

Acc

10000/124/314 SD-4/N

10000/124/314 SD-4/N THEFT OF COAL IN  
LEGHORN HARBOUR  
DEC. 45 - SEP. 47

Allied Force Headquarters  
 ITALIAN NAVAL BRANCH  
 APO 794

25/2

B. N. F.

P. D. *[Signature]*  
11/10.

SD-4/N/276

6 September 1947.

Subject: THEFT OF COAL LEGHORN HARBOUR.  
 To: MINISTRY OF DEFENCE, NAVY.

1. With reference to your letter No. P. 3870, of 15th June, 1947, you are informed that the arguments there set out, disclaiming the Italian Navy's responsibility for the loss, cannot be accepted.

2. The contents of the Commander-in-Chief Mediterranean's Directive No. Med.45/301/9/13A, of 25th December, 1945, which was forwarded to you under cover of the Navy Sub-Commission's letter No. NSC/4382, of 7th January, 1946, together with the circumstances connected with the turning over of the coal, make it abundantly clear that the whereabouts and disposal of such coal were to be the responsibility of the Italian Navy, in their capacity of administrative authority. The operative words are contained in paragraph 2 of the Commander-in-Chief Mediterranean's directive, which states that such stocks "are to be handed to the Italian Naval Authorities, who are to administer the stocks on Admiralty's behalf." It is indeed impossible to deduce that it was intended that such responsibility should fall otherwise.

3. Furthermore, paragraph 3 of the Commander-in-Chief Mediterranean's directive, which states "Issues to H.M. Ships and establishments are to be made direct from the stocks held, etc..."; together with the first sentence of paragraph 5, shows that the Italian Navy was in fact responsible for the actual issuing of the coal, and the issues to British ships and establishments, did not require the approval of the British Naval Officer in Charge. If the Commander-in-Chief, Mediterranean was desirous of handing over to the Italian Navy the "mere accounting" of the coal, he would have used those words in his directive instead of the word "stocks" as to whose interpretation there can be no doubt.

4. Whilst it is recognised that during this time the British Navy was the owner of the coal, it does not follow that it assumed the supervision for its storage. This coal was on charge to the Italian Navy as agents of the British Navy, just as it might have been on charge to a British Naval Officer. In the event of a loss while any coal is on charge to a British Naval Officer,

OFFICE COPY

2513

Allied Force Headquarters  
ITALIAN NAVAL BRANCH  
APO 794

SD-1/N/276

6 September 1947

Subject: THEFT OF COAL IN LEGHORN HARBOUR.

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he is held responsible for it and, if necessary, is called upon to reimburse the Admiralty in cash for the loss. It would appear that the Italian Navy is in a similar position in this case with the difference that Ministry of Defence, Navy, is only requested to certify an acceptance of financial liability. In consequence, the legal principle "res perit domino" is, in this instance, inapplicable. Consideration should also be given to the fact that the certificate will probably be used as a debit voucher to the account held in Admiralty in respect of all the supplies and services rendered to the Italian Navy by the Royal Navy, during the post Armistice period 1943-1946, which debt, may in all probability be reduced or cancelled, dependent upon the policy of the British Government.

5. With regard to the guarding of the coal, your attention is invited to paragraph 3 of the Navy Sub-Commission's letter No. NSC/5133 dated 4th June 1946, and the fact that the Italian Port Authorities were responsible for the guarding of the coal through the medium of Italian M.P.'s who were later replaced by Guardia di Finanza. The Italian Navy automatically assumed overall responsibility for the safe custody of the coal when it was turned over for administration on behalf of the Admiralty on the 1st January 1946. It is of no concern to the Admiralty as to whom the Ministry of Defence, Navy, delegated to guard the coal, since the stocks were on charge to the Italian Navy Authorities, Leghorn, who as custodians of Admiralty property, are now held responsible for the loss in question.

6. It is therefore requested that the certificate first requested in my letter No. NSC/5786, of 19th December, 1946, may be forwarded as soon possible.

OFFICE COPY

Sgt. G.L. WARREN # 2512  
REAR ADMIRAL,  
DIRECTOR, ITALIAN NAVAL BRANCH

From: MINISTRY OF DEFENCE (NAVY) (Office of the Secretary General)  
To : Italian Naval Branch - A.F.H.Q.  
Date: 15th June 1947  
Ref.: B.3870

Subject: Theft of coal in Leghorn harbour

Reference is made to the Navy Sub Commission's letter No. NS/5786, dated 19th December 1946.

Further to the Ministry of Defence (Navy)'s communication in letter No. 2897, dated 30th March 1947, you are informed that the <sup>certificates</sup> Italian Naval Authorities are not able to give the requested ~~declaration~~ regarding the acceptance by the Italian Government of the complete responsibility for the thefts of coal in the port of Leghorn.

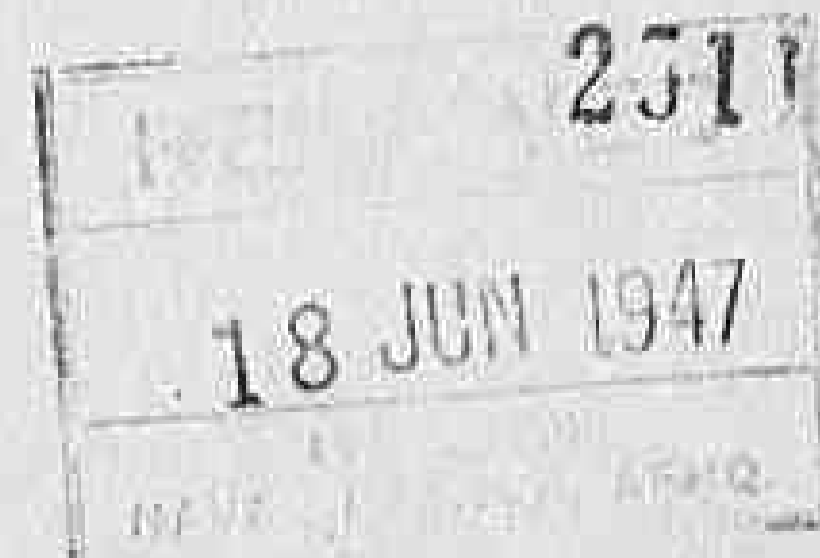
As a legal point, it is observed that from the 1st January 1946, when the accounts for the coal were transferred to the Italian Navy, to the 15th March of the same year, when the coal was actually transferred, there can be no doubt that the loss was the responsibility of the British Navy, which was the owner of the coal and therefore assumed the risk for its storage, to which, in turn, the legal principle of "res perit domino" is applicable, as recognized by all legislations.

The mere accounts formalities handed over for this period to the Italian Navy can not be considered sufficient for such a transfer of the above risk; moreover, no material was consigned, and its safekeeping continued to be entrusted to dependent units of the British Navy.

Further, as the thefts took place before the 15th March 1946, any assertion of the Italian Navy's responsibility is out of the question.

By direction,  
The Secretary General  
(Admiral E. PERUGI)

JIP/R.  
17



15 GIU 1947

Roma. It

REPUBBLICA ITALIANA

MINISTERO DELLA DIFESA - MARINA  
 SEGRETARIO GENERALE - COORDINAMENTO MARINA

AI ITALIAN NAVAL BRANCH  
 A.P.H.Q.

Indirizzo: MARINA ROMA

UFFICIO

Prot. N. 3.3870

Allegati

ARGOMENTO: Furto di carbone nel porto di Livorno.

Si fa riferimento alla lettera della S. Commissione Navale della Commissione Alleata n° NSC/5786 in data 19 Dicembre 1946.

A seguito di quanto comunicato da questo Ministero con la nota n°2897 del 30 Marzo 1947 si informa che l'Amministrazione Militare Marittima non può rilasciare la dichiarazione richiesta circa la accettazione da parte del Governo Italiano della completa responsabilità in merito ai furti di carbone verificatisi nel porto di Livorno.

In linea giuridica si osserva infatti che dal primo gennaio 1946 - data del passaggio della contabilità del carbone alla Marina Italiana - al 15 Marzo stesso anno, data dell'effettivo trasferimento del combustibile alla medesima, non può sussistere dubbio che la perdita debba far carico alla Marina Britannica, rimasta proprietaria del carbone stesso, e, come tale, assuntrice del rischio per forza maggiore - in cui si completa quello dipendente da furto - e ciò per il principio giuridico "res perit domino" riconosciuto in ogni legislazione. Non potrebbe ritenersi sufficiente per un trasferimento del rischio la pura e semplice gestione contabile affidata per questo periodo alla Marina Italiana, alla quale non era stata effettuata alcuna consegna di materiale, mentre, d'altro canto, la sorveglianza al medesimo continuava ad essere esercitata da organi alla dipendenza delle Marina Britannica.

Poichè i furti si verificarono in epoca precedente al 15 Marzo 1946 è quindi da escludersi ogni responsabilità della Marina Italiana.

2510

IL SEGRETARIO GENERALE  
 d'ordine

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2510

d'ordine

IL SEGRETARIO GENERALE  
(Ann. Sq. E. FERRERI)

IL CAPITANO DI VASCELLO

Segretario Generale Navale  
(G. Azzurri)

*[Handwritten signature]*

0880

Allied Force Headquarters  
ITALIAN NAVAL BRANCH  
APO 794

SD-4/N/ 111

5 May 1947

Subject: THEFT OF COAL FROM LEGHORN DOCKYARD.  
To: MINISTRY OF DEFENCE, NAVY.  
Reference: (a) Navy Sub-Commission, Allied Commission ltr. NSC/5786 dated 19 December 1946.  
(b) Ministry of Defence, Navy ltr. No. 2897 dated 30 March 1947.

1. In view of the repeated hasteners from the Admiralty and the Commander-in-Chief Mediterranean on this matter, it is requested that immediate hastening action be taken in order to expedite the Ministry's examination referred to in reference (b) and the forwarding of the certificate in accordance with paragraph 3 of reference (a).

H  
b/s  
3

(Sgd) G. L. WARREN

REAR ADMIRAL,  
DIRECTOR, ITALIAN NAVAL BRANCH.

OC 1035/5  
[Signature]

2509

8 MAY 1947



THE FLAG OFFICER LIAISON, ITALY,  
Rome.

25th April, 1947.

No. FOLI/430/4.

THE ITALIAN NAVAL BRANCH,  
ALLIED FORCES HEADQUARTERS.

THEFT OF COAL FROM LEGHORN DOCKYARD.

With reference to the Flag Officer Liaison,  
Italy's Minute III, No. FOLI/430/4, dated 13th December,  
1946, it is requested that the Ministry of Defence (Navy)  
may be hastened to produce the required certificate.

S. N. Blackburn

for REAR-ADMIRAL.



From: MINISTRY OF DEFENCE (NAVY) (Office of the Secretary General)  
To : Italian Naval Branch - A.F.H.Q.  
Date: 30th March 1947  
Ref.: 2897

Subject: Theft of coal from the quayside at Leghorn

With reference to letter No. SD/4/W/33, dated 15th February 1947, you are informed that the matter of the stolen coal in question is at present under examination by the Ministry.

Communications on the subject will be made as soon as possible.

(Sgd) The Secretary General.



JLP/P.  
9

2507

REPUBBLICA ITALIANA  
MINISTERO DELLA DIFESA  
M A R I N A

Roma, il 30-5-1947

UFFICIO DEL SEGRETARIO GENERALE

ITALIAN NAVAL  
"BRANCH ALLIED FORCE  
HEADQUARTERS"

Indir. teleg. : MARISEGREGIS - ROMA

APC 794 - ROMA

Prat. N. 2894

*Atte*

ARGOMENTO: Furto di carbone dal molo di Livorno.

In relazione alla nota n° SD 4/W/33 del 15 febbraio u.s. si comunica che la pratica relativa al furto di carbone in argomento è tuttora all'esame di questo Ministero.

Non appena possibile saranno fatte comunicazioni in merito.

IL SEGRETARIO GENERALE

*[Signature]* 2506

SD-4/N/131

15 March 1947.

From: Naval Sub-Section, Italian Military Affairs Section.  
To: Ministry of Defense, Navy.  
Subject: Theft of coal from Leghorn Dockyard.  
Reference: (a) Navy Sub-Commission's ltr. NSC/5786 dated 19 December 1946.  
(c) Navy Sub-Section's ltr. SD-4/N/33 dated 15 February 1947.

1. It is requested that the certificate required by paragraph 3 of reference (a) and hastened by reference (b) be forwarded now please.

(SGD) G. L. WARREN

REAR ADMIRAL,  
DIRECTOR, NAVAL SUB-SECTION, IMAS.

18 MAR 1947

15/2/15/3  
178

2504

0883

SD-4/N/33

15 February 1947

From: Naval Sub-Section, Italian Military Affairs Section.  
 To: Ministry of Marine.  
 Subject: Theft of Coal from Leghorn Dockyard.  
 Reference: (a) Navy Sub-Commission's ltr. NSC/5786 dated  
 19 December 1946.

1. It would be appreciated if the certificate required by paragraph 3 of reference (a) could now be forwarded.

H. W. ZIRULLI,  
 COMMISSIONER, U. S. NAVY,  
 FOR REAR ADMIRAL,  
 DIRECTOR, NAVAL SUB-SECTION, IMAS.

H  
 12/2  
 LR  
 1/2

15/12/15/2  
 MK

17 FEB 1947

2505

0886

NSC/5786  
19 December 1946

From: Navy Sub-Commission, Headquarters Allied Commission.  
To: Ministry of Marine.  
Subject: Theft of Coal from Leghorn Dockyard.

1. With reference to Navy Sub-Commission's letter NSC/5133 dated 4 June 1946, paragraph 4, the Admiralty have now requested that a certificate signed by a responsible authority, to the effect that financial liability has been accepted by the Italian Government for the loss of Admiralty coal from Leghorn Dockyard, and stating quantity involved, be obtained and forwarded to the Admiralty.

2. According to the January D.15 Coal Account forwarded to the Admiralty on 6 April 1946 from Leghorn, 1,020 3/4 tons of coal were lost by theft during the month.

3. It is requested that the required certificate be forwarded to Navy Sub-Commission as soon as possible for transmission to the Admiralty.

H  
19/12

(Sgd) G. L. WARREN  
REAR ADMIRAL,  
CHIEF, NAVY SUB-COMMISSION, A.C.

23 DEC 1946

191700/12  
19/12

2503

THEFT OF COAL FROM LEGHORN DOCKYARD.  
(The Commander-in-Chief, Mediterranean Station's  
Minute II No. Med.46/892/5/30, dated 22nd  
November, 1946).

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III.

No. F.O.L.I. 430/4.

THE NAVY SUB-COMMISSION,  
H.Q. ALLIED COMMISSION.

Forwarded for necessary action with  
reference to your letter No. NSC/5296, dated  
18th July, 1946.

S. J. Rockwell

ROME,  
13th December, 1946.

for REAR-ADMIRAL.

RECEIVED
16-12-46 2502
Navy Sub-Commission

THEFT OF COAL FROM BISHOP'S DOCKYARD.

(Admiralty letter N.S.Fuel 721/46/20/A.5628  
dated 9th November, 1946.)

II

Med.46/892/5/30.  
FLAG OFFICER LIAISON, ITALY.

For necessary action, with  
reference to your letter No.F.O.L.I.  
430/4 dated 26th July, 1946.



MEDITERRANEAN. for ADMIRAL  
22nd November, 1946.





LP—No. 8



Any further communication should be addressed to—

The Secretary of the Admiralty,  
London, S.W.1

quoting N.S. Fuel 721/46/20/A.5628

**Admiralty, S.W.1.**

9 November, 1946

The Commander in Chief,  
Mediterranean.

(No. 2368 Med.46/892/5/30 dated 6th August 1946)

I am to request that a certificate signed by a responsible Italian Authority to the effect that financial liability has been accepted by the Italian Government for the loss of Admiralty coal from Leghorn Dockyard, and stating the quantity involved, may be obtained and forwarded to the Admiralty for claim purposes.

2. According to the January D.15 Coal Account forwarded on 6.4.46 from Leghorn 1,020 $\frac{1}{4}$  tons of coal were lost by theft during the month.

BY COMMAND OF THEIR LORDSHIPS

*W. Marshall*

COMMANDER-IN-CHIEF  
MEDITERRANEAN  
NT  
18 NOV 1946  
46/892/5/30

2501

HEADQUARTERS ALLIED COMMISSION  
Navy Sub Commission APO 394

NSG/5296.  
18th July, 1946.

THIRD REPLY on  
Flag Officer Liaison Italy's letter  
No.F.O.L.I.430/4 dated 15th July, 1946

From : Navy Sub Commission, Hq., Allied Commission.  
To : Flag Officer Liaison Italy.

Subject : Theft of coal from Lashorn Dockyard.

It is confirmed that the Italian Government (the Ministry of  
Marine) has accepted financial responsibility for this theft and it is  
requested that it may be debited accordingly.

H  
19/7

SD-4

Confirmed verbally by Lt. Col. Kuppolls Inc.  
Staff officer in MARICOST responsible for fuel  
and coal. *AKH*

Cdr C.E. WARREN  
REAR ADMIRAL,  
CHIEF, NAVY SUB COMMISSION.

2500

20 JUL 1946

THEFT OF COAL FROM LEHIGH DOCKYARD.  
(Commander-in-Chief, Mediterranean Station's Minute II  
No. Med.46/892/5/30, dated 1st July, 1946).

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III.

No. F.O.L.I. 430/4.

NAVY SUB COMMISSION,  
ALLIED COMMISSION.

Forwarded with reference to my Minute III,  
No. F.O.L.I. 430/4, dated 14th April, 1946.

2. It is requested that I may be informed  
whether the Italian Government has accepted financial  
responsibility for this theft.

*S. J. Stebbins.*

ROME,  
15th July, 1946.

For REAR ADMIRAL.

2493

REPORT OF COAL FROM LIGNITE DOCKLAND.

(Reference Letter No. 1111, 701, 100  
S. 20892 dated 24th June, 1948.)

III

Ref. 46/292/5/30.  
FLAG OFFICER LIAISON, ROME.

For report in accordance with  
Minute I.



REGISTRATION  
1st July, 1948.

FOR ADMIRAL

FLAG OFFICER LIAISON  
Date 11, VIII 1948  
No. C. 1685/430/402  
ROME



Any further communication should be addressed to

The Secretary of the Admiralty,  
London, S.W.1.

quoting N.S.F. 721/46/  
B.20892.

L.P.—No. 8

Admiralty, S.W.1.

24 June, 1946.

The Commander-in-Chief,  
Mediterranean.

With reference to your submission No.1200, Med. 46/892/5/30 of 6th April, 1946, regarding the theft of coal from Leghorn Dockyard, I am to enquire whether financial responsibility has been accepted by the Italian Government as a result of the action requested in your minute II of 6th April, 1946, addressed to The Flag Officer, Liaison, Italy.

BY COMMAND OF THEIR LORDSHIPS,

*R. H. Howell*

COMMANDEUR EN CHEF  
MEDITERRANEE  
D  
27 JUN 1946  
46/892/5/30

2498

VLF.

HEADQUARTERS ALLIED COMMISSION  
Navy Sub Commission AMO 394

HSC/5133.  
4th June, 1946

From : Navy Sub Commission, Hq., Allied Commission.  
To : Ministry of Marine, Rome.

Subject : Theft of coal from Leghorn Dockyard.

As the Ministry of Marine is already aware, Royal Navy stocks of British coal and coke held at Taranto, Naples and Leghorn, were transferred to the Italian Royal Navy, who were to administer the stocks on Admiralty behalf, on 1st January, 1946.

2. On the 1st February, 1946, the physical stocks of coal on hand at berth 49, in Leghorn, was 300 tons as against 1235 tons which should have been held according to the books. The accounts in respect of this Admiralty coal, which were then being kept by the Italian Naval Fuelling Officer, therefore showed a discrepancy of approximately 900 tons which was attributed to loss by theft. H

3. While it is appreciated that the actual guarding of the coal dump may not be the concern of the Italian Royal Navy, but of other port authorities who are responsible for the security service in the Port Area, it is considered that on the transfer of this British coal to the Italian Royal Navy for administration on behalf of the Admiralty, the Italian Royal Navy automatically assumed overall responsibility for the safe custody, of the stock turned over on the 1st January, 1946.

4. In view of the above therefore, and in accordance with the Commander-in-Chief, Mediterranean's instructions, the missing 900 tons of coal have been debited to the Italian Government and it is requested that the Ministry of Marine accept financial responsibility for this loss.

5. The present world coal shortage cannot be overemphasised and the necessity of exercising the strictest economy in use, thorough vigilance in guard duty and accurate accounting, should be impressed upon all authorities concerned with the handling of coal. 2007?

(Sgd) G. L. WARREN  
REAR ADMIRAL,  
CHIEF, NAVY SUB COMMISSION. SP-4

10 JUN 1946

THEFT OF COAL FROM LEGHORN DOCKYARD.  
(Commander-in-Chief, Mediterranean Station's Minute II  
No. Med. 46/892/5/30, dated 6th April, 1946).

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III.

No. F.O.L.I. 430/4.

NAVY SUB COMMISSION, ALLIED COMMISSION.  
(Copy to:- Commander-in-Chief,  
Mediterranean Station).

Forwarded for action as indicated in  
the Commander-in-Chief, Mediterranean Station's  
Minute II.

2. Copies of the Naval Officer-in-Charge,  
Leghorn's signals timed 081538 February and  
091123 February are attached.

*S. J. Clark* 2496

ROME,  
14th April, 1946.

for REAR-ADMIRAL.

THEFT OF COAL FROM LEGHORN DOCKYARD

(The Naval Officer in Charge, Leghorn's No.26/76/7 dated  
2nd March, 1946)

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II

Med.46/892/5/30.  
THE FLAG OFFICER, LIAISON ITALY.

It is requested that you will take up this  
very unsatisfactory matter with the Minister of Marine  
with a view to the Italian Government accepting financial  
responsibility for the missing coal.

*Peter Cazale*

MEDITERRANEAN.  
6th April, 1946.

for ADMIRAL



2495



Office of Naval Officer in Charge,  
Royal Naval Barracks, LEBHORN.

2 March, 1946.

No. 26/76/7.  
THE COMMANDER IN CHIEF, MEDITERRANEAN.  
(Copy to:- The Vice Admiral, Malta.)

THEFT OF COAL FROM DOCKYARD - LEBHORN.

The following report of the theft of approximately 900 tons of coal from the Coaling Berth at Leghorn, is submitted. This report cannot be made under K.R. and A.I. Art. 1938, as this coal, although Admiralty stocks, was on charge to the Regia Marina, Leghorn.

2. On 1st January, 1946, the Coal Stocks amounting to approximately 1300 tons were turned over to the Regia Marina, in accordance with the Commander in Chief, Mediterranean's No. Med 45/304/9/13A of 25 December, 1945. During the following 3 weeks reports of thefts of coal amounting to a few tons only, were received and the authorities concerned were informed that stricter supervision was to be maintained.
3. On 8th February, enquiries were made regarding the stocks of coal remaining, as it was apparent that DAA layers attached to the 12th M/S Flotilla would be in the area for a longer period than was anticipated. This Stock according to the Italian Fuelling Officer's records should have been approximately 980 tons, but in actual fact only 20 tons remained. 2494
4. A full investigation was immediately ordered and translated copies of reports received are enclosed herewith. Although para. 3 of Naval Genio, Leghorn's letter of 9 February, 1946, states that "the Office of the N.O.I.C., Leghorn was informed" - quoting 7 letters, the only reports received were those attached. As will be observed, 116 tons of the 120 tons originally stolen, were recovered.
5. It is considered that the majority of the 900 tons was stolen by organised bands of thieves who coerced the Civilian Watchmen by bribery and threats into allowing them to remove it in barges during the night. It is further considered however, that a certain percentage of the loss can be attributed to the Italian Harbour tugs loading (a) more coal than was signed for, (b) more frequently than necessary, and disposing of coal through channels other than in their boilers.
6. Owing to shortage of manpower and work involved in closing the base, it is not practicable to maintain complete supervision of all the duties recently

No. 26/76/7.  
THE COMMANDER IN CHIEF, MEDITERRANEAN.  
(Copy to:- The Vice Admiral, Malta.)

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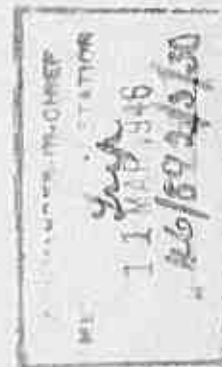
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6. Owing to shortage of manpower and work involved in closing the base, it is not practicable to maintain complete supervision of all the duties recently taken over by the Italian Royal Navy.

7. The Senior Italian Naval Officer in Leghorn, and the Heads of the Carabinieri and Finance Guards have been interviewed however, and informed that strong measures were to be taken immediately to prevent a recurrence of thefts of this nature.

8. My signals 084538A and 091123A February, refer.



Cgd. R. S. STAFFORD

COMMANDER, R.N.

COPY

From:- Ufficio Tecnico Genio Navale.

To:- N.O.I.C. Leghorn per I.S.I.C. Leghorn

Ref. No. 6359

Date:- 14. Jan. 1946.

In order to avoid misunderstandings and responsibilities please inform Allied Authorities for the steps they may think necessary, that, in spite of the armed guard placed at the coal dumps in the port, thefts of coal are continuing in a preoccupying manner, especially during the night.

2. This Office will provide to gray the heaps of coal with white calcium Milk in order to be able to calculate more accurately the quantities of coal that are subtracted.

3. It is our opinion that the armed guard should be increased and vigilance more active.

Sgd. Colonel of Genio Navale.

A. MORFATTI.

2492

COPY

Rome 17 Jan. 1946.

From:- Marietat, Rome.  
To:- Navalgenio, Leghorn.  
Copy to:- Cabinet of the Minister of Marine, Rome.  
          Marabout, Rome.  
          Centro Regia Marina, Leghorn.

Ref. No. no/2366.

Subject:- Fueling service in the Port of Leghorn.

Ref. your 6475 para 4, of 7 Jan. inst. The service of safe custody of the coal dump is not the concern of the Regia Marina. In case you are not able to obtain that this service be carried out by the Allies, you must apply to the local Port Authorities who, through their police organization must take on the responsibility of the custody.

This General Staff cannot therefore allocate naval personnel for a service which does not come among those foreseen for our Institution.

Adm AGOSTINI

Vice Admiral I.R.N.

2493

COPY.

18th January, 1946

FROM: UFFICIO TECNICO GENIO NAVALE, LEGHORN.

TO: NAVAL OFFICER IN CHARGE, LEGHORN.

SUBJECT: COAL DUMPS.

*Ref. No. 6481*

Following my 6359/14 - 1 - 46.

This is to inform you that on the nights between the 14th and the 15th and between 15th and the 16th thefts of coal have continued to be carried out by unknown people from the coal dumps at berth No. 49.

From an approximate estimation made, it appears that the quantities missing altogether amount to 120 tons. ||

(Sgd.) AUGUSTO MALFATTI  
Col. Constructor IRN.

2491

COPY

19th January, 1946.

FROM: HAWAIIAN AIR FORCE  
TO: HEAD OFFICE OF THE AIR FORCE, WASHINGTON  
SUBJECT: PHOTO OF COAL.

Ref. No. 6520.

Re 6371 January 15th 1946, reference.

The necessary action I hereby inform you that the following persons employed by the United Navy (U.S.N.) were charged with the task of taking back to the coal dump at North St. all the barges on which the coal previously obtained from the same dump had been loaded and they were unable to justify the disappearance of about 1/2 tons of coal which was missed during the return trip of the coal from the place where the barges were found to berth 29.

WALTER HARRIS  
DEPARTMENT Victoria  
CHIEF OF BERTH

This happened on January 16th 1946, after some reports of the quantity found the barges loaded with coal in the canal in front of the "WORLDWIDE" barge.

(Sgt.) Augusto SALAZAR  
Colonel U.S. - AIR

UNITED STATES DEPARTMENT OF THE ARMY

WASHINGTON, D.C. 20315

6th Group Battalion

THE ADJUTANT GENERAL (23rd AG) / GARRISON BUILDING, WASHINGTON, D.C. 20315  
(OFFICE OF THE ADJUTANT GENERAL, WASHINGTON, D.C.)

ADJUTANT GENERAL (23rd AG)

Ref. No. 7020.

Reference your 156 of the 23rd AG, 12/4.

As hereby outlined in your communications and the reports of the search conducted in the letter as refer to.

2. In the controls exercised by our personnel on the 23rd AG, 12/4 at the coal dumps at berth 49 showed evidence of the theft of a certain quantity of coal (about 60 tons) as confirmed by the letter which is being furnished in our letter 6021 of the 23rd AG, 12/4.

3. In reference with this and in consideration of the theft of coal, in which to point out that during the night between the 23rd and 24th of January, 1946, during an inspection carried out by your orders in the dark hours two barges were confiscated in the vicinity of the coal dumps at berth 49; one of those barges was loaded with 6 tons of coal which had certainly been taken from the coal dumps.

4. In regard with this we note that the persons who should be investigated to give information regarding one the two hands of the loading company and the civilian head of the loading office, MILWAUKEE ARMY, who were on duty during the night between the 23rd and 24th of January, 1946.

5. You and the measure are therefore requested, for the part concerning coal, to carry out the necessary investigations.

6. We inform you that from calculations made by this office it appears that during the month of January the total amount of coal stolen was of about 900 tons.

(Sgt.) AUGUSTO IVANIZZI  
Cdr. U.S.A. 1.4.46.

2489

0004

COPY

TO: Comandante de la Base de la Brigada de Liberacion

FROM: Trovador Heredia, 10th Unit of Liberation

DATE: 6th February, 1966.

SUBJECT: MURDER OF JEREMY RAYNE BY WALTER LIMA DE LAYAN.

In reference to the above mentioned subject, the following information is submitted:-

At 10.00 hours on 6th February 1966, a number of the above mentioned organization, which are listed at the end of this report, were in the area of approximately 1000 hours of the 6th February, and (6) persons in the vicinity of the coal deposit. It is recalled that on 6th February they were doing in this area. One of the men mentioned that they were by authority of the British Detachment. Through mistake asked them to show proof that this was so. They could not do so. Upon which he ordered them to leave immediately. They refused to leave. However, at this time, operations for the beach ceased to run at 10.00 hours if he would not object to their wanting a quantity of coal. He refused. At this time he fired a warning shot over their heads. At the hour of 10.00 hours he fired a second shot. The shot plus the other guard arrested the three men to files in the direction of the hills surrounding the 'cotton garden' contained three men.

These three men (guards) Walter Lima de Layan, Mr. W. Rodriguez, Giovanni and Luciano Batista, followed Batista at approximately 1000 hours of February 6th until 0700 of February 6th. About 0715 hours of February 6th, they saw the above mentioned man exchanging equipment the way in the same two berms that Batista had seen. They exchanged the weapons, and when they could no longer see them, they fired at them. The three men only offensive enough to cover their eyes. They were able to run without any.

It is requested that the guards be given some personal weapons that they now have, since they have proven to be ineffective. It is also requested that the above mentioned guards be publicly praised for their actions.

W. RODRIGUEZ  
G. BATISTA

S. to (various records).

2488



Ref. No. 7206.

To: Mr. For H.M.S. Lehigh.

Copy to: Centro Marina, Leghorn.

Capitanaria di Porto, Leghorn.

Comando Guardia di Finanza, Leghorn.

From: Navalgenio, Leghorn.

Date: 2 Feb. 46

Subject: Thefts of coal.

1. Following verbal agreements herein is reported the situation that has developed in the coaling service from the date upon which this service has been taken over by this office.
2. As is known, the Italian Royal Navy has been running on from the 1 Jan. 46 only the accounting of the coal service has not the matter of handling the coal which is not our concern.
3. Beginning with the same date this office noticed immediately that during the night, in spite of the watch kept by the armed guards produced by the MP Company based at the Caserma La Murore, thefts of coal were repeatedly carried out in a very proceeding manner; therefore the office of N.O.I.C. Leghorn was informed with a letter No. 9559 of 4 Jan. 46 and subsequently this office informed the N.O.I.C. Leghorn and the office of N.O.I.C. Leghorn of the continuous thefts (see letters 6324 of 4 Jan. 46, 6327 of 4 Jan. 46, 6328 of 4 Jan. 46, 6329 of 4 Feb. 46, 7009 of 5 Feb. 46).
4. Consequently the result has been that the periodical reports of the balance of coal sent to your office by the Fueling Officer up to this date have shown the situation only as it appeared from their banking accounts as they did not care of the quantities of coal which were missing on account of thefts. It has thus resulted that upon the 1 Feb. the quantity of coal actually existing at berth 49 was of 300 tons instead of 1275 tons as the books showed, at the same date. This office omitted to mention this fact in the letter No. 7008 of the 4 Feb. (which you will find enclosed in case it was not received by you) because it was assumed that having reported as para 6 of the same letter that during the month of Jan. the quantity of coal stored had been of about 900 tons, this report would have been sufficient to have you acquainted with the grave situation which had arisen at the coal depot.
5. In the future, in order to avoid misunderstandings, this office will always report the real balance of coal remaining taking account of the eventual thefts of coal that might take place in spite of the armed guard, in case such thefts should be reported.
6. As stated you, that the best cure will be taken to ensure that the accounting service which is the concern of the Italian Navy, may be carried out in the best of ways and there is no hope that having changed the armed guards, at the coal depot, (the Italian MP guards have been replaced by Finance guards) and through the interest of the Italian Port Authorities, who are responsible for the security service in the port area, the thefts of coal will cease entirely.
7. With the present letter we wish to see you to leave at the disposal of the Fueling Officer the 25 which is now allotted to that office, as we believe has been agreed during the recent visit to Leghorn of Capt. In Cincio and of the British

2187

1. Following verbal agreements herein is reported the situation that has developed in the fueling service from the date upon which this service has been taken over by this office.
2. As is known, the Italian Royal Navy has been running on from the 4 Jan. 46 only the accumulation of the coal service but not the matter of securing the coal which is not our concern.
3. Referring with the same date this office noticed immediately that during the night, in spite of the watch kept by the armed guards produced by the MP Company based at the Caserma 19 Ancona, thefts of coal were reportedly recorded in a very unaccepting manner. Therefore the office on 4 Jan. 46 and subsequently this office has informed with my letter No. 6259 of 4 Jan. 46 and subsequently this office has received the reply number and the office of 11.1.46. In view of the continuous thefts (see letters 6259 of 4 Jan. 46 and 6300 of 4 Jan. 46 and 7069 of 4 Feb. 46).
4. Consequently the result has been that the periodical reports of the balance of coal sent to your office by the Fueling Officer up to this date have shown the situation only as it appeared from their own accounts as they did not care of the quantity of coal which were missing on account of thefts. It has thus resulted that upon the 4 Feb the quantity of coal actually existing at berth 49 was of 300 tons instead of 4235 tons as the books showed, at the same date. This office omitted to mention this fact in the letter No. 7060 of the 4 Feb (which you will find enclosed. In case it was not covered by you) because it was assumed that having reported at para 6 of the same letter that during the month of Dec. the quantity of coal stolen had been of about 370 tons; this report would have been sufficient to make you acquainted with the same situation which had arisen at the end of Dec.
5. In the future, in order to avoid misinterpretations, this office will always report the real balance of coal remaining taking account of the eventual thefts of coal that might take place in spite of the armed guard, in case such thefts should be reported.
6. To assure you that the best care will be taken to ensure that the accumulating service which is the concern of the Italian Navy, may be carried out in the best of ways and there is no hope that having changed the armed guards, at the coal depot, (the Italian MP guards have been replaced by Italian guards) and through the interest of the Italian Port Authorities, who are responsible for the security service in the Port Area, the thefts of coal will cease entirely.
7. With the present letter we wish to beg you to leave at the disposal of the Fueling Officer the 18 which is now allocated to that office, as we believe has been agreed during the recent visit to Rome of Capt. Le Divoice and of the British Fueling Officer, Lt. Col. and to allow our Fueling Officer to employ, when necessary, one of the boats from ASD's.

2187

Gen. A. Malfatti  
Director

Colonel G. Favale, IMA

(The attached letter No. 7069 of the 4 Feb. 1946 has already been translated by me and given to the Secretary).

C O P Y.

C IN C MED (R) NAV SUB COM FOIL

NOIC LECHORN

Unclassified

Further to my 081538 Feb. Italian Naval Authorities have been instructed to carry out full investigation and submit detailed report to NOIC LECHORN.

-----091123 Feb-----

2 85

COPY.

C IN C MED (R) FOIL NAV SUB COMMISSION  
FROM...NOIC LECHORN

Important Unclassified

Ref C in C Med's 071620 Feb. Total stock of coal is 20  
(R) 20 tons owing to excessive thefts not being reported.

----- 081538 Feb. -----

2185

09091

HEADQUARTERS ALLIED COMMISSION  
Navy Sub Commission AEO 394

NSO/4382.  
7th January, 1946.

FIRST ENDORSEMENT on  
Commander-in-Chief, Mediterranean  
Station's letter No. Med.45/301/9/13A  
dated 25th December, 1944.

From : Navy Sub Commission, Hq., Allied Commission.  
To : Ministry of Marine, Rome.  
(Copy to :- Commander-in-Chief, Mediterranean  
Station.)

Subject : Transfer of Fuelling Bases to Italian Control and  
Responsibility.

Forwarded for information and action as appropriate in  
accordance with paragraph 8 of Minute I and in continuation of  
Navy Sub Commission's letter No. NSO/4381 dated 7th January, 1946.

2484

H. W. ZIROLI,  
COMMORE, U. S. NAVY,  
FOR REAR ADMIRAL  
CHIEF, NAVY SUB COMMISSION.

9 JAN 1946

SE-4

Office of the Commander-in-Chief,  
Mediterranean Station.  
25th December, 1945.

Med.45/301/9/13A.  
THE CAPTAIN IN CHARGE, TARANTO. }  
THE NAVAL OFFICER IN CHARGE, NAFLS. } Copy to each.  
THE NAVAL OFFICER IN CHARGE, LEGHORN }  
(Copies to:-  
The Navy Sub-Commission, Allied Commission, Rome. (2)  
The Flag Officer, Italy and Liaison.  
The Ministry of War Transport Representative,  
Mediterranean.

TRANSFER OF FUEL OIL RESERVES TO ITALIAN CONTROL  
AND RESPONSIBILITY.

In continuation of the Commander-in-Chief, Mediterranean's Med.45/301/9/13, the following instructions are promulgated with reference to Admiralty coal stocks.

1. Admiralty stocks of imported coal and foundry coke are to be handed to the Italian Naval Authorities who are to administer the stocks on Admiralty behalf.
2. Issues to H.M. Ships and establishments are to be made direct from the stocks held, normal accounting action, as at present, being taken by the Italian Navy.
3. Weekly stock reports will also be required as at present. These reports should be prepared by the Italian Navy and presented to the Naval Officer in Charge for transmission to the Commander-in-Chief, Mediterranean.
4. Issues to other than H.M. Ships or establishments are not to be made without the approval of the Naval Officer in Charge. Where an Engineer Officer is borne it is suggested that this officer should be made responsible for approving and screening demands from the Italian Navy.
5. In the event of complete withdrawal of Naval representation at any particular port, stocks of coal on hand at that date will probably be handed to the Italian Navy if no longer required by the Royal Navy.
6. Any stocks of Sardinian coal held on Admiralty account are to be transferred to the account of the Italian Navy.
7. An additional copy of this letter is enclosed to the

2183

2483

THE NAVAL OFFICER IN CHARGE, USS ORN } Copy to each.  
(Copies to:)

The Navy Sub-Commission, Allied Commission, Rome. (2)  
The Flag Officer, Italy and  
The Ministry of War Transport Representative,  
Mediterranean.

TRANSFER OF FUELING RIGHTS TO ITALIAN CONTROL  
AND RESERVE LIABILITY.

In confirmation of the Commander-in-Chief, Mediterranean's Med. 5/301/9/13, the following instructions are promulgated with reference to Admiralty coal stocks.

2. Admiralty stocks of imported coal and foundry coke are to be handed to the Italian Naval Authorities who are to administer the stocks on Admiralty behalf.

3. Issues to H.M. Ships and establishments are to be made direct from the stocks held, normal accounting action, as at present, being taken by the Italian Navy.

4. Weekly stock reports will also be required as at present. These reports should be prepared by the Italian Navy and presented to the Naval Officer in Charge for transmission to the Commander-in-Chief, Mediterranean.

5. Issues to other than H.M. Ships or establishments are not to be made without the approval of the Naval Officer in Charge. Where an Engineer Officer is borne it is suggested that this officer should be made responsible for approving and screening demands from the Italian Navy.

6. In the event of complete withdrawal of Naval representation at any particular port, stocks of coal on hand at that date will probably be carried to the Italian Navy if no longer required by the Royal Navy.

7. Any stocks of Sardinian coal held on Admiralty account are to be transferred to the account of the Italian Navy.

8. An additional copy of this letter is enclosed to the Navy Sub Commission for transmission to the Ministry of Marine.

*DeLander*  
Per ADMIRAL

0912