.

HEADQUARTERS MTOUSA, APO 512, 10 December 1946

TO: Chief Commissioner, Allied Commission, APO 794  
ATTN: Land Forces Sub-Commission (NMIA)

Attached are copies of IRS's which contain JA's final opinion on subject: Report of Survey, requested in Paragraph 3, 2nd Ind.

BY COMMAND OF LIEUTENANT GENERAL LEE:

U. G. PATTERMAN  
Major, AGD  
Asst. Adj. General

2Incls:

1-n/c

2-Minutes of JA

6010



Exec. Comm.

1. The Legal Division would be grateful for your instructions on the following matter.
2. A carabinieri, guarding a jeep outside the Message Centre, in breach of his duty allowed an American soldier to drive away the jeep which was never returned.
3. An American Board of Survey held that the Italian Govt. was responsible for the loss and should be called upon to pay the value of the stolen jeep.
4. The Minister of War replied that the Italian Govt. was not in any way liable for the loss, as the carabinieri was serving under the American Hq and the damage should be treated as having been caused by one of their own men.
5. The question was submitted to this Division which advised that the Italian Govt. were not liable to pay the value of the stolen jeep. The reasons of this opinion are not relevant to the question under consideration.
6. The file was sent to Hq, MTOUSA, "for review and opinion so as to establish a precedent which will be applied in all cases of loss or damage to U.S. Govt. property due to the fault or neglect of Italian military personnel employ by U.S. military formations."
7. The Theatre Judge Advocate, MTOUSA, was of opinion "that the carabinieri responsible for the loss in question was, under the circumstances an agent of the Italian Govt., and that under the circumstances the claim should be again presented to the appropriate Italian Government agency for Settlement."
8. The file then came to this office with an unsigned and undated minute in red pencil that the loss was not a claim that could be properly made against the Italian Government and therefore should not be presented.
9. We see no objection, as a mere transmitting agency, to put forward the present claim on behalf of one of the Allies. If, however, it is desired that the claim be transmitted on behalf of the Supreme Allied Commander, we wish to point out that we have no directions from him in his capacity as such.
10. After inquiry we have been unable to discover that there is any special procedure for submitting such claims to the Italian Government.



- 2 -

11. The question to be decided is a simple one: should this claim be forwarded by us in our liaison capacity on behalf of WFOUSA, or should the claim be forwarded as having the express or implied approval of the Supreme Allied Commander and the Allied Commission?

JOHN K. WEBER,  
Colonel, Infantry,  
Chief Legal Advisor.

0008

9 January 1947  
25 A

Col. Weber:

After making the attached note on the functions and powers of the Allied Commission, I had a talk with Col. Hannaford on the question, and we both came to the conclusion that there are many difficulties involved in the Allied Commission taking a strict stand upon what it considers to be its duties.

In the circumstances I think the soundest course would be, and I believe Col. Hannaford on the same opinion, to say that the claim in the present case, and a number of similar ones pending, being claims for which the Allied Commission considers no liability rests upon the Italian Government, the question as to whether or not they should be presented to the Italian Government for payment should be referred to the Supreme Allied Commander as Ex-officio, head of the Allied Commission.

Illegible

6007

9 January 1947  
24 A

Col. Weber:

The Allied Commission was brought into being by Article 37 of the Armistice Terms:

"There will be appointed a Control Commission representative of the United Nations charged with regulating and executing this instrument under the orders and general directions of the Allied Commander-in-Chief."

Under this article, the A.C. is the representative of the U.N. and its duties are to regulate and carry out the terms of the Armistice under the under the directions of Secmed.

The purposes in view in setting up the Allied Commission are stated in a "Draft Outline Plan for Setting Up Allied Commission" of 21 October 1943.

"The objective in view is to provide for the eventual establishment, at Rome, of the Allied Commission which is to instruct and guide the Italian Government." On 1 November 1943, Major-Gen. W.B. Smith as Chief of Staff issued general instructions to the first President of the Allied Commission and paragraph 5 is in the following terms:

"The Allied Commission is being established to give instructions and guidance to the Italian Govt. on military, political, economic, and administrative matters, and to enforce and execute the surrender. See Administrative Memo No. 74 dated 2 November 1943."

This Memo is in following terms:

I. Allied Control Commission for Italy set up on 10 November 1943.

II. The functions of the A.C.C. will be as follows:

1. To enforce and execute the instrument of surrender under the orders and general directives of the Allied Commander-in-Chief.
2. To insure that the conduct of the Italian Govt. conforms to the requirements of an Allied Base of operations, especially transportation and communication.



## II

3. To be the organ through which the policy of the United Nations towards the Italian Govt. is conducted and the relations of the United Nations and the Italian Govt. are handled.

Under the Armistice Terms and the directives just cited it is clear that the Allied Commission is the representative of the United Nations and its functions are to regulate and see to the carrying out of the Armistice. It is obvious that it could only achieve the purpose for which it was set up if it were clothed with a very wide discretion. It is subject to the general directions of Secmed which presumably would be chiefly concerned with matters of policy, and, just as the Legal Division is subject to the general directions of the Chief Commissioner, it could not be supposed that these directions would authorize the A.C. giving instructions as to how legal questions should be decided.

In the present case the A.C. has stated that the claim for damages arising from the negligence of an Italian soldier serving under the orders of an Allied Unit is not one for which the Italian Govt. is liable. Whether or not the Italian Govt. should be called upon to indemnify an Allied Unit for a loss sustained appears to be within the functions for which A.C. was set up to carry out-in fact there is no other body but A.C. that could deal with this question vis-a-vis the Italian Government.

Even if A.C. is bound to comply with orders from Secmed in matters of detail as to how it should carry out its duties, it is certainly under no obligation to comply with a request from MTOUSA to call upon the Italian Govt. to pay a claim for which in the opinion of A.C. the said Government has no liability whatsoever.

Illegible

6 January

6000



23 A

This case has been examined carefully by the Allied Commission. It is the considered opinion of the Commission supported by the advice of the Chief Legal Advisor that the loss of a 4 ton vehicle 20410382, US Army, is not a proper claim against the Italian Government for the reasons set forth in the opinion of Judge Thomas. The claim will therefore not be presented to the Italian Government.

6004

1st Ind to Ltr, Land Forces Sub Commission A.C. (MMIA), dtd 13 Nov 46, subj:  
Report of Survey.

AG 141.2/902 FIN-O

1st Ind

HEADQUARTERS MTOUSA, APO 512, 23 November 1946

TO: Chief Commissioner, Allied Commission, APO 794  
FOR: Land Forces Sub-Commission (MMIA)

1. A complete search of the records of this headquarters reveals no trace of letter, Hq MTOUSA, dated 9 October 1946, or your 10th Indorsement thereto.

2. Desire copies of above correspondence be submitted to this headquarters.

BY COMMAND OF LIEUTENANT GENERAL LES:

U. G. FETTERMAN  
Major, AGD  
Asst Adjutant General

6003

21

LAND FORCES SUB COMMISSION A.C. (HMLA)  
U.S. ARMY

File: 2.1/15A-187

13 November 1940

SUBJECT: Report of Survey

TO : Commanding General  
MTUSA  
APO 512

1. Reference is made to your AG 141.8/302 RLA-0 dated 9 October 1940 and letter Hq. Rome Area MTUSA dated 28 July 1940, subject: Transmittal of Report of Survey.
2. Subject letter was returned by 10th indorsement to your headquarters by this Sub-Commission on 14 October 1940. Can you confirm receipt and indicate status of reply?

/sgd/ NORMAN R. FISKE  
Colonel, Cavalry  
Deputy Director, LMLA

Incl. #1

600



Copy of translation

20 A

FROM : Ministry of war

Ref : 11207/20A

TO : M.M.I.A.

Date : 7/11/45

Subject: Claim against the Italian Government.

Reply to letter Q/1/15A-182 dated 11/4/45.-

We forward herewith letter 22663/Tav dated 28/10/45 from the Rome Military Territorial Command, concerning the result of the enquiries carried out in respect of the loss of the American military truck (licence plate No. 20410362) stolen in Piazza Venezia on the 27/5/45.-

sgd. BOSSI  
Gen.

6001



Copy of translation

10 A

FROM : Mil. Terr. Command of Rome  
TO : Ministre of War

Ref : 22003/487  
Date : 23/10/46

Subject : Claim against the Italian Government.

Ref. your letter No. 7285/2CA/041573 dated 20/7/46.-

From enquiries carried out by the Carabinieri Internal Group HQ of Rome, it has resulted that the American military truck, licence plate 20410382, which was stolen in Piazza Venezia on the 27/5/45, was guarded by Retained Auxiliary Carabinieri DE RUBERTIS Parigi, formerly of the 3197 Allied Radio Station.

De Rubertis (now demobilized) immediately reported the theft to L/Sgt. SPERA VINCENZO, NCO i/c. who did not inform the Superior Reg as the Camp commandant - Capt. Chester L. Martin - Officer i/c the Carabinieri told the NCO that the Allied Police had been immediately informed of the theft.

Disciplinary action has been taken against Carabinieri De Rubertis for neglecting his duty whilst on guard - and also against L/Sgt Spera for having failed to report the matter.

/sgd/

Soldarelli  
Gen.

UR

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C o p yCOMANDO MILITARE TERRITORIALE DI ROMA  
Ufficio T.A.V.

N. 22663/Trs. di prot.

Roma, 29 ottobre 1946

Allegati 17 (in restituzione)

OGGETTO: Reclamo contro il Governo Italiano.

AL MINISTERO DELLA GUERRA  
Direz. Gen. Artigl. e Motorizzazione  
(rif. lett. n. 7888/2 CA/041379 del 20/7/46)

Dagli accertamenti svolti ora dal Comando Gruppo Interno Carabinieri di Roma, e' risultato che l'autocarro americano targato N. 20410382, allorché fu rubato in piazza Venezia il 27 maggio 1945, era guardato dal carabiniere ausiliario trattenuto DE ROBERTIS Parigi, già appartenente al posto fisso radio alleato 3197, composto di 14 carabinieri al comando del vicebrigadiere SPERA Vincenzo.

Il De Robertis, ora in congedo, subito dopo avvenuto il furto, informò dell'accaduto il vicebrigadiere. Spera che non provvide ad informare i comandi superiori dell'arma, in quanto il comandante del tempo, capitano Chester L. Martin, del quale il posto fisso carabinieri dipendeva; fece presente al sottufficiale che il fatto era stato immediatamente segnalato alla Polizia Alleata, per le indagini del caso.

Per la negligenza con la quale venne eseguito il servizio di sorveglianza brigadiere Spera, sono stati adottati a carico del manchevole adeguati provvedimenti disciplinari.

IL GENERALE COMANDANTE  
Itc. Mario SoldarelliP.C.C.  
L'Ufficiale Addetto  
(Magg. L. Baglioni)

5899

C O P Y

17 A

9th Ind to Ltr., Hq. Rome Area, MTOUSA, dtd 25 July 46  
subj: Transmittal of Report of Survey.

AG 141.8/902 PIN-0

9th Ind

HEADQUARTERS MTOUSA, APO 512, 9 October 1946

To: Chief Commissioner, Allied Commission, APO 794  
For: Land Forces Sub-Commission (MMA)

Inclosures were transmitted to our headquarters  
by letter, this headquarters file as above, dated 24 September  
1946.

BY COMMAND OF LIEUTENANT GENERAL LEE:

/sgd/ D.G. PETERMAN  
Major, AGD  
Asst Adjutant General

AG 141.8/902 PIN-0

10th Ind

RCVR/ap

LAND FORCES SUB COMMISSION (M.M.I.A.) ALLIED COMMISSION  
APO 794, 14 October 1946

TO: Commanding General, MTOUSA, APO 512

In view of the classification of this correspondence  
may we in again presenting the claim to the Italian Government  
disclose the reason therefore as given in 6th Ind.

NORMAN E. FISKE  
Colonel, Cavalry  
Deputy Director, MMTA

Encl: NC

598



C o p y

## REPORT OF SURVEY

2. JA 156 Fts. 6 Sept  
Dir. 1956

1. All the facts surrounding the use of the Carabinieri by the 3197th Signal Service Company, Rome, are not before this office. However, from the attached papers it would appear that, pursuant to the terms of the Armistice with Italy and subsequent agreements relating thereto, the Italian Government made available a number of Carabinieri to the 3197th Signal Company, such personnel being then under the jurisdiction of their own personnel or commands, and directed by superior authorities of the Italian Government to carry out such orders as might be given by the Commanding Officer of the 3197th Signal Service Company. It is stated in a copy of a letter to NMIA that the Carabinieri so assigned were billeted by and "under the Administration" of the Allies. It further appears from the attached papers that, contrary to orders issued to the Italian officer commanding the Carabinieri and by him passed to the Carabinieri under his command one of his men permitted an unauthorized person to use a jeep he had been ordered to guard with the result that the jeep was lost. The question of liability for the loss of the jeep was forwarded to NMIA for presentation to the appropriate Italian authorities as a charge against the Italian Government. The Italian Ministry of War denied the obligation on the grounds:

g. That the CC.RR. were serving under the American Headquarters, were billeted by and were under the administration of the Allies.

h. That he was not acting on orders of the Italian Administration which had nothing to do with the custody of the vehicle.

The Legal Sub-Commission, Allied Commission expressed the view that as the Carabinieri were under the control and subject to the orders of the Signal Co. their acts become those of the Allied Forces and that to impute liability to the Italian Government it must be by operation of law agency or contract and conclude that the loss was occasioned by Carabinieri individually and no grounds existed upon which the Italian Government could be held pecuniarily responsible for the loss of the vehicle in question.

2. From the facts disclosed by the attached papers it would appear that the appropriate officials of the Italian Government at some period in the past detailed some of their Carabinieri for duty

3394

- 2 -

with a U.S. Signal Co.- This Group was staffed by its own officers and remained under the command of higher Carabinieri Officials who directed that they obey orders given by the CO of the U.S. unit. It may be that the Carabinieri were billeted by the U.S. troops, but it quite clearly appears that the administration of the Carabinieri remained with the CC.RR. for pay, discipline, direction and all other matters. The Commanding Officer of the U.S. unit gave directions to the officer in charge of the Carabinieri who upon direction of his commanding Officer passed the orders down to his own men. The U.S. authorities had no control over the employment of the individuals who were employed by the CC.RR. or higher authority and furnished to the U.S. nor any jurisdiction over the individuals. In other words the command of the CC.RR. on duty U.S. troops remained with the Italian authorities who were responsible that orders issued by the U.S. forces to the CC.RR. were carried out and for the discipline of the men should they fail to obey the orders issued then by their own superiors. The situation, in my opinion, is no different in any respect that in which British units were attached to 5th Army during combat or U.S. units attached to 8th Army during the combat phases of the war.

3. In view of the foregoing this Office does not concur in the views expressed by the Italian Ministry of War nor with the views expressed by the Legal Sub-Commission, Allied Commission. The fact remains that the orders to the Carabinieri were given by their own officers who remained responsible that they were carried out. The U.S. forces with whom the CC.RR. served were entitled to look to the appropriate Italian Government officials that orders given the CC.RR. were properly executed or upon failure of the CC.RR. to execute them properly to depend upon Italian Government to properly discipline those guilty of commissions or to make good damages or loss of U.S. property arising from neglect of duty, as the U.S. Forces had no jurisdiction over those whom the Italian Government thru its proper agencies furnished. In short, applying the argument of the sub-commission, the Carabinieri whose negligence resulted in the loss of the subject property was at all times the agent of the Italian Government.

4. It is recommended that the attached papers be returned to the Chief Commissioner, Allied Commission, advising that the views expressed by the Italian Minister of War and the Legal Sub-Commission are not concurred in by this headquarters for the reason that the jurisdiction administration and control of the CC.RR. on duty with the 3197 Signal Company remained with the Italian

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- 3 -

Government through its agency the CC.RR., that while the Carabinieri were to act upon orders from the Commanding Officer, 3197 Signal Company, such orders were given to the officer in charge of the Carabinieri who, upon direction from his headquarters remained responsible to ascertain that they were properly carried out that the situation in this respect is no different from that in which British units attached to U.S. 5th Army during the Italian campaign remained under the jurisdiction and control of their own officers and were responsible to their own Government should they fail to carry out orders issued by U.S. Commanders through their own officers; that the Carabinieri responsible for the loss in question was, under the circumstances an agent of the Italian Government, and that under the circumstances the claim should be again presented to the appropriate Italian Government agency for settlement.

/sgd/ TOM H. BARRATT  
Colonel JAGD  
Theater Judge Advocate

TMB/sf  
Incls: N/G/

8895



C O P Y

10 R

5th Ind to Ltr Hq Rome Area AFMUSA, APO 512, dtd 25 July 1945  
subj: Transmittal of Report of Survey.

OFFICE OF THE CHIEF COMMISSIONER, HEADQUARTERS ALLIED  
COMMISSION APO 704, U.S. ARMY, 20 August 1945

TO: Commanding General, AFMUSA, APO 512, U.S. Army

1. Forwarded, concurring in recommendation made in  
paragraph 4 of 4th Indorsement.

/sgc/ MILERY W. STONE

MILERY W. STONE  
Rear Admiral, USN  
Chief Commissioner

3994

C o p y

15A

4th Ind to 1tr Hq Rome Area MTOUSA, APO 512, dtd 25 July 1945, subj: Transmittal of Report of Survey.

4th Ind

LAND FORCES SUB COMMISSION (MMIA), HEADQUARTERS ALLIED COMMISSION, APO 794, U.S. ARMY, 23 August 1946.

TO: Chief Commissioner, Headquarters Allied Commission, APO 794, U.S. ARMY.

1. The inclosed Report of Survey and attendant exhibits have been under discussion by this Sub Commission and the War Ministry for a protracted period. The opinion of the War Ministry is attached, in translation, as Inclosure 2 and, since it was the first objection received to the procedure of debiting the Italian Government for the theft or damage of U.S. Government vehicles occasioned by the negligence or fault of Italian military guards or drivers, it was forwarded to the Legal Sub Commission for review to determine if the arguments presented were legally valid.
2. The opinion of the Legal Sub Commission (Inclosure 3) agrees substantially with the view taken by the War Ministry, viz., that the Italian Government cannot be held liable financially for the irregular conduct of Italian military personnel especially when such personnel, by reasons of their employment, are in effect agents of a unit of the Allied Forces. This opinion, if sustained by the Theater Judge Advocate General, can result in the Italian Government applying for a credit of approximately \$ 128,000 which represents the amount heretofore debited to the Italian Government.
2. There is no indication that the Italian Government will make any such claim, particularly since the present case is the first to be questioned by the Ministry of War. However, should a claim be made, a settlement would be further complicated by the fact that in all cases of damaged vehicles, the vehicle itself was turned over to the Italians for repair or salvage and the Italian Government was charged at list price less the depreciation according to classification. Therefore, it would be necessary to ascertain the value of each vehicle at the time it was consigned to the Italian Government and to deduct that sum from the total of the refund.
4. It is recommended that this correspondence be forwarded to Headquarters, MTOUSA for review and opinion so as to establish a precedent which will be applied in all cases of loss or damage to U.S. Government property due to the fault or neglect of Italian military personnel employed by U.S. military formations.

NORMAN E. FISKE  
Colonel, Cavalry,  
Deputy Director, MMIA

3 Incl:

Added 2 Incls:

Incl 2 - Translation of War Ministry Letter,  
subj: Theft of an American Truck,  
dated 10 June 1946.

Incl 3 - Opinion of Judge Masgrave Thomas,  
Legal Sub Commission, ALCOM.

5993

Copy of translation

14A

FROM : Ministry of War

REF : 1874/RAI

DATE: 10/6/46

TO : M. M. I. A.

SUBJECT: Theft of an American Truck.

In reply to letter No. Q/1/15A - 184 dated 10/5/46.

Ref the theft of the American truck from the Message Centre guarded by CC.RR. Parigi de Rubertis, we are of the opinion, together with the State Advocate General, that the Italian Admin. should not pay for the damages done to the American Admin. by de Rubertis who, by allowing another army driver to use the truck in question, lost same. The reasons are as follows :-

CC.RR. de Rubertis, according to reports, was serving under the American HQ and was billeted by and under the administration of the Allies.

Therefore, he was not acting on orders of the Italian Admin. which had nothing to do with the custody of the vehicles and the organisation of the guard detail, but he was under the Allied Command who, having accepted to take on strength CC.RR. for employment under Allied officers, due to the insufficient strength of M.Ps, cannot hold the Italian Admin., which completely ignore how these CC.RR. are employed or organised, either directly or indirectly responsible for any offense that might be committed by the CC.RR.s in question. Since these CC.RR.s became members (as far as employment is concerned) of the American Admin., the American Admin. should consider the damage as having been done by one of their own men.

Therefore, should the American Command (in accordance with the results of the enquiries) hold CC.RR. de Rubertis responsible, it should deal directly with him and not with the Italian Admin. which knows nothing about the service and employment of personnel transferred to the American Command.

/sgd/ PELLIGRA  
Gen.

5392



C o p y

13A

HEADQUARTERS ALLIED COMMISSION  
APO 794

LEGAL SUB COMMISSION

MEMO to Colonel FISKE.

The question of liability of the Italian Government for the acts of the guard de Rubertis is passed on in the attached opinion by Judge Thomas which has been approved by the Legal Sub-Commission. It is hoped it will be of some value in the other cases.

If we can of further assistance, please command us.

/sgd/ JOHN K. WEBER,

JOHN K. WEBER,  
Colonel, Infantry  
Chief Legal Advisor.

5991

Copy

12A

OPINION OF JUDGE THOMAS.

Owing to the shortage of Military Police a number of Carabinieri were transferred for service with the R.A.A.C. for the purpose of guarding the motor-vehicles at the Message Centre. They were duly instructed by the O.C. of the Signal Service Company that each carabinieri was to guard the particular vehicle to which he had been assigned as guard and allow no one else to touch it except its appointed driver.

In the particular case under consideration a jeep returned to the Message Centre; its driver went inside for fresh orders, leaving the vehicle in the charge of its guard, Carabiniere de Rubertis. A few minutes later an American soldier, not the driver of the vehicle, came out of the office into which the driver had gone, told the guard he had spoken to the driver, said he would be back immediately, drove the jeep away, and never returned.

It is clear that the theft of this jeep was the direct result of the negligence of the guard de Rubertis in acting contrary to the specific orders he had received by allowing a person other than the allotted driver to take the vehicle, and for the loss occasioned by his negligence the guard is undoubted personally liable.

The 14 carabinieri, with a Brigadiere in charge, when transferred for duty with the Signal Service Company were billeted by that unit and carries out their duties in obedience to its orders. Being under the control and subject to the orders of the Signal Coy their acts became those of the Allied Forces. The question arises as to whether the negligence of the guard can be extended to the Italian Government so as to make it liable in addition to the guard. If such liability can be extended, it must be by operation of law, by the fiction of agency, or by contract.

We are unaware of any provision of law or any regulation that imposes a liability on the Italian Government in the circumstances.

On the question of agency there is nothing in the facts submitted that would justify holding that the guard de Rubertis was acting as an agent of the Italian Ministry of War; on the contrary the facts indicate that he was an agent of a unit of the Allied Forces under whose control and orders he was carrying out his duties.

As regards liability under contract this could not arise if there were an obligation in the nature of a guarantee by the Ministry of War that the carabinieri transferred for guard duties were reasonably fit for such duties. There is nothing in the documents to show that there is any such obligation resting upon the Italian Government, and, even if there were, the sworn statement of the Brigadiere in command of the detachment that "De Rubertis is honest and conscientious and has always been one of my best men" conclusively negatives any breach of such hypothetical obligation.

3390

11A

This Sub Commission is unaware of any legal ground other than those mentioned above upon which the liability of de Rubertis could be entered so as to render the Italian Government liable also, and no such further ground of liability has been put forward.

In the opinion of this Sub Commission the Italian Government is not liable to pay the value of a jeep stolen as a result of the negligence of the carabinieri who was guarding it.

JOHN K. WEBER  
Colonel, Infantry,  
Chief Legal Advisor.

3989



Copy of translation

10A

From : Ministro of War

Ref : 7885/2/CA  
041579To : Rome Military Terr. HQ  
MMIA (for information)

Date: 26/7/46

Subject: Claim against the Italian Government.

Reference letter Q/1/15A -186 dated 11/6/46.

We enclose copy of letter Q/1/15A-182 dated 11th April 1946 from MMIA in respect of the theft of an American truck licence No. W 20410382 from Piazza Venezia the 27th May 1945 whilst being guarded by a Carabinieri, asking you to kindly make enquiries and let us have a reply as soon as possible.

We attach, to be returned, the file concerning the investigation carried out by the Military Allied HQ up to date.

This is of an urgent nature.-

/sgd/ illegible

DAK

5587

copy

MINISTERO DELLA GUERRA

Direzione Generale Artiglieria  
e Motorizzazione-  
Div.corpo automobilistico

Roma 23 Luglio 1946

Prot.No. 7835/c CA

Alla

Land Forces Sub-Commission A.C.  
M.M.I.A. - Ufficio del  
Maggiore SULLIVANR o m aOggetto : Reclamo contro il Governo Italiano.

Si restituisce la pratica riguardante l'autocarro americano  
da 1/4 tonnellate, 4 x 4, CER W. 20410382 rubato il 27 maggio 1945 a  
Piazza Venezia, mentre era custodito dal carabiniere DE RUBERTIS Paris.

Tale pratica fu inviata in visione a questo Ministero il 15  
luglio 1946 e consegnata da codesto Ufficio al maresciallo GIORIANO  
Giovanni.-

IL DIRETTORE CAPO DIVISIONE  
(Col. A. Scarpellini)

fbo. SCARPELLINI

5887

8A

C o p y

MINISTERO DELLA GUERRA  
STATO MAGGIORE REGIO ESERCITO  
Ufficio Servizi - Sezione Automobilistica

N.6/2932/Serv. di prot.-

Roma, li 27 Giugno 1946

ALLA DIREZIONE GENERALE ARTIGLIERIA E MOTORIZZAZIONE  
- Divisione C.A. - Sezione II S e d e

e, per conoscenza :

ALLA LAND FORCES SUB COMMISSION A.C. - M.M.I.A. R o m a

.....

Seguito foglio 6/1906/Serv. in data 25 aprile 1946.

Per competenza e con preghiera di voler fornire direttamente  
elementi di risposta alla L.F.S.C.-

d'Ordine

IL CAPO UFFICIO SERVIZI  
Colonnello N. MELONI

fto. MELONI

5330



C o p y

7A

SUBJECT: Claim against the Italian Government

8980

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-186  
11 June 1946

TO : Ministry of War

1. Reference our letters Q/1/15A-182 of 11 April 1946 and Q/1/15A-184 of 10 May 1946 concerning the loss of US Vehicle (Truck,  $\frac{1}{4}$  Ton, 4x4, C&R - Registration Number W-20410382) which was stolen on 27 May 1945 from Piazza Venezia while under guard of Carabinieri de Rubertis, Parigi.
2. Since this matter is long outstanding may a reply be given at your very earliest opportunity ?

EDWARD D.S. SULLIVAN, Major  
for Major General  
M. M. I. A.

EDSS/mp

Copy

6A

SUBJECT: Claim against the Italian Government

5984

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-184  
10 May 1946

TO : Ministry of War.

1. Please advise this H.Q. the status of your reply to our letter reference Q/1/15A-182 of 11 April 1946.

/sgd/ K. ROBERT NELSON

K. ROBERT NELSON, Major  
for Major General,  
M. M. I. A.

KRN/sl.

5A  
C o p y

SUBJECT: Claim against the Italian Government

5983

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-182  
11 April 1946

TO : Ministry of War

1. It is requested that you advise the progress of your findings with reference to the Report of Investigation forwarded to you concerning the loss of U.S. Vehicle (Truck,  $\frac{1}{4}$  ton, Lx4, C&R - Registration Number W-20410382) which was stolen in front of Rome Allied Area Command, Piazza Venezia on 27 May 1945 while under guard of an Italian Carabinieri.

/sgd/ K. ROBERT NELSON  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/ri



C o p y

## CHECK SLIP

ROME AREA ALLIED COMMAND  
APO 794, US ARMY

File No.

Subject:

This check slip will not be detached from this correspondence. Reply to remarks made hereon will be expedited, delay is not to exceed 24 hours after receipt unless otherwise indicated or RAAC, AG Section, is informed. Remarks will be numbered serially.

Ind #	From	To	Date	Remarks
1	Sig O, RAAC	CofS, RAAC	1 Feb 1946	<p>The following is a clarification on questions surrounding the loss of <math>\frac{1}{4}</math> T vehicle #20410382.</p> <ol style="list-style-type: none"><li>1. T/5 Carbuto has returned to the USA and therefore this information cannot be determined definitely. From the attached papers indications are that T/5 Carbuto did not give permission to the American soldier or he would have known his name and thereby could have placed the responsibility.</li><li>2. The present policy is that no one but the assigned driver is authorized to use the vehicle. According to the evidence of Lt. Edward P. Fogg, who was in charge at the time, no one but authorized drivers were permitted to use vehicles.</li><li>3. It is not known what action was taken beyond notifying the Military Police.</li><li>4. The vehicle was guarded by an authorized Carabinieri and therefore it would not be necessary to lock the vehicle.</li><li>5. The vehicle has not been returned to U.S. control.</li></ol>

/sgd/ RUSSELL C. KRUEGER

RUSSELL C. KRUEGER  
Captain, Sig Corps  
Signal Officer.

C o p y

3A

LAND FORCES SUB COMMISSION A.C. (LMIA)  
APO 394 U.S. ARMY

29 January 1946

5981

MEMORANDUM FOR Chief of Staff  
Rome Area, MTOUSA, APO 794.

Reference our conversation, request following clarification  
be furnished :

1. Did Tec 5 CARBUTO give permission at any time to the American soldier to use his vehicle ?
2. Is it true, as alleged by the Carabinieri, that at any time American soldiers, other than the authorized drivers, used or were given permission to use the vehicles in violation of the standing orders ?
3. The American soldier who is alleged to have taken the vehicle came from the Message Center Office and knew the name of the authorized driver. What action was taken by the driver, the Message Center Chief, and the MP's to check every American soldier who was in the vicinity of the Message Center at the time of the theft ?
4. Why was the vehicle not locked by chain or otherwise immobilized in accordance with standing orders of Rome Area, MTOUSA ?
5. Has the vehicle been returned to U.S. control ?

/sgd/ CLAYTON P. KERR

CLAYTON P. KERR  
Colonel, Infantry

## Report Of Survey

2. JA 156 FIs. 6 Sept  
Dir. 1946

1. All the facts surrounding the use of the Carabinieri by the 3197th Signal Service Company, Rome, are not before this office. However, from the attached papers it would appear that, pursuant to the terms of the Armistice with Italy and subsequent agreements relating thereto, the Italian Government made available a number of Carabinieri to the 3197th Signal Company, such personnel being then under the jurisdiction of their own personnel or commands, and directed by superior authorities of the Italian Government to carry out such orders as might be given by the Commanding Officer of the 3197th Signal Service Company. It is stated in a copy of a letter to NMIA that the Carabinieri so assigned were billeted by and "under the Administration" of the Allies. It further appears from the attached papers that, contrary to orders issued to the Italian officer commanding the Carabinieri and by him passed to the Carabinieri under his command one of his men permitted and unauthorized person to use a jeep he had been ordered to guard with the result that the jeep was lost. The question of liability for the loss of the jeep was forwarded to NMIA for presentation to the appropriate Italian authorities as a charge against the Italian Government. The Italian Ministry of War denied the obligation on the grounds:

a. That the CC.RR were serving under the American Headquarters, were billeted by and were under the administration of the Allies.

b. That he was not acting on orders of the Italian Administration which had nothing to do with the custody of the vehicle.

The legal Sub-Commission, Allied Commission expressed the view that as the Carabinieri were under the control and subject to the orders of the Signal Co. their acts became those of the Allied Forces and that to impute liability to the Italian Government it must be by operation of law agency or contract and conclude that the loss was occasioned by Carabinieri individually and no grounds existed upon which the Italian Government could be held pecuniarily responsible for the loss of the vehicle in question.

2. From the facts disclosed by the attached papers it would appear that the appropriate officials of the Italian Government at some period in the past detailed some of their Carabinieri for duty with a U.S. Signal Co. This group was staffed by its own officers and remained under the command of higher Carabinieri Officials who directed that they obey orders given by the CO of the U.S. unit. It may be that the Carabinieri were billeted by the U.S. troops, but it quite clearly appears that the administration of the Carabinieri remained with the CC.RR for pay, discipline, direction and all other matters. The Commanding Officer of the U.S. unit gave directions to the officer in charge of the Carabinieri who upon direction of his Commanding Officer passed the Orders down to his own men. The U.S. authorities had no control over the employment of the individuals who were employed by the CC.RR or higher authority and furnished to the U.S. nor any jurisdiction over the individuals. In other words the command of the CC.RR on duty U.S. troops remained with the Italian authorities who were responsible that



orders issued by the U.S. Forces to the CC.RR were carried out and for the discipline of the men should they fail to obey the orders issued them by their own superiors. The situation, in my opinion, is no different in any respect to that in which British units were attached to 5th Army during combat or U.S. units attached to 8th Army during the combat phases of the war.

3. In view of the foregoing this office does not concur in the views expressed by the Italian Ministry of War nor with the views expressed by the legal subcommission, Allied Commission. The fact remains that the orders to the Carabinieri were given by their own officers who remained responsible that they were carried out. The U.S. forces with whom the CC.RR served were entitled to look to the appropriate Italian Government officials that orders given the CC.RR were properly executed or upon failure of the CC.RR to execute them properly to depend upon Italian Government to properly discipline those guilty of commissions or to make good damages or loss of U.S. property arising from neglect of duty, as the U.S. Forces had no jurisdiction over those whom the Italian Government thru its proper agencies furnished. In short, applying the argument of the sub-commission, the Carabinieri whose negligence resulted in the loss of the subject property was at all times the agent of the Italian Government.

4. It is recommended that the attached papers be returned to the Chief Commissioner, Allied Commission, advising that the views expressed by the Italian Minister of War and the Legal Sub-Commission are not concurred in by this headquarters for the reason that the jurisdiction administration and control of the CC.RR on duty with the 3197th Signal Company remained with the Italian Government through its agency the CC.RR, that while the Carabinieri were to act upon orders from the Commanding Officer, 3197th Signal Company, such orders were given to the officer in charge of the Carabinieri who, upon direction from his headquarters remained responsible to ascertain that they were properly carried out that the situation in this respect is no different from that in which British units attached to U.S. 5th Army during the Italian campaign remained under the jurisdiction and control of their own officers and were responsible to their own Government should they fail to carry out orders issued by U.S. Commanders through their own officers; That the Carabinieri responsible for the loss in question was, under the circumstances an agent of the Italian Government, and that under the circumstances the claim should be again presented to the appropriate Italian Government agency for settlement.

TOM H. BARRATT  
Colonel JAGD  
Theater Judge Advocate

TMB/3ab  
Incls: n/c

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3879

SUBJECT: Road Accident with Damage to Jeep-Alcom 11832

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-185 ✓  
22 May 1946

TO : Ministry of War

1. It can now be confirmed that no claim will be made against the Italian Government for damage to U.S. vehicle - Alcom 11832.

*see 228*  
*KRN*  
K. ROBERT NELSON, Major,  
for Major-General,  
M. M. I. A.

KRN/mp

586

ALLIED FORCE HEADQUARTERS  
G-5 Section  
APO 512

G-5: 386

18 May 1946

SUBJECT: Claims Against Italian Government  
TO : Headquarters, Allied Commission  
APO 394

1. Reference letter this Headquarters G-5: 386 dated 14 December 1945 relating to possible claims against Italian Government for balance of cost of damages to U.S. vehicle due to negligence of an Italian civilian SERNANI.

2. After a careful consideration of the memorandum submitted by the Italian Ministry of War, dated 7 March 1946, transmitted to Commanding General, MTOUSA by Land Forces Sub-Commission, Q/1/15a-183 on 11 April 1946, it has been decided to take no further action in the matter and to close the file.

3. Please notify the Italian Government and Land Forces Sub-Commission, M.M.I.A. of this decision.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

A.L.H.  
A. L. HAMBLIN  
Brigadier General, GSC  
Assistant Chief of Staff, G-5

REC-7066

20 MAY 1946

Pres. action 5/1/46

(15)

53



1st Ind to Ltr, Hq 648th Military Police Company, APO 528, US Army,  
dtd 25 April 1946, subj: Letter of Transmittal.

AG 141.8/098 FIN-0

1st Ind

HEADQUARTERS MTOUSA, APO 512, 3 May 1946

TO: Chief Commissioner, Allied Commission, APO 394  
FOR: Land Forces Sub-Commission, (MMIA)

For appropriate action.

BY COMMAND OF LIEUTENANT GENERAL LEE:

JOHN R. HAYES

Major, AGD

Asst Adjutant General

JOHN R. HAYES

Major, AGD

Asst Adjutant General

8 Incls:  
n/c

AG 141.8/098 FIN-0

2nd Ind

KRN/rv

LAND FORCES SUB COMMISSION (M.M.I.A.) ALLIED COMMISSION, APO 794,  
7 May 1946.

TO: Commanding General, MTOUSA, APO 512.

Request that actual or estimated salvage value of U.S.  
vehicle, 2042254 be determined and deducted from the cost of  
the damage before charge is made against the Italian Government.

FOR THE COMMANDING GENERAL:

KRN  
K. ROBERT NELSON  
Major CAC  
M. M. I. A.

Incls  
n/c

SUBJECT : Claim against Italian Government  
(Ministry of War)  
-----

228

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) ROME  
Q/1/15A-183  
11 April 1946

TO : Commanding General,  
WFOUSA, APO. 512, U.S. Army.  
-----

- 223
1. Attention is invited to attached MIA Memorandum, ref. Q/1/15A-181 dated 7 March 46 and to Ministry of War letter (translation), ref 1236/RAI, subject: "Road Accident with Damage to Jeep ALCOM 11632", dated 3 April 1946.
  2. Returned herewith related correspondence and endorsements thereto.

KRM/sl.

223  
See 231

KRN  
K. ROBERT NELSON, Major,  
for, Major-General,  
M. M. I. A.

Copy to : Ministry of War (your 1236/RAI of 3 April 1946 refers)



## TRASLATION

MINISTRY OF WAR  
DIREZIONE GENERALE  
DEI SERVIZI DI COMMISSARIATO  
ED AMM/VI  
REF:- 1236/RAI INCL: Various

To:- LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.)  
R O M E

7 March 1946  
Q/1/15A-181

Subject:- Road accident with damage to a Jeep - alcom 11832  
-----

From the examination of the reports forwarded with the a/m letter we point out that the road accident which took place on the 18 June 1945 in the neighbourhood of Osimo, was possible due to the fact that interpreter SERNANI Gaetano, taking advantage of Lt. Rocco Alderisio's short absence, to whom the vehicle, was entrusted, and by only whom it should have been driven, started up the jeep, but since he was an inexperienced driver, the first obstacle which appeared in front of him (the presence of a cyclist on the road) caused him to lose control of the vehicle and he ran into a wall.

Being thus, there is no doubt that the responsibility for the accident and the consequent damage is solely and personally that of the interpreter SERNANI, who furthermore does not argue that it was not his fault, but of the amount of damage, which should be charged against him, in his own opinion and also the opinion of Lt. Horn American officer of the 2 Trasport batt. and the American Sgt. belonging to the II Company, is 18.00 dollars and 183.50 dollars.

The fact that during Lt. Alderisio's absence, besides SERNANI there was also Cpl. SOIS Egidio left with the vehicle, does not invert or extend the responsibility because SOIS, apart from the fact that he should have forbidden the vehicle being started up, had no more obligation to guard it than SERNANI, due the fact that the officer's order not to go away and wait for him on spot where the jeep was parked, was given to both of them, neither exists, under the circumstances, a military - disciplinary relationship between Cpl. SOIS and SERNANI, due to this the latter could not have been prevented in his action by an act of authority.

Regarding the above this Ministry is of the Opinion that the Italian Government cannot be dibited with the cost of the damage.

We return the reports.

For the Minister  
/s/ Pelligra  
Gen. Raffaele Pelligra

5877



226

226

see att 236

\*\*\*\*\*

5872

## Translation

From M. of W.  
To M.M.I.A.

Ref. I236/RAI

Date 3/4/46.

Reference letter 2/1/5A-1819  
7 March 46

Col Kew  
has seen  
2/4/46

KRN 9/4

Subject Road accident with Damage to a Jeep - alcom II832.

From the examination of the reports forwarded with the a/m letter we point out that the road accident which took place on the 18 June 1945 in the neighbourhood of Osimo was possible due to the fact that interpreter SERNANI Gaetano, taking advantage of ~~the~~ Lt. Rocco Alderisio's short absence, to whom the vehicle, was entrusted, ~~and~~ and by only whom it should have been driven, started up the jeep, but since he was an inexperienced driver, the first obstacle which appeared in front of him (the presence of a cyclist on the road) caused him to lose control of the vehicle and he ran into a wall. Being thus, there is no doubt that the responsibility for the accident and the consequent damage is solely and personally that of the interpreter SERNANI, who furthermore does not argue that it was not his fault, but of the amount of damage, which should be charged against him, in his own opinion and also the opinion of Lt. Horn American officer of the 2° Transport batt. and the American Sgt. belonging to the II° Company, is 18.00 dollars and not 183.50 dollars. The fact that, during Lt. Alderisio's absence, besides SERNANI there was also Cpl. SOIS Egidio left with the vehicle, does not invert or extend the responsibility because SOIS, apart from the fact that he should have forbidden the vehicle being started up, had no more obligation to guard it than SERNANI, due to the fact that the officer's order not to go away and wait for him <sup>on</sup> spot where the jeep was parked, was given to both of them, neither exists, under the circumstances, a military - disciplinary relationship between

HEADQUARTERS  
MEDITERRANEAN THEATRE OF OPERATIONS  
UNITED STATES ARMY  
APO 512

APR 1 RECD

1 APR 1946

RECEIVED 31 APR 1946

28 March 1946

In reply  
refer to AG 141.8/106 FIN-O

SUBJECT: Possible charge against Italian Government

TO: Chief Commissioner  
Allied Commission  
APO 794  
ATTENTION: Land Forces Sub-Commission (MMIA)

Transmitted herewith is one (1) copy of a report of survey and supporting papers involving an accident between a vehicle of the 54th Engineer Maintenance Company and one driven by Private Funedola Giovanni, 2 Group, 1st Truck Battalion, 11th Company (Italian), as a possible charge in the amount of \$145.43 against the Italian Government.

BY COMMAND OF LIEUTENANT GENERAL LEE:

1 Incl  
R/S and file as stated  
above.

JOHN R. HAYES  
Major, AGD  
Asst Adjutant General

See Loss  
U.S. 345  
ST

See File 2/4/16  
File 945

2/4/46  
8871



## Translation

From M. of W.

To M.M.I.A.

Ref. I236/RAI

Date 3/4/46.

Reference letter 2/1/KA-1819  
7 March 46Col Kerr  
has seen  
G/A

KRN 9/4

Subject Road accident with Damage to a Jeep - alcom II832.

From the examination of the reports forwarded with the a/m letter we point out that the road accident which took place on the 18 June 1945 in the neighbourhood of Osimo was possible due to the fact that interpreter SERNANI Gaetano, taking advantage of ~~the~~ Lt. Rocco Alderisio's short absence, to whom the vehicle was entrusted, ~~and~~ and by only whom it should have been driven, started up the jeep, but since he was an inexperienced driver, the first obstacle which appeared in front of him (the presence of a cyclist on the road) caused him to lose control of the vehicle and he ran into a wall. Being thus, there is no doubt that the responsibility for the accident and the consequent damage is solely and personally that of the interpreter SERNANI, who furthermore does not argue that it was not his fault, but of the amount of damage, which should be charged against him, in his own opinion and also the opinion of Lt. Horn American officer of the 2° Transport batt. and the American Sgt. belonging to the II° Company, is 18.00 dollars and not 183.50 dollars. The fact that, during Lt. Alderisio's absence, besides SERNANI there was also Cpl. SOIS Egidio left with the vehicle, does not invert or extend the responsibility because SOIS, apart from the fact that he should have forbidden the vehicle being started up, had no more obligation to guard it than SERNANI, due to the fact that the officer's order not to go away and wait for him ~~on~~ spot where the jeep was parked, was given to both of them, neither exists, under the circumstances, a military - disciplinary relationship between

Cpl. SOIS and SERNANI, due to this the latter could not have been prevented in his action by an act of authority.

Regarding the above this ministry is of the opinion that the Italian Government cannot be debited with the cost of the damage.

We return the reports.

~~DAK~~

Pelligra.

(Signed) GENERAL RAFFAELE PELLIGRA  
FOR THE MINISTER

HEADQUARTERS  
MEDITERRANEAN THEATRE OF OPERATIONS  
UNITED STATES ARMY  
APO 512

APR 1 RECD

1 APR 1946

RECEIVED  
2163  
31 APR 1946

28 March 1946

In reply  
refer to AG 141.8/106 FIN-O

SUBJECT: Possible charge against Italian Government

TO: Chief Commissioner,  
Allied Commission,  
APO 794  
ATTENTION: Land Forces Sub-Commission (MMIA)

Transmitted herewith is one (1) copy of a report of survey and supporting papers involving an accident between a vehicle of the 54th Engineer Maintenance Company and one driven by Private Funedola Giovanni, 2 Group, 1st Truck Battalion, 11th Company (Italian), as a possible charge in the amount of \$145.43 against the Italian Government.

BY COMMAND OF LIEUTENANT GENERAL LEE:

*John R. Hayes*  
JOHN R. HAYES  
Major, AGD  
Asst Adjutant General

1 Incl  
R/S and file as stated  
above.

*See Loss  
U.S. 345  
ST*

*See File 2/11/46  
945*

*2/14/46  
RS*

5571



AG 141.8 BFFIN (20 Oct/45)

7th Ind.

MAR 15 1946

HEADQUARTERS PENINSULAR BASE SECTION, APO 782, U. S. Army.

TO: Commanding General, MTOUSA, APO 512, U. S. Army.

1. Approved.
2. Forwarded for action of your Headquarters in accordance with Par. 7g, Cir. #45, MTOUSA, 21 March 1945.

FOR THE COMMANDING OFFICER:

Incls:  
n/c

*Gordon W. Gilman*  
GORDON W. GILMAN  
Captain A.G.D.  
Assistant Adjutant General

AG 141.8/106 FIN-O

8th Ind

HEADQUARTERS MTOUSA, APO 512, 28 March 1946

TO: Commanding Officer, 345th Engineer General Service Regiment,  
APO 782Recommendations of the surveying officer are approved by this  
headquarters.

BY COMMAND OF LIEUTENANT GENERAL LEE:

3 Incls

- 1 - Certificate dtd 11 Dec 45,  
Chester M. Rogers.
- 2 - Ltr, 54th Engr Maint Co, dtd  
1 Sept 45, w/ 11 Incls.
- 3 - R/S dtd 26 Sept 45.

*John R. Hayes*  
JOHN R. HAYES  
Major, AGD  
Asst Adjutant General

AG 141.8/106 FIN-0

8th Ind

HEADQUARTERS MTOUSA, APO 512, 28 March 1946

TO: Commanding Officer, 345th Engineer General Service Regiment,  
APO 782Recommendations of the surveying officer are approved by this  
headquarters.

BY COMMAND OF LIEUTENANT GENERAL LEE:

JOHN R. HAYES

Major, AGC

Asst Adjutant General

JOHN R. HAYES

Major, AGC

Asst Adjutant General

3 Incls

1 - Certificate dtd 11 Dec 45,  
Chester M. Rogers.2 - Ltr, 54th Engr Maint Co, dtd  
1 Sept 45, w/ 11 Incls.

3 - R/S dtd 26 Sept 45.

586.7

22

HQ 345TH ENGR GEN SV REGT  
APO 782, U. S. ARMY

141.8

20 October 1945

SUBJECT: Report of Survey

TO : Commanding General  
Peninsular Base Section  
APO 782.

FISCAL

1. In accordance with paragraph 11 d (1), Section XIII, Circular No. 1, your Headquarters, dated 20 May 1945, the attached Reports of Survey are submitted.
2. Copies of Reports of Survey have been retained for our files.

FOR THE COMMANDING OFFICER:

1 Incl:  
R/S 26 Sept 45 \$2236.00

*George B. Welsh*  
GEORGE B. WELSH  
1st Lt, 345th Engrs.  
Adjutant

5968



Ag 141.8 BPFIN (20 October 1945) 1st Ind.

HEADQUARTERS PENINSULAR BASE SECTION, APO 782, U. S. Army, 6 December 1945.

TO: Commanding Officer, 345th Engr. (GS) Regt., APO 782, U. S. Army.

1. The Surveying Officer has no authority to administer the affidavit of Capt. Foy K. Harris on the attached WDAGO Form No. 15. The affidavit will be subscribed to before an Adjutant, Summary Court, or other Officer authorized to administer oaths.
2. Certificate of Delay should be submitted in accordance with Par. 88, Sec. II, Chapter 4, TM 14-904.
3. Request that one copy of the Report of Investigation and supporting papers be forwarded to the Regional Office of U. S. Claims if same has not already been effected, and that this Headquarters be advised that such action has been accomplished.

BY COMMAND OF BRIGADIER GENERAL OXX:

1 Incl:  
n/c

*A. J. Marshall*  
A. J. MARSHALL  
Capt., A.G.D.  
Asst. Adj. Gen.

5867

141.8

2nd Ind.

HQ 345TH ENGR GEN SV REGT, APO 782, U. S. ARMY

13 December 1945

TO: Commanding General, Peninsular Base Section, APO 782, U. S. Army.

1. Corrected in compliance with paragraph 1.
2. Certificate of delay attached.
3. Copy of Report of Investigation forwarded to U. S. Claims Office on 1 October 1945.

FOR THE COMMANDING OFFICER:

1 Incl:  
A/S 26 Sept 45 \$2236.00

*George B. Welsh*  
GEORGE B. WELSH  
Capt, 345th Engrs  
Adjutant

5860

AG 141.8 BPFIN (20 Oct 45) 3rd Ind.

HEADQUARTERS PENINSULAR BASE SECTION, APO 782, U. S. Army, 14 January 1946.

TO: Commanding Officer, 345th Engr. (GS) Regt., APO 782, U. S. Army.

1. Request that the Report of Survey be supported by Exhibits "A" to "K", which are missing.
2. A copy of the Special Order appointing the Investigation Officer should be included as a supporting paper.

BY COMMAND OF BRIGADIER GENERAL OXX:

Incls:  
n/c

*A. J. Marshall*  
A. J. MARSHALL  
Capt. A.G.D.  
Asst Adj Gen.

5865



AG 141.8 BPFIN

4th Ind.

HQ 345TH ENGR GEN SV REGT, APO 782, U. S. ARMY.

30 January 1946

TO: Commanding Officer, Det "A" 473rd Engr Maint. Co.

Attention invited to 3rd indorsement.

FOR THE COMMANDING OFFICER:

Incls:  
n/c*Arthur M. Clark*  
ARTHUR M. CLARK,  
1st Lt., 345th Engrs  
Adjutant

AG 141.8 BPFIN

5th Ind.

HQ Det "A", 473rd Engr Maint Co, APO 782, US Army

1 February 1946

TO: Commanding Officer, H345th Engr Gen Sv Regt, APO 782, US Army.

1. Attached hereto are Exhibits "A" to "K" as requested.
2. Copy of Special Order is included as Exhibit "A".

*Chester M. Rogers*  
Chester M. Rogers,  
1st LT, CE,  
Det Commander.

5864

AG 141.8 BFFIN

6th Ind.

HQ 345TH ENGR GEN SV REGT, APO 782, U. S. ARMY. 2 February 1946

TO: Commanding General, Peninsular Base Section, APO 782

Attention is invited to 3rd and 5th indorsements.

FOR THE COMMANDING OFFICER:

*Richard C. Burck*  
RICHARD C. BURCK  
Capt., 345th Engrs  
Adjutant

5962

HQ 345TH ENGR GEN SV REGT  
APO 782, U. S. ARMY

141.8

20 October 1945

SUBJECT: Report of Survey

TO : Commanding General  
Peninsular Base Section  
APO 782

1. In accordance with paragraph 11 d (1), Section XIII, Circular No. 1, your Headquarters, dated 20 May 1945, the attached Reports of Survey are submitted.

2. Copies of Reports of Survey have been retained for our files.

FOR THE COMMANDING OFFICER:

/s/ George B. Welsh  
/t/ GEORGE B. WELSH  
1st Lt, 345th Engrs,  
Adjutant

1 Incl:  
R/S 26 Sept 45 \$2236.00

5862 -



Ag 141.8 BPFIN (20 October 1945) 1st Ind.

HEADQUARTERS PENINSULAR BASE SECTION, APO 782, U. S. Army, 6  
December 1945.

TO: Commanding Officer, 345th Engr, (GS) Regt., APO 782, U.S. Army

1. The Surveying Officer has no authority to administer the affidavit of Capt. Foy K. Harris on the attached WDAGO Form No. 15. The affidavit will be subscribed to before an Adjutant, Summary Court, or other Officer authorized to administer oaths.

2. Certificate of Delay should be submitted in accordance with Par. 88, Sec. II, Chapter 4, TM 14-904.

3. Request that one copy of the Report of Investigation and supporting papers be forwarded to one Regional Office of U.S. Claims if same has not already been effected, and that this Headquarters be advised that such action has been accomplished.

BY COMMAND OF BRIGADIER GENERAL OXX:

/s/ A. J. Marshal  
/t/ A. J. MARSHAL  
Captain, AGD  
Asst Adjutant General

1 Incl:  
n/c

5861

141.8

2nd Ind.

HQ 345TH ENGR GEN SV REGT, APO 782, U. S. Army

13 December 1945

TO: Commanding General, Peninsular Base Section, APO 782, US Army.

1. Corrected in compliance with paragraph 1.
2. Certificate of delay attached.
3. Copy of Report of Investigation forwarded to U. S. Claims Office on 1 October 1945.

FOR THE COMMANDING OFFICER:

/s/ George B. Welsh  
/t/ GEORGE B. WELSH  
Capt. 345th Engrs  
Adjutant

1 Incl:  
R/3 26 Sept 45 \$2236.00

5960

AG 141.8 BPTIN (20 Oct 45) 3rd Ind.

HEADQUARTERS PENINSULAR BASE SECTION, APO 782, U.S. Army, 14 January 1946.

TO: Commanding Officer, 345th Engr. (CS) Regt., APO 782, US Army.

1. Request that the Report of Survey be supported by Exhibit "A" to "K", which are missing.

2. A copy of the Special Order appointing the Investigation Officer should be included as a supporting paper.

BY COMMAND OF BRIGADIER GENERAL OXX:

/s/ A. J. Marshal  
/t/ A. J. MARSEAL  
Captain, AG D  
Asst Adjutant General

Incls:  
n/c

3959



AG 141.8 BPFIN

4th Ind.

HQ 345th ENGR GEN SV REGT, APO 782, U.S. ARMY

30 January 1946

TO: Commanding Officer, Det "A" 473rd Engr Maint. Co.

Attention is invited to 3rd Indorsement.

FOR THE COMMANDING OFFICER:

/s/ Arthur M. Clark  
/t/ ARTHUR M. CLARK  
1st Lt., 345th Engrs  
Adjutant

Incls ;  
n/c

AG 141.8 BPFIN

5th Ind.

HQ Det "A", 473rd Engr Maint Co, APO 782, US Army 1 February 1946

TO: Commanding Officer, HQ 345th Engr Gen Sv Regt, APO 782, US Army.

1. Attached hereto are Exhibit "A" to "E" as requested.
2. Copy of Special Order is included as Exhibit "A".

/s/ Chester M. Rogers  
/t/ CHESTER M. ROGERS  
1st Lt., CE,  
Det Commander.

AG 141.8 BFFIN

6th Ind.

HQ 345TH ENGR GEN SV REGT, APO 782, U. S. ARMY. 2 February 1946

TO: Commanding General, Peninsular Base Section, APO 782

Attention is invited to 3rd and 5th Indorsement.

FOR THE COMMANDING OFFICER:

/s/ Richard C. Burck  
/t/ RICHARD C. BURCK  
Capt., 345th Engrs  
Adjutant

3958

AG 141.8 BPFIN (29 Oct/45) 7th Ind.

March 15, 1946

HEADQUARTERS PENINSULAR BASE SECTION, APO 782, U. S. Army.

TO: Commanding General, MTOUSA, APO 512, U. S. Army

1. Approved.
2. Forwarded for action of your Headquarters in accordance with Par. 7E, Cir. #45, MTOUSA, 21 March 1945.

FOR THE COMMANDING OFFICER:

/s/ Gordon W. Gillam  
/t/ GORDON W. GILLAM  
Captain, AGD  
Asst Adjutant General

Incls:  
n/c

3357



223

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) ROME  
Q/1/15A-161  
7 March 1946  
-----

## MEMORANDUM

TO : Ministry of War  
-----

1. This HQ has received a Report of Investigation attached hereto.
2. Request that you consider the Report and advise if you believe that the Italian Government is liable for charges for contributory action of Italian Cap. Magg. SOIS SUINO.

226  
All

KRN  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRM/r1

Incl:  
n/c

5958

INTER-OFFICE MEMO

LAND FORCES SUB COMMISSION A.C.  
M.M.I.A.

File:

Q/1/15A-180

1 Mar. 46

To :

FINANCE SUB COMMISSION,  
HQ, ALLIED COMMISSION

1. Forwarded herewith correspondence, misdirected to this Sub-Commission, concerning a possible charge against the Italian Government.
2. No member of the Italian Army Forces was involved in responsibility for the loss; therefore, no action will be taken by this Sub-Commission.

KRN/r1

KRN  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

5955



COL. KERR:

- What do you think of this?
- I remember vaguely having read the inclusions when it first came through - about a civilian diving a jeep into a wall, while the Italian soldiers sat by and did not prevent him from diving. Thought the soldier knew that he could not drive.
- Should I ask AC-012675 Regt for a copy of investigation? and prepare charge for \$165.50? 5553

KRN 25/2



4091  
MMIA  
221  
1st Ind to 1st Land Forces Sub Comm, A. C. (M. M. I. A.) Rome, file  
Q/1/15A-178, dtd 18 Feb 46, subj: Collection of Damages from Italian  
Civilians.

AG 537.5 -0

1st Ind

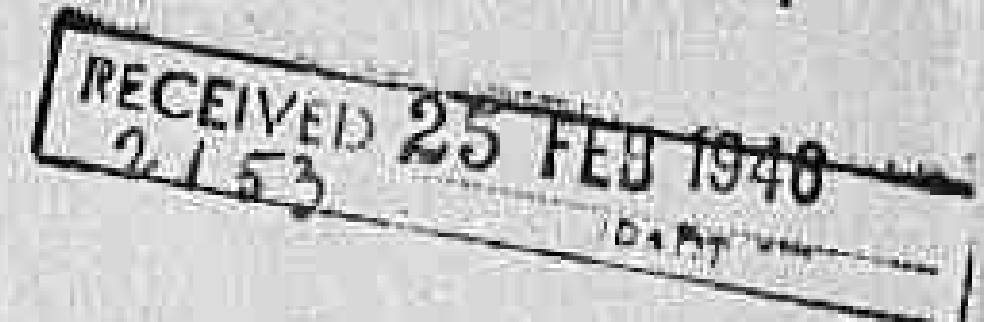
ALLIED FORCE HEADQUARTERS, APO 512, 22 February 1946

TO: President, Allied Commission, APO 394  
FOR: Land Forces Sub-Commission (MMIA)

1. Copies of basic communication plus 1st and 2nd Indorsements  
are attached. Copies of the inclosures listed on 1st Indorsement are  
not available.

2. It is believed that the missing correspondence became de-  
tached after dispatch from this headquarters.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:



*John R. Hayes*  
JOHN R. HAYES  
Major, AGC  
Asst Adjutant General

2 Incls

1. 3rd Ind
2. Copies of basic plus  
1st and 2nd Ind

25/2/46  
RA

see 218

585

1st Ind to 1st Land Forces Sub Comm, A. C. (M. M. I. A.) Rome, file  
Q/1/15A-178, dtd 18 Feb 46, subj: Collection of Damages from Italian  
Civilians.

AG 537.5 -0

1st Ind

ALLIED FORCE HEADQUARTERS, APO 512, 22 February 1946

TO: President, Allied Commission, APO 394  
FOR: Land Forces Sub-Commission (MMIA)

1. Copies of basic communication plus 1st and 2nd Indorsements  
are attached. Copies of the inclosures listed on 1st Indorsement are  
not available.

2. It is believed that the missing correspondence became de-  
tached after dispatch from this headquarters.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

JOHN R. HAYES  
Major, AGD  
Asst Adjutant General  
JOHN R. HAYES  
Major, AGD  
Asst Adjutant General

2 Incls

1. 3rd Ind
2. Copies of basic plus  
1st and 2nd Ind

5852

SUBJECT: Collection of Damages from Italian Civilians

218  
LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-178  
18 February 1946

TO : Commanding General, MTOUSA, APO 512, U.S. Army

1. Forwarded herewith 3rd Ind. to Ltr. AFHQ, G-5 Section, APO 512, dated 14 Dec. 45, Subj: Collection of Damages from Italian Civilians.
2. 1st and 2nd indorsements and inclosures were not received.

*K. Robert Nelson*  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/ri

5851



3812.

L. Bruns

3rd Ind to Ltr, Allied Force Headquarters G-5 Section, APO 512, dtd  
14 Dec 45, subj: Collection of Damages from Italian Civilian.

AC 537.5 GDS-0

3rd Ind.

FJS/adr

9/1/46

HEADQUARTERS AFMUSA, APO 512, 14 February 1946

TO: Chief Commissioner, Allied Commission, APO 394  
FOR: Land Forces Sub-Commission (AMIA)

Returned as a possible charge against the Italian Government  
in the amount of \$ 165.50.

BY COMMAND OF LIEUTENANT GENERAL LEE:



PAUL S. SULLIVAN  
Captain, AGD  
Asst Adjutant General

3 Incls:  
n/c

18.2.43  
Re

178

3930

Incl #1

ALLIED FORCES HEADQUARTERS  
G-5 Section  
APO 512

G-5 386

14 December 1945

SUBJECT: Collection of Damages from Italian Civilians

TO : Headquarters, Allied Commission  
APO 394

1. Reference letter, this Headquarters, dated 19 December 1945, above subject, and your 1st Ind 537 5 dated 23 November 1945.

2. The following minute of the Fiscal Director dated 11 December 1945 is quoted for your information and guidance:

"Recommend the compromise offer of the Italian civilian Sernani Gaetano amounting to one-tenth of the amount adjudged against him be accepted. Further, after this collection has been effected, recommend the attached file be forwarded to MMIA as a possible charge against the Italian Government for the balance of the cost of the damages as recommended by the investigating officer since Cap. Magg. Sois Egidio (Italian soldier) contributed to the cause of the damage."

3. You will accept the compromise agreement and after collection has been effected, forward the file to MMIA for possible charge as indicated in paragraph 2 above.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

s/ A. L. HAMLEN  
t/ A. L. HAMLEN  
Brigadier General GSC,  
Assistant Chief of Staff, G-5.

0949

Ind #12

537.5

1st Ind.

SEH/lam

(14 Dec 45)

HEADQUARTERS, 2675TH REGIMENT, ALLIED COMMISSION, (OVERHEAD), APO 394,  
U. S. Army, 26 January 1946.

TO: Land Forces Sub-Commission (MMIA), Allied Commission, APO 394.

1. Collection of \$18 on compromise offer has been effected from Gaetano Sernani.

2. Case is now forwarded to you in compliance with Paragraph 3 of basic communication.

FOR THE COMMANDING OFFICER:

s/ Sexson E Humphreys  
t/ SEXSON E HUMPHREYS  
CWO USA  
Assistant Adjutant

8 Incls:

- #1 - Ltr AFHQ G-5 dtd 14 Dec 45 w/1st Ind.
- #2 - WD Standard Form 1044 - \$18
- #3 - Ltr this Hq 537.5 dtd 3 Nov 45
- #4 - Inv O Rpt dtd 3 July 1945
- #5 - Affidavit by Gaetano Sernani in Italian
- #6 - Translation of Incl #5
- #7 - Statement by 1st Lt Andrew Horn Jr
- #8 - Cert of Loss \$183.50

537.5 (14 Dec 45)

2nd Ind.

29 January 1946

LAND FORCES SUB-COMMISSION (MMIA), Allied Commission, APO 394.

TO : Commanding General, MTOUSA, APO 512, U.S. Army.

Inviting attention to Circular No. 74, HQ, NATOUSA, 1944.

FOR THE COMMANDING GENERAL:

K. ROBERT NELSON  
Major C.A.A.

8 Incls:

n/c

5548



SUBJECT: Payment for Clothing

5220  
IAMP FORCES SUB COMMISSION  
A.C. (U. S. I. A.) R O M E  
C/1/15A-179  
20 February 1946

TO : Allied Supply Accounting Agency  
c/o Finance Sub Commission A.C.

211  
Reference your letter REA 501/31-178-259 of 7 Jan 46 and  
further to our C/1/15A-174 of 10 Jan 46.

1. The Ministry of War has confirmed that payment for voucher  
178 (5,010,000 lire) has been made to Banca d'Italia and holds receipt  
# 435 dated 23 Nov 45 for same.

2. Clothing included under voucher 259 has been returned to  
issuing depot due to unavailability.

3. This confirms telephone conversation Capt. Grudskinski-  
Maj. Nelson.

KRN  
K. ROBERT NELSON, Major  
For Major General  
U. S. I. A.

RMH/np

219  
Copy to: Ministry of War (Your letter 0139/VC of 15 Feb 46 refers)  
10 B.L.S.

see 211 & 219

Translation.

From:- M. of W.  
To:- MMIA.

Ref:-6130/VC

Date:- 15th. Feb. 46

Subject:- Payment of Clothing articles.

Ref. your Q/1/154/174 dated 10/1/46.

It is reported that the Comm/to Directorate of Naples has already made a payment (amounting to L.5.040.000) to the A/1.A. No.1/A/C of Naples, for the material detailed in <sup>issue</sup> Voucher No.178.

Re material listed on Issue Voucher No.259, it is pointed out that these were returned to the issuing Allied Depot according to your instructions since the material in question was in poor conditions and could not be distributed.

Issue Voucher No.259 is returned herewith and we enclose copy of letters RSA/501/31/X from HQ., AC, Finance Sub-Commission, Naples and DC/10573/VE from the Comm/to Directorate.

Sgt. Fabre.

Sgd. Pelligra.

see 211  
22019.2.46  
5840



F/F 18

## ALLIED MILITARY GOVERNMENT

Naples Commune Commerce DIVISION

## ISSUE VOUCHER

No. U/259SOLD/ISSUED TO: I.T.I. Clothing Depot - Naples, c/o H.H.I.A., L.O., Naples

DESCRIPTION OF ARTICLES	UNIT	QUANTITY	PRICE	AMOUNT
B.I. Jackets (Blouse Wool)	1	5000	280	1,400,000 ✓
B.D. Trousers (Wool)	1	5000	280	1,400,000 ✓
				<u>2,800,000</u>

Allotment Note N° U. 329  
dated 10 July 1945.

The validity of this allocation  
expires on 15 August 1945

This allocation is for  
the Month of July 1945

Payment After collection

Issuing Warehouse: Via Montoliveto 86 NaplesPayable at: Banca d'Italia (AFAN° 1 ulc) Naples

Sale/Issue approved by:

Date 31 July 1945

Signed

Signature and Rank

A. G. Laphorne, Capt.,  
Commerce Division.

(1) I certify that the articles described above were received by me on the \_\_\_\_\_ day of \_\_\_\_\_ 194\_\_\_\_\_  
lo certifico che gli articoli sopra elencati erano ricevuti da me il giorno \_\_\_\_\_ del mese \_\_\_\_\_

Signature of purchaser

(2) I certify that the articles described above were issued by me to the person(s) entitled to receive them on the \_\_\_\_\_ day of \_\_\_\_\_ 194\_\_\_\_\_, and that evidence of payment of the above total amount of \_\_\_\_\_  
Lire \_\_\_\_\_ was produced to me in the form of Bank Deposit Receipt No. \_\_\_\_\_ issued by \_\_\_\_\_  
Receipt Voucher

under date of \_\_\_\_\_ 194\_\_\_\_

Signature &amp; Rank of issuing Officer

Head: \_\_\_\_\_

Sub-Head: \_\_\_\_\_

Store-Ledger Folio: \_\_\_\_\_

Tally Card No. \_\_\_\_\_



C O P I A

(X)

DIREZIONE DI COMMISSARIATO DEL COMANDO MILITARE TERR/LE  
DI NAPOLI - 2° SEZIONE -

N° DC/ 10573. V.E. di prot.

Napoli 16 novembre 1945

AL HEADQUARTERS ALLIED COMMISSION

APO 394

FINANCE - SUB - COMMISSION

N A P L E S

OGGETTO - vestiario riparato.-

Con riferimento alla vostra lettera n.RSA 501/31/X del 24 ottobre u.s. si comunica che i materiali cui si riferisce codesto Comando, furono solo parzialmente ritirati dal dipendente Deposito 591.

Detta parte di materiali ritirati era costituita da 2100 pantaloni.

I materiali ritirati, furono riscontrati in condizioni da non poter essere distribuiti per la loro qualità.

Per quanto sopra, interessato la locale M.M.I.A. questa ne disponeva la restituzione al Deposito Alleato di provenienza.

Detta restituzione è stata effettuata soltanto ieri, in quanto il Deposito alleato aveva fatto conoscere di non aver spazio sufficiente per l'immagazzinamento dei materiali stessi.

In relazione a quanto sopra esposto, nessuna somma deve essere pagata da questa Direzione.-

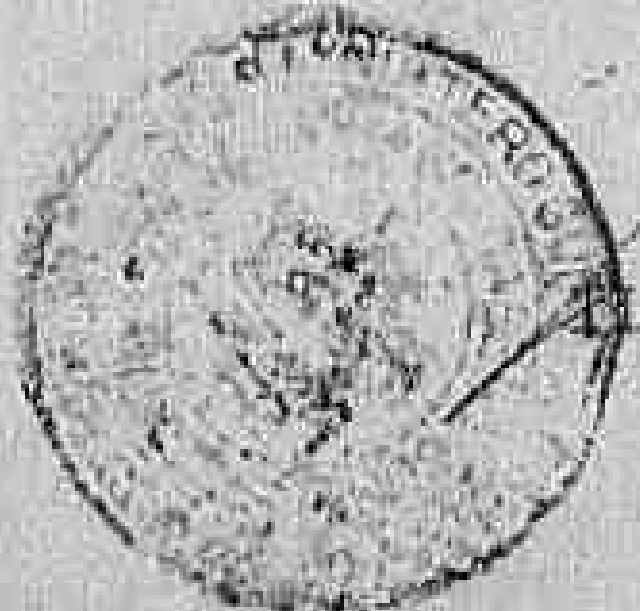
IL COLONNELLO COMMISSARIO DIRETTORE

P/to Ugo Landolfi

P. C. C.

IL S.TEN. COMMISSARIO

P.to De Liguoro Teodoro



P. C. C.

IL DIRETTORE CAPO DIVISIONE

*Y. C. B.*

5944

COMANDO COMMISSIONE ALLEATA  
SOTTOCOMMISSIONE FINANZA

RSA/501/31/X

24 Ottobre 45

OGGETTO: Vestiario riparato.-

AL DEPOSITO ITALIANO VESTIARIO (tramite M.M.I.A.)

Si fa riferimento alla nostra lettera del 13 settembre 45, stesso oggetto.

Ad oggi nessuna risposta è pervenuta. E' necessario che le informazioni richieste a mezzo detta lettera del 13 settembre 45, pervengano immediatamente alla scrivente.

Si acclude copia della summenzionata lettera.

P.to Capitano J. GRUDZINSKI

=====

COMANDO COMMISSIONE ALLEATA  
SOTTOCOMMISSIONE FINANZA

13 Settembre 45

OGGETTO: Vestiario riparato.-

AL DEPOSITO ITALIANO VESTIARIO (tramite M.M.I.A.)

Il 31 Luglio 45 vestiario riparato e recuperato per il valore di 2.800.000 lire fu ceduto a voi con buono prelevamento numero 4/259, a pagamento differito.

Ad oggi nessun pagamento è stato effettuato presso la Banca d'Italia in Napoli sul credito ATA a/c n°1.

Comunque alcuni reparti a cui non è stato ceduto vestiario, hanno effettuato pagamenti, ciò probabilmente perchè voi avete disintegrato l'assegnazione totale provocando tali pagamenti da parte dei singoli reparti.

Come è facile comprendere, è impossibile tenere la contabilità a queste condizioni, e pertanto è essenziale che voi forniate alla scrivente una scheda con le seguenti informazioni:

- a) nome del reparto o organizzazione - (b) ammontare e data del pagamento
- c) nome della Banca ove il denaro è stato depositato.

Si prega considerare questa richiesta come urgente.

P.to Capitano J. GRUDZINSKI

P. C. C.

IL DIRETTORE CAPO DIVISIONE

*[Handwritten signature]*

5943



*File 218*

SUBJECT: Collection of Damages from Italian Civilians

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) ROME  
O/1/15A-178  
18 February 1946

TO : Commanding General, MFOUSA, APO 512, U.S. Army

- 217*
1. Forwarded herewith 3rd Inc. to Ltr. AFHQ, G-5 Section, APO 512, dated 11 Dec. 45, Subj: Collection of Damages from Italian Civilians.
  2. 1st and 2nd indorsements and inclosures were not received.

*KRN*  
K. ROBERT NELSON, Major  
For Major General  
M. M. I. A.

KRM/ri

*217*  
*221*

5942



217

3rd Ind to Ltr, Allied Force Headquarters G-5 Section, APO 512, dtd  
14 Dec 45, subj: Collection of damages from Italian Civilian.

AG 537.5 CDS-0

3rd Ind.

PJS/adr

HEADQUARTERS MTCUSA, APO 512, 14 February 1946

TO: Chief Commissioner, Allied Commission, APO 394  
FROM: Land Forces Sub-Commission (MSEA)

Returned as a possible charge against the Italian Government  
in the amount of \$ 165.50.

BY COMMAND OF LIEUTENANT GENERAL LEE:

PAUL J. SULLIVAN  
Captain, AGC  
Asst Adjutant General  
PAUL J. SULLIVAN  
Captain, AGC  
Asst Adjutant General

3 Encls:  
n/c

See 218

5843

115A

216

## TRANSLATION

FROM: Ministry of War

REF: 2190/E

TO: Presidency of the Council of Ministers DATE: 5 June 1945

SUBJECT: Compensation for damages caused by Italian  
military personnel to American vehicles.

In February last the M.M.I.A. applied to this Ministry for the payment of the sum of 430.94 dollars, the extent of the damages caused by an Italian soldier to an American military vehicle.

This request was met and likewise were further similar demands both because of the urgency which the requesting department attached to the matter, and, above all, for advisable reasons of a political nature, since we were dealing with the Allied army.

However, the increase of notifications of automobile accidents with the consequent damage to American materials and the relative demands for compensation - each for a large sum - gives rise to the question as to whether the Italian State - and, on its behalf, the war administration - is at all times and under any circumstances obliged to compensate for damages of this kind, or only in specific cases.

Because of established legal procedure on the subject and until a different line of action is agreed on, the war administration is not held responsible for damages caused to persons or things due to illegal acts by the troops under its command, unless liable under the conditions of art. 120 of the so-called highway code.

Q/Acs

In the event, therefore, of the deterioration or destruction of American M.T. material due to the irregular conduct of Italian personnel, and also if the damage occurred through a road accident, no true responsibility could be attached to the administration; especially, moreover, if one bears in mind the status of the direct authors of the damage, who, belonging to units formed for incorporation in the Allied army, act and operate for the war requirements of the Allied armed forces, or, failing that, for the functioning of the services maintained for them.

The obligation of compensation would, therefore, have to fall on the soldier who caused the damage, in the same way as any personal responsibility is his for eventual damage caused to items of clothing, equipment, or armament supplied to him by the said Allied army, which would have to either sustain the damages caused or recover from the Italian soldier in the same way as from any other soldier of any nationality who was guilty of causing damage.

The replacement by the administration of the responsibility of the soldier with the physical repairs of the damage, reclaiming afterwards - the thesis on which the requests for indemnity from the M.M.I.A. are based - would actually become a passive guarantee obligation wholly to the disadvantage of the Italian Exchequer in view of the fact that in practically the whole of the cases it would not succeed in recovering anything to its credit, bearing in mind, generally speaking, the notorious insolvency of its military co-debtors.

The position of the administration is, on the other hand, different in the case of damages to American vehicles issued for the use of units of the Italian Army and used exclusively in its interests, in that, in this case, it is obliged to return the vehicles



in a fully serviceable condition.

Since however, in this case, other reasons may prevail over those of principles of strict rights, I submit the matter to the examination of your Presidency for such action as it may see fit to take on behalf of the Government for an agreement with the Allied authorities.

Sgd. CASATI

War Minister.

O. Danino Cpl.

COL KERR

- This translation (folio 216) may interest you.
- W/M representative showed it to me - and I have had it translated.
- It is a question of whether the Ital. Gov't should accept liability for damages resulting from accidents.
- He said that he did not believe any reply had been received from Prime Minister.

KRN<sup>7</sup>/2

5337

Major Nelson -

Very interesting argument and some of the points are well taken.

However, I believe the Armistice Terms take care of the matter.

I think there is nothing we should do about it now. About \$125,000 has already been clipped this way.

(K)

7/2  
5336



215

File

SUBJECT: Receipt  
-----LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-177  
24 January 1946  
-----TO : Ministry of War  
-----Our Q/1/15A-176 of 18 Jan 46 and your 410/Sit dtd  
18 Jan. 46 refer. 214 214

1. Forwarded herewith receipt from Command Cashier, S BCPO,  
for your Check No. 0.748,250 dtd 16 Jan 46 in the amount of  
397 lire forwarded under cover your letter referred to above.

see 214

KRN

K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.KRN/r1  
Incl: Receipt

583.7

0 0 214  
*File*

SUBJECT: Settlement Outstanding Voucher  
-----

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-176  
18 January 1946  
-----

TO : Command Paymaster, 8 B.C.F.O.  
-----

1. Herewith Banca d'Italia Check No. 0,748,250 for 397 lire in payment for Voucher 17, referred to in your LDM/S/59 of 20 Dec. 45 for purchase of fresh fruit and vegetables supplied to Italian personnel attached to 975 Squadron RAF.
2. Request acknowledgement of receipt of check.

*see 215*

*KRN*  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/ri

Incl: Banca d'Italia Check No. 0,748,250 dtd 16 Jan 46, am't 397 lire.

Copy to: Ministry of War (your 410/Slt of 18 Jan 46 refers)  
Internal: ADST (your ST/178 of 3 Jan 46 refers)

5834



G.R. **MINISTERO DELLA GUERRA**  
DIREZIONE GENERALE SERVIZI COMMISSARIATO ED AMMINISTRATIVI  
Ufficio Situazioni

Sezione

Roma, 18 Gennaio 1946

Prot. N° 410/Sit Allegati 1

Risposta al f.° del

Div. Sez. N°

A/ LA LAND FORCES SUB COMMIS=

SION A.C. (MMIA) - (rif.f.Q/1/15A  
172 del 3.1.1946) = R O M A =

OGGETTO : Frutta secca e legumi somministrati da Enti Al=  
leati ai reparti italiani.-

e, per conoscenza:

ALLA DIREZ.DI COMM.TO DEL COM.DO MIL.TERR. = R O M A =  
(rif.f. 106/A del 17 gennaio 1946)  
^^^^^^^^^^^^

Si trasmette il vaglia cambiario della Banca d'Italia n. 0,748.250 per l'importo complessivo di L. 397 (trecentonovantasette) emesso a favore del

"COMMAND PAYMASTER 8 BCPO,"

a saldo nota relativa alla fornitura in oggetto.

Si prega trasmettere regolare quietanza a comprova dell'avvenuto pagamento.-

p. IL MINISTRO

5888



0 0 213  
SUBJECT: Receipt  
-----

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R C M E  
Q/1/15A-175  
16 January 1946  
-----

TO : Ministry of War  
-----

205  
Ref. our ltr Q/1/15A-169 dtd 14 Dec. 45.

1. Forwarded herewith copy of Payment Voucher 44 for bread  
baking charges for Italian Military assigned to 1st Truck Batta-  
lion, along with Receipt Voucher for payment of same for your  
files.

see 205 KRN  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/ri

Copy to: HQ, Allied Commission,  
for Finance Sub Commission,  
(Allied Financial Agency Accounting Unit) Your ltr  
20013/F/A/2 dtd 14 Jan 46 refers.

R/16/46  
Jaw

5932

HQ ALLIED COMMISSION  
FINANCE SUB-COMMISSION  
ALLIED FINANCIAL AGENCY FINANCIAL ACCOUNTING UNIT  
APO 394

Tel: Dial 489161, Ext. 259

Ref: 20013/F/A/2

14 Jan 46

SUBJECT: Refund of AC expenditure  
on rations for Italian military.

TO : Land Forces Sub-Commission,  
MMIA.  
(Attention Major K.R. NELSON).

Ref. your Q/1/15A-173. 210

1. Receipt of cheque for lire 2050 is acknowledged, and the following are enclosed:-
  - a. Payment voucher (F/F3) number 44 dated 1 Aug 45, showing the original payment by Allied Commission to ZANASI.
  - b. Receipt voucher (F/F1) number 16526 dated 12 Jan 46, showing refund by the Italian Ministry of War to Allied Commission.
2. The help you have given in this matter is much appreciated.

HSE/mg

*H. S. Emery*  
H.S. EMERY Capt. Int Corps.  
For Assistant Chief of AFA.

5931



415A  
C.R. MINISTERO DELLA GUERRA 212

DIREZIONE GENERALE SERVIZI COMMISSARIATO ED AMMINISTRATIVI

Ufficio Situazioni

Sezione

Roma, 10 Gennaio 1946

Prof. N° 130/Si<sup>te</sup> Allegati

Risposta al f.° del

Div. Sez. N°

Al LA DIREZIONE DI COMMISSA-  
RIATO DEL COMANDO MIL.TERR.DI

= R O M A =

OGGETTO : Frutta secca e legumi somministrati da Enti Al-  
leati ai reparti italiani.-

e, per conoscenza:

ALLA LAND FORCES SUB COMMISSION A.C. (M.I.A.)  
(rif.f. 2/1/15a-172 del 3.1.46)

= R O M A =

Codesta Direzione è pregata rimettere  
allo scrivente un assegno per l'importo di L.397  
(trecentonovantasette) a saldo nota di debito pre-  
sentata dalla M.M.I.A. relativa ai rifornimenti  
di cui all'oggetto.

L'assegno dovrà essere emesso all'ordi-  
ne del

"Command Paymaster 2 BCPO."

Al titolo di spesa dovrà allegarsi co-  
pia del presente dispaccio e nota di debito che si  
fa riserva di trasmettere.-

Referring request  
for check of 397 lire  
to Rome Com/TO

209  
p. IL MINISTRO

5930



SUBJECT: Payment for Clothing  
-----

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-174  
10 January 1946  
-----

TO : Ministry of War  
-----

1. On 21 May and 31 July 1945 a quantity of Battle Dress Jackets, Trousers, and Shirts were released by Commerce Division, Naples Commune, AMG to your Clothing Depot in Naples.
2. The total charge for this quantity of clothing amounted to 7,840,000 lire which is payable to "Banca d'Italia (AFA No. 1 A/C) Naples".
3. There is a record of receipt of this clothing and distribution. To date no record of payment has been found.
4. Copies of vouchers pertaining thereto are attached hereto. The clothing was black dyed Battle Dress intended for discharged troops.
5. It is requested that this amount be settled at an early date and this HQ be advised of action taken.

x M/W replying on 13/2 concerning above.

① Bill paid - 5,040,000 lire receipt

② Clothing under 259 Vouchers returned to depot

x Capt Gudzinski advised of details

KRN  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/ri

Incls: Vou. No. U/178 and U/259

Copy to: Allied Supply Accounting Agency c/o Financial Sub-  
Commission A.C. (your RSA 501/31-178-259 of 7 Jan 46  
refers)  
No. 10 B.L.U.

Receipt 435 23/11/45  
KRNAC

Acc 219  
220

5831

# ALLIED SUPPLY ACCOUNTING AGENCY

211(a)

Branch of

ALLIED FORCE HEADQUARTERS  
G-5 SECTION  
CMF.

Postal Address

c/o FINANCE SUB-COMMISSION  
HEADQUARTERS ALLIED COMMISSION  
APO 394 CMF.

Ref : RSA 501/31-178-259

Subject: Repaired Clothing

To : Land Forces Sub-Commission  
A.C., M.M.I.A., Rome

Date 7 January 1946

1. Please refer to our Letters 501/31 dated 8 November and 501/31/X dated 24 October 1945 and, issue vouchers V/178, 259 dated 21 May, 31 July of 1945 which are attached to this letter.
2. Our records show an outstanding balance of Lire 5,040,000 and 2,866,000 as per a/m issue vouchers. This debt has now been long outstanding and all efforts by this office to clear this liability, through telephonic conversation with the IO in Naples, have thus far failed to produce any results.
3. This Office wants to know,  
(a) was clothing drawn to the value per para 2 of this letter  
(b) where and what date were the monies deposited.  
Further to (a) above, if no clothing was drawn please confirm by writing giving reference to the voucher numbers and amounts mentioned in para, 1,2 of this letter.
4. Please treat this urgently.

H.A. P.C. APO 394 Sub

Joseph H. Guelbysch

1. Please refer to our letters 501/31 dated 8 November and 501/31/X dated 24 October 1945 and, issue vouchers V/178, 259 dated 21 May, 31 July of 1945 which are attached to this letter.

2. Our records show an outstanding balance of Lire 5,040,000 and 2,860,000 as per a/m issue vouchers. This debt has now been long outstanding and all efforts by this office to clear this liability, through telephonic conversation with the LO in Naples, have thus far failed to produce any results.

3. This Office wants to know,

- (a) was clothing drawn to the value per para 2 of this letter
- (b) where and what date were the monies deposited.

Further to (a) above, if no clothing was drawn please confirm by writing giving reference to the voucher numbers and amounts mentioned in para, 1,2 of this letter.

4. Please treat this urgently.

H.S. P.C. 41234 Sub.

*Joseph A. Gruzdinski*  
JOSEPH A. GRUZDINSKI  
Capt., F.A.  
Supply Accountant. 5924

(1) Enclosures per para 1



HEADQUARTERS ALLIED COMMISSION  
APO 394  
FINANCE SUB-COMMISSION

RSA 501/31

8 November 1945

SUBJECT : Repaired Clothing  
TO : I.T.I. Clothing Depot,  
c/o M.M.I.A., L.O. Naples.

1. Please refer to attached true copy of Issue Voucher No. 178 dated 21 May 1945, for the amount Lire 5,040,000.
2. To date, this amount stands in our records as an account receivable.
3. May this office be informed of the present position regarding this transaction.
4. It is requested that this matter be treated urgently.

*JAS*  
JOSEPH A. GRUDZINSKI  
Capt., F.A.  
Supply Accountant.

Enclosure: 1.

Copy to: Land Forces Sub-Commission, A.C., M.M.I.A., Rome.  
Commerce Sub-Commission.

5927

Q/Acs.

Ref you RSA 501/31-178-259 off.  
you January 1945

The issue vouchers enclosed refer  
to Black dyed Battle dress which  
was received from AC for  
discharged soldiers.

The amounts shown as issued  
were in fact received and have  
been distributed.

As far as is known to the RA  
no monies have been paid into  
the bank but it is thought  
that this is a matter for financial  
negotiation between the concerned  
governments.



HEADQUARTERS ALLIED COMMISSION  
APO 394  
FINANCE SUB-COMMISSION

RSA 501/31/X

24 October 1945

SUBJECT : Repaired Clothing.

TO :

1. Reference our letter of even number dated 13 September 1945 on the above subject.
2. To date no reply has been received. It is imperative that the information, as requested per our letter dated 13 Sept., 1945, be forwarded to this office immediately.
3. Copy of said mentioned letter attached.

Joseph A. Grudzinski  
Capt. F.A.  
Supply Accountant.

582



HEADQUARTERS ALLIED COMMISSION  
APO 394  
FINANCE SUB-COMMISSION

SUBJECT : Issued Clothing.

TO : L.I.L. Clothing Depot  
M.M.I.A., L.O., Naples

1. On 31 July 45 repaired salvaged Clothing to the value of 2800000 was released to you on Issue Voucher No. U/259, on deferred payment.

2. To date no payment has been made into Bank of Italy, Naples for credit of AFA a/c No. 1.

3. However, certain units, to whom no clothes have been released, have made payments, and it is felt that perhaps you have broken down bulk allotment, and individual units are making these payments.

4. As you can see, it is impossible to keep accounts if this is the case, and therefore it is essential that you furnish this office a schedule with the following information.

- (a) Name of unit or organization
- (b) Amount and date paid
- (c) Name of bank where money was deposited.

5. Please consider this request as urgent.

*Joseph A. Grudziński*  
JOSEPH A. GRUDZINSKI  
Capt. F.A.

Regional Supply Accountant  
Southern Region.



0 0

*File 210*

SUBJECT: Charge to Italian Military

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-173  
10 January 1946

TO : Allied Financial Agency,  
Financial Accounting Unit,  
HQ Allied Commission,

*204*  
Reference your 20013/F/A/1 of 8 Dec. and our  
Q/1/15A-169 of 14 Dec 45.

1. Forwarded herewith check for 2050 lire payable to  
"Allied Financial Agency, No. 1 Account, Banca D'Italia" in  
conformity with your request.

2. It is requested that original voucher be forwarded to  
this HQ for transmission to the Ministry of War.

*KRN*  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/ri

Copy to: Ministry of War (your letter 73/Sit of 9 Jan 46 refers)

5524



C.R. **MINISTERO DELLA GUERRA**  
DIREZIONE GENERALE SERVIZI COMMISSARIATO ED AMMINISTRATIVI  
Ufficio Situazioni

Sezione

Roma,

9 Gennaio 1946

Prot. N° 73/Sit Allegati 1 vaglia

Risposta al f.° del

A/ LA LAND FORCES SUB COMMISSION

Div.

Sez.

N.°

A.C. (MMIA) - (rif.f.Q/1/15A-169  
del 14.12.1945)

= R O M A =

OGGETTO: Cottura pane per prigionieri italiani.-

e, per conoscenza:

ALLA DIREZ.DI COMM.TO DEL COMANDO MIL.TERR.  
(rif.f. n. 8/A del 4 gennaio 1946)

= R O M A =

Si trasmette il vaglia cambiario della  
Banca d'Italia n. 0,512818 per l'importo complessivo  
di L. 2.050 (duemilacinquanta) emesso a favore del  
"ALLIED FINANCIAL AGENCY N. 1 ACCOUNT, BANCA D'ITALIA",  
a saldo nota relativa a cottura pane per prigionieri  
italiani.

Si prega trasmettere regolare quietan-  
za dell'avvenuto pagamento.-

p. IL MINISTRO

5923



*Just 18 Jan*  
*File*  
*209*  
SUBJECT: Voucher for local purchase items

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-172  
3 January 1946

TO : Ministry of War

1. We are in receipt of a voucher in the amount of 397 lire covering the purchase of fresh fruit and vegetables by a British DID and issued to Italian personnel attached to 975 Squadron R.A.F.
2. Will you please obtain a check from the Air Ministry payable to the order of the Command Paymaster, 8 BCPO, in the amount of 397 lire to cover this voucher, and forward to this office.
3. Please acknowledge receipt of this letter and voucher attached.

*212*  
*214*  
*KRW*  
K. ROBERT WILSON, Major  
for Major General  
M. M. I. A.

KRW/ri  
Incl: Vou. No. 17, dtd 9 Sep. 44  
Copy to: ADST

532

SUBJECT:- Debit Vouchers.

Land Forces Sub Comm. AC.  
(M.M.I.A.).  
ST/178


Q(Accounts) HQ MMIA.

3. Jan 46.

Copy to:- Command Paymaster 8 BCPO  
(your Debits LDM/S/59 of 20 Dec 45 refers).

1. Reference conversation Major NELSON/Capt. HART DYKE and attached copy of debit voucher no. 17 (in duplicate) dated 9 Sept 44 being a charge of 397 lire against the Italian Armed Forces in respect of Fruit and Vegetables supplied to Italian personnel attached to 975 Squadron R.A.F. It is understood that you will arrange payment of this amount through the Ministry of War and that in the circumstances you do not foresee any great difficulty in payment being effected by cheque to the Command Paymaster 8 BCPO.
2. In view of the long standing of this debit the command Paymaster will much appreciate prompt settlement by the Italian authority concerned.

MPHD/gmc

  
Lt. Col. RASC.  
ADST, Land Forces Sub Comm. AC. (MMIA).



COPY.

Army Form 0.1693  
(10-5-54) of 2001Credit  
Debit

Voucher No. 17.

9 Sept 1944

To be <sup>paid</sup> received by the Cashier at Command Pay Office  
the sum of three hundred and ninety seven lirebeing  
cost of locally purchased ration items:

F. Veg 50 lbs at 7 lire per lb 245

F. Fruit 40 lbs at 7 1/2 lire per lb 140

plus 42 expa 17

22

975 Sqn RAF.

(Sgd) [Signature] Capt.,  
CC 103 D.I.D., R.A.S.C.Debited  
Credited in my account for

Date of Supply or Service

19...

Paymaster.

19...

Signature



115A

TRANSLATION

208

From: M.of.W.To: Rome Mil.Ter.Com. Comm.Directorate.Ref: 8141/3itDate: 31/12/45Subject: Bread baking for Italian Prisoners.

For information to M.A.M.I.A. ref letter Q/1/15A -169 dated 14/12/45

Your Directorate is asked to kindly send to the undersigned a cheque of the value of 2.050 lire in settlement of debit note presented by M.A.M.I.A., in respect of the baking of bread for Italian Prisoners.

The cheque must be made out at the order of the

"ALLIED FINANCIAL AGENCY N.1 ACCOUNT, BANCA D'ITALIA",

Copy of this letter and debit note which will be forwarded in due course will be attached to the expenses account.

Allotment of funds will be made with a letter to follow.

The Subsistence division is asked to kindly supply the assignment of the necessary funds.

R.ERRERA..Cpl

(Sgd) Gen. Pelligra.

See 205

5819

SUBJECT: Shipping Tickets  
-----

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-171  
31 December 1945  
-----

TO : AC Chief Accountant  
-----

1. Attached hereto are Shipping Tickets covering damages and loss to miscellaneous items charged to the Italian Government from the U.S. Government.
2. These tickets have been duly signed by Generale Pelligra, Director of the Direzione Generale Servizi Commissariato ed Amministrazioni of the Italian War Ministry, and by the Senior American member of the Military Mission to the Italian Army.
3. Shipping Tickets shown below should be accepted as separate charges against the Italian Government.

<u>VOUCHER NO.</u>	<u>DATE</u>	<u>AMOUNT</u>
U.S. Loss #338	1 Jul 45	\$ 1,038.30
U.S. Loss #339	29 Oct 45	696.16
U.S. Loss #340	13 Sep 45	882.20
U.S. Loss #341	1 Sep 45	1,565.20

*KRN*  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/r1  
Copy to: WAR MINISTRY (attached hereto copies of a/m Shipping Tickets plus Report of Investigation and Certificate of Loss papers pertaining to same.)

5917



SUBJECT: Report of Damages & Loss  
to U.S. Government Property

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-170  
22 December 1945

TO : Ministry of War

1. Inclosed herewith the following shipping tickets for damages and loss to U.S. Government property.

Shipping Ticket No.	Date	Amount	U.S. Government Property Involved
U.S. Loss #338	1 Jul 45	\$ 1,038.30	U.S. Army Veh. #801162 GMC 2½ ton 6x6 Gastanker
U.S. Loss #339	29 Oct 45	696.16	U.S. Army Veh. #20745843 ½ ton, 4x4, O & R
U.S. Loss #340	13 Sep 45	882.20	U.S. Army Veh. #4187258 2½ ton, 6x6, GMC LWB, wo/w
U.S. Loss #341	1 Sep 45	1,565.20	U.S. Army Veh. #467586 2½ ton, 6x6 Cargo LWB

2. Responsibility for this damage and loss is placed on Italian Military personnel.

3. Request inclosed shipping tickets be signed by you and returned to this office. Upon receipt of signed shipping tickets all documents in the cases reported above will be surrendered to the Italian Government.

KRN  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/r1

Incls: Shipping tickets U.S. Loss #338 thru #341

5917



205

SUBJECT: Charge to Italian Military

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-169  
14 December 1945

TO : Ministry of War

Reference conversation Maj. Nelson - Capt. Marimotti,  
this date.

1. Forwarded herewith copy of Payment Voucher 44 for bread baking charges for Italian Military assigned to 1st Truck Battalion.
2. Request that a check for 2050 lire, payable to "Allied Financial Agency, No. 1 Account, Banca D'ITALIA", be forwarded to this Headquarters.
3. Original copy of Payment Voucher 44, will be forwarded to you, upon receipt of payment.

208  
210  
213  
KRN  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KLN/r1

Copy to: HQ, Allied Commission,  
for Finance Sub Commission,  
(Allied Financial Agency) Your ltr. 20013/F/A/1 of  
8 Dec. 45 refers.

1 Incl: Payment Voucher 44, dtd 1 Aug. 45.

591

COPY  
ALLIED MILITARY GOVERNMENT  
GOVERNO MILITARE ALLEATO  
PAYMENT VOUCHER

REGION AND

No. 44

DISTRICT: Hq. Allied Commission

PAY TO: Zanasi, Alberto

DETAILED DESCRIPTION OF PAYMENT	Quantity	Rate	Amount
Baked bread for Italian Prisoners in Bn Stockade	410 Kilo	5 L	2050 L

These items not  
available through either  
American or British G-4

1st Truck Battalion Italian Personnel

Authority: Requisition G-4

Total 2050 L

1. I certify that the above amount is correct and due, was incurred under the authority quoted and that the rate/price charged is according to contract or fair and reasonable

JAMES J. CARNES, Col-Inf

Date: 1 August 1945

THOMAS C. MARMON, Major, Ord.  
Signature & rank of office authorizing payment

2. Received on the 1st day of August 1945.  
in payment of the items listed above, the sum of  
Two thousand, fifty Lire.

Zanasi Alberto

Recipient - Ricevente

3. I certify that the sums indicated above have been duly paid by me to the person (s) entitled thereto.

Date: 25 August 1945

Bernard W. Bradley, Lt Col. QMC  
Signature & rank of paying officer

HEAD: \_\_\_\_\_

SUB-HEAD \_\_\_\_\_

CASH BOOK FOLIO: 551



115A  
HQ ALLIED COMMISSION  
FINANCE SUB-COMMISSION  
ALLIED FINANCIAL AGENCY FINANCIAL ACCOUNTING UNIT  
APO 394

204

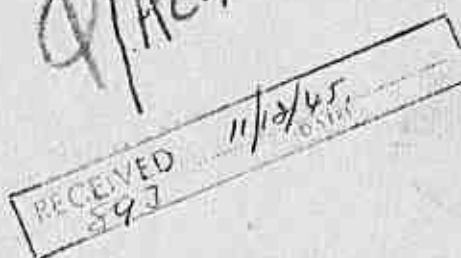
Tel: Dial 489161, Ext. 259

Ref: 20013/F/A/1

SUBJECT: Request for refund for rations  
supplied to Italian troops.

TO : Land Forces Sub-Commission,  
MMIA.  
(Attention Major NELSON).

8 Dec 45



1. In Jul 45 some Italian soldiers of 1st Truck Bn. were in the battalion stockade. Owing to a breakdown in the delivery of rations, food was provided for them out of AMG/AC funds. The enclosed copy of Payment Voucher 44 shows the detail.
2. It is desired to obtain a refund of this amount of L. 2,050 from the Italian military unit normally responsible for feeding these soldiers. It is believed that they were being rationed by the Italian 210 Division.
3. Will you please do what is necessary to obtain the refund, as arranged in conversation NELSON - EMERY.
4. When the refund is made, the original of Payment Voucher 44 will be handed over.

11/12  
RGP  
HSE/mg

210

H. S. Emery Capt.  
H.S. EMERY Capt. Int Corps,  
for Assistant Chief of A.F.A.

5814



203

*J. R. R.*

SUBJECT: Report of Damages & Loss  
to U.S. Government Property

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-167  
28 November 1945

TO : Minister for War

1. Inclosed herewith the following shipping tickets for damages and loss to U.S. Government property.

<u>Shipping Ticket No.</u>	<u>Date</u>	<u>Amount</u>	<u>U.S. Government Property Involved</u>
U.S. Loss #334	14 Aug 45	\$ 31.22	U.S. Army Veh. #293762 3/4 ton, 4x4, W/C
U.S. Loss #335	10 Oct 45	2.25	Three - Flashlights, type TL-122A
U.S. Loss #336	28 Jul 45	1,324.62	U.S. Army Veh. #4119439 2 1/2 ton, 6x6 Cargo
U.S. Loss #337	21 Jun 45	1,719.90	U.S. Army Veh. #4196228 2 1/2 ton, 6x6 Cargo LWB w/w

2. Responsibility for this damage and loss is placed on Italian Military personnel.

3. Request inclosed shipping tickets be signed by you and returned to this office. Upon receipt of signed shipping tickets all documents in the cases reported above will be surrendered to the Italian Government.

*K. Robert Nelson*  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/r1

Incls: Shipping tickets U.S. Loss #334 thru #337.

551



202

SUBJECT: Report of Damages & Loss  
to U.S. Government Property

File

LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E  
Q/1/15A-167  
28 November 1945

TO : Minister for War

1. Inclosed herewith the following shipping tickets for damages and loss to U.S. Government property.

Shipping Ticket No.	Date	Amount	U.S. Government Property Involved
U.S. Loss #334	14 Aug 45	\$ 31.22	U.S. Army Veh. #293762 3/4 ton, 4x4, W/C
U.S. Loss #335	10 Oct 45	2.25	Three - Flashlights, type TL-122A
U.S. Loss #336	28 Jul 45	1,324.62	U.S. Army Veh. #4119439 2 1/2 ton, 6x6 Cargo
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2. Responsibility for this damage and loss is placed on Italian Military personnel.

3. Request inclosed shipping tickets be signed by you and returned to this office. Upon receipt of signed shipping tickets all documents in the cases reported above will be surrendered to the Italian Government.

*K. Robert Nelson*  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

KRN/ri

Incls: Shipping tickets U.S. Loss #334 thru #337.

5912

SUBJECT: Receipted Voucher No. 39  
from 108 DID, RASC.  
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LAND FORCES SUB COMMISSION  
A.C. (M. M. I. A.) R O M E ✓  
Q/1/15A-166  
23 November 1945  
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TO : Ministry of War  
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199.200  
Reference your letter 7099/Sit of 24 October 45 and  
our letter Q/1/15A-164 of 9 November 45.

1. Attached hereto is receipted Voucher No. 39 from  
108 DID, RASC in the amount of 1,718 Lire, covering the pur-  
chase of fresh fruit and vegetables issued to the 4 Coy Aerostati  
Sbaramento.
2. This voucher is for your information and file.

KRN/mg

KRN  
K. ROBERT NELSON, Major  
for Major General  
M. M. I. A.

5811



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