

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

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

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POLLENZO

JUNE 1944 - FEB 1945

HEADQUARTERS, ALLIED COMMISSION
Navy Sub-Commission APO

150/1916
28 February 1945

FIRST ENCLOSURE on
MINISTERO REGOLA RETORI d
ESTERI 16. No. 6/511/2200
of 20 February 1945.

From: Navy Sub-Commission, Hq. Allied Commission.
To: Political Section, AG.

Subject: SS "POLIQUERO".

1. Returned.

2. As requested by the Ministry of Foreign Affairs,
Flag Officer Mission, Italy, Rome has forwarded a copy of the
basic letter to Commander-in-Chief, Mediterranean with the re-
quest that the views of the Italian Government, as expressed
therein be communicated to adjacent Allied commands as
necessary.

H. W. Zucchi
Commander, U. S. Navy,
for Chief, Navy Sub-Commission, AG.

725
Policeno

2085

COPY

MINISTERO DEGLI AFFARI ESTERI

NO. 6/517/22⁴MEMORANDUM FOR THE POLITICAL SECTION A.C.

The Italian Embassy in Madrid have been informed by the British Embassy that the cargo of scrap iron of the Italian S/S "Pollenzo" has been sold at Gibraltar on January 23rd., by public auction promoted by the local Pricecourt and bought by the "Beautty" firm of Gibraltar at the price of 4523 pounds.

In order to comply with the request advanced by the competent Authorities aiming at the safeguard of the interest of the rightful owners, the Italian Government feel compelled to express all due reserves as regards this sale; all the more so as on request of the Italian Embassy in Madrid the British Authorities had previously consented to postponing the auction.

It is furthermore pointed out that the same British Authorities had formerly suggested to the Italian Government unloading freely the "Pollenzo" in a Spanish port and selling the cargo in Spain, as may be deduced from the Allied Commission's letter to the Ministry for Foreign Affairs of June 15th, and from the communications made during the month of October by the Naval Transports Subcommittee to the Ministry of Marine.

It is furthermore pointed out that the cargo of the S/S "Pollenzo" was awarded to the "Beautty" firm at a tenth of the price offered for it in Spain, where it had to be sold.

The Ministry for Foreign Affairs finally recall on the subject their Memorandum n. 6/1382 of December 26th and preceeding communications.

The Ministry for Foreign Affairs would be very grateful if the Allied Commission would kindly acquaint the competent Allied Authorities with the point of view of the Italian Government as regards the sale by auction of the S/S Pollenzo's cargo.

Rome, 20th February 1945.

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FILE

Ministero degli Affari Esteri

6/517/224

MEMORANDUM FOR THE POLITICAL SECTION A.S.

The Italian Embassy in Madrid have been informed by the British Embassy that the cargo of scrap-iron of the Italian S/S "Pollenzo" was sold at Gibraltar on January 23rd. by public auction promoted by the local Prizecourt and bought by the "Beatty" firm of Gibraltar at the price of 4322 pounds.

In order to comply with the request advanced by the competent authorities aiming at the safeguard of the interest of the rightful owners, the Italian Government feel compelled to express all the reserves as regards this sale; all the more so as on request of the Italian Embassy in Madrid the British authorities had previously consented to postponing the auction.

It is furthermore pointed out that the same British authorities had formerly suggested to the Italian Government unloading freely the "Pollenzo" in a Spanish port and selling the cargo in Spain, as may be deduced from the Allied Commission's letter to the Ministry for Foreign Affairs of June 15th and from the communications made during the month of October by the Naval Transport Subcommission to the Ministry of Marine.

It is furthermore pointed out that the cargo of the S/S "Pollenzo" was awarded to the "Beatty" firm at a tenth of the price offered for it in Spain, where it had to be sold.

The Ministry for Foreign Affairs finally recall on the subject their memorandum n. 3/1382 of December 26th. and preceding communications.

The Ministry for Foreign Affairs would be very grateful if the Allied Commission would kindly acquaint the competent Allied Authorities with the point of view of the Italian Government as regards the sale by auction of the S/S "Pollenzo's" cargo.

Rome, 10th February 1945



2083

Copy sent to Navy for
appropriate action.

Ref: 776

9th January 1945

The Political Section of the Allied Commission presents its compliments to the Ministry of Foreign Affairs and with reference to their memorandum No. 6/1382/599 of the 26th December, has the honour to state that it has consulted the appropriate authorities at the Headquarters regarding the status of the merchant vessel "Polenzo".

2. The Political Section understands that the whole question of the disposal of the "Polenzo" was referred at an early stage to the British Admiralty by the Commander in Chief, Mediterranean Station. It appears from subsequent correspondence that the British Admiralty, subject to the concurrence of the Governor of Gibraltar are disposed to consider the "Polenzo" as having been seized in prize. The Ministry may remain assured that if such action is taken against the "Polenzo" and her cargo it will be done only after a thorough examination of the case and the Political Section therefore ventures to suggest that no useful purpose would be served by raising the matter again with the competent authorities.

The Italian Ministry of
Foreign Affairs,
Palazzo Chigi,
ROME.

715
POLLENZO

2082

Memorandum.

To: A/Vice President(Br.), Political Section
 From: Liaison, Shipping Sub-Commission
 Date: 4th. January, 1945.

Subject: Italian merchant vessel s.s. "POLLENZO".

Reference Italian Ministry of Foreign Affairs Nr.6/1382/599 of 26th. December as Prize Court proceedings appear to have been instituted, I suggest this paper should be referred to the Navy Sub-Commission.

In the penultimate paragraph on page 2 of this paper, Mr. J. Gibson Graham is quoted "regarding the discharge and sale of the cargoes MADDA and POLLENZO". The subject matter of the message in which these words appear was the chartering of the "MADDA" and "TROVATORE" as well as the disposal of their cargoes. The "MADDA" and "TROVATORE" have invariably been named together in this connection and it is obvious the "TROVATORE" and not the "POLLENZO" was intended and understood.

G.A. Bell.
 G.A. Bell.

Navy Sub/Comm.

I sh^d be grateful for your etc.

K. Kalford
 for A.V.P. (Br.)

Pl. 82081

Political Section:

(Mr. Halford)

Attached is a copy of FOI, Rome letter to the Ministry of Marine regarding "POLLENZO". It is written in answer to a Ministry of Marine letter that is in exact sense of MFA memorandum 6/1382/517.

NAVY SUB-COMMISSION
 W.A.W. 8/1/44

FLAG OFFICER LIAISON, ITALY,
ARMED COMMISSION,
HEAD QUARTERS,
ROME.

8th January, 1945.

No. L.361/3.

MINISTRY OF MARINE,
ROME.

(Copy to:- Commander-in-Chief,
Mediterranean Station.)

MERCHANT VESSEL "POLLENZO".

Reference is made to Ministry of Marine's letter No. 18/ST of 3rd January, 1945, regarding the status of merchant vessel "POLLENZO".

2. As indicated in Flag Officer Liaison, Italy, Rome's letter No. L.361/3 of 21st September, 1944, the entire question of the disposition of "POLLENZO" was referred to the British Admiralty by the Commander-in-Chief, Mediterranean Station.

3. In a recent communication from the British Admiralty, there is strong indication that, subject to the concurrence of the Governor of Gibraltar, "POLLENZO" will be seized in prize. Such action if instituted against "POLLENZO" and her cargo, would be taken only after a thorough consideration of the facts involved, and it is therefore not deemed that a useful purpose could be achieved by additional correspondence on a matter which already has received competent attention.

for REAR ADMIRAL.

FROM: MINISTRY OF MARINE (Cabinet)
 TO: P.O.L.I. - Rome
 DATE: 3/1/43
 REF.: 1/1/UT.

SUBJECT: M. "POLIGNO".

Ref. is made to our letter N°432/RO. of 27th June last.

F.R.N. I/O. at Gibraltar has informed that British authorities have initiated proceedings before the Gibraltar Supreme Court (Admiralty Jurisdiction) in the case of the confiscation of M. "POLIGNO" and her cargo.

Moreover, we have been informed that said Supreme Court has ordered the cargo to be auctioned publicly on 9th Jan. '43

This Ministry has informed the Ministry for Foreign Affairs of the above so that it may approach Allied Commission with a view to obtaining the withdrawal of this order and the handing over of ship and cargo to the Italian flag.

Moreover, this Ministry considers that it would be very appropriate if P.O.L.I. approached British Admiralty as indicated, so that - as indicated in letter E.316/J of 21st Sept. last - was forwarded the request contained in the writer's letter N°432/RO. of 27th June.

Apart from other reasons stressed in above letter in favour of the Italian thesis, it should be borne in mind that in the negotiations between the Ministry for Foreign Affairs and A.C., the matter has already been discussed on the basis of there being no doubt as to the Italian ownership of "POLIGNO" and her cargo.

2079

For example on 15th June last A.C.C. wrote at

Ref. is made to our letter N°432/70, of 27th June last.

I.A.M. I/O, at Gibraltar has informed that British authorities have initiated proceedings before the Gibraltar Supreme Court (Military Commission) in the case of the confiscation of 1/2 P.O.M. 130 and her cargo.

Moreover, we have been informed that this Supreme Court has ordered the cargo to be auctioned publicly on 28th June '43.

The Ministry has informed the Ministry for Foreign Affairs of the above so that it may approach Allied Commission with a view to obtaining the withdrawal of this order and the handing over of ship and cargo to the Italian flag.

To cover, this Ministry considers that it would be very appropriate to P.O.M. I. represented British nationality as indicated, to whom it is indicated in letter B.316/3 of 21st Sept. last - was forwarded the request contained in the writer's letter N°432/70, of 27th June.

Apart from other reasonings stressed in above letter in favour of the Italian thesis, it should be borne in mind that in the negotiations between the Ministry for Foreign Affairs and A.C., the latter has always been disinterested on the basis of there being no doubt as to the Italian ownership of "POMMES" and her cargo. 2079

For example on 12th June last A.C.C. wrote as follows to Ministry for Foreign Affairs:

"In confirmation of a verbal message to Robert, it is suggested that since the A.C.C. Commission is not worth repeating during the war and is liable to discuss the cargo, except at a point within towing distance of Gibraltar, when cargo of cargo from night be sold in Spain".

In letter dated 26th Oct., Mr. P.O.M. of Shipping Sub-Commission A.C., informed above Ministry as follows:

Your Command is requested therefore to kindly bring the above to the knowledge of the Admiralty.

(sgd) <http://twi.stair>

doi:10.1017/S0007122612000111



2073

0188

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

785016

POLITICAL SECTION
HEADQUARTERS ALLIED COMMISSION

ALLIED COMMISSION
INTER-OFFICE MEMORANDUM

SUBJECT:

S.S. Polenzo.

TO :

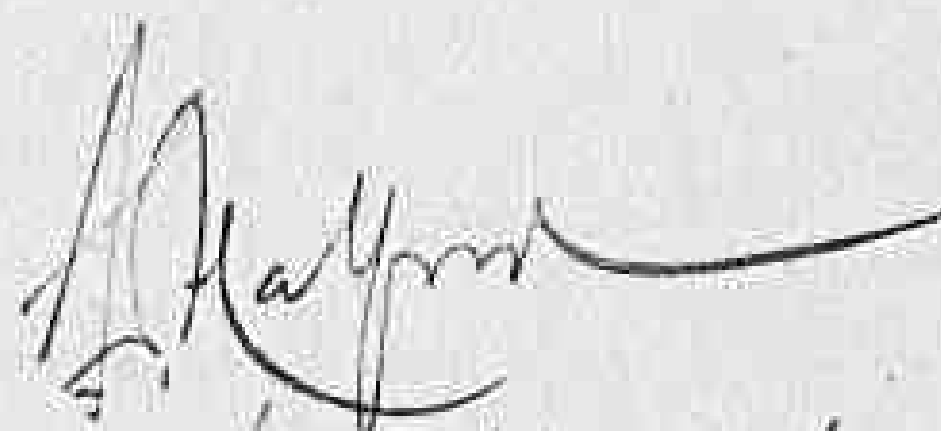
Shipping S/C.

FILE No.

3rd Jan. 1945

please?

Have you any views on the attached



for A.V.P. (Gr.).

2077

Ministero degli Affari Esteri

Mr. 6 1382 599

UFFICIO COLLEGAMENTI A.A. MINISTRO PER LE POLITICHE ECONOMICHE A.C.

The Liaison-Office of the Italian Navy at Gibraltar have informed that the British Authorities have instituted legal proceedings in the Prize Court of Gibraltar for condemnation of the Italian S/S "Pollenzo".

We enclose a copy of the insertion which appeared in the November 15th issue of the "Gibraltar Chronicle".

The British Embassy in Madrid have furthermore informed that Italian Messageries said the aforesaid Prize-Court have issued an injunction for the sale of the "Pollenzo's" cargo by means of public auction which will take place on board the "Pollenzo" on January the 28th.

The Ministry for Foreign Affairs wish to draw the A.C.'s attention on the peculiar juridical situation of the "Pollenzo" which, having been seized in Spanish or neutral waters, cannot be considered as a legitimate prize.

At the time of Italy's entry into the war the "Pollenzo" was anchored in Spanish waters in the zone of Algeciras. The British Authorities in Gibraltar seized the ship in those same waters, took the crew prisoners and substituted them with a British one, placing at the same time on board ship an armed picket. All this took place without the ship changing anchorage.

Following the steps taken in the matter by the Spanish Government, the crew were released and returned, but the question of the restoration of the Italian flag and of the disembarcation of the British picked were still objects of negotiation.

Done on September the 8th 1943.

The Liaison-Office of the Italian Navy at Gibraltar have informed that the British Authorities have instituted legal proceedings in the Prize Court of Gibraltar for condemnation of the Italian D/S "Pollenzo".

We enclose a copy of the inspection which appeared in the November 1944 issue of the "Gibraltar Chronicle".

The British Embassy in Madrid have furthermore informed that Italian Embassy that the aforesaid Prize-Court have issued an injunction for the sale of the "Pollenzo" cargo by means of public auction which will take place on board the "Pollenzo" on January the 20th.

The Ministry for Foreign Affairs wish to draw the A.S.'s attention on the peculiar juridical situation of the "Pollenzo" which, having been seized in waters of neutral waters, cannot be considered as a legitimate prize.

At the time of Italy's entry into the war the "Pollenzo" was anchored in Spanish waters in the zone of Algeciras. The British Authorities in Gibraltar seized the ship in those same waters, took the crew prisoners and substituted them with a British one, placing at the same time on board ship an armed picket. All this took place without the ship changing anchorage.

Following the steps taken in the matter by the Spanish Government, the crew were released and returned, but the questions of the restoration of the Italian flag and of the disembarkation of the British picket were still objects of negotiations on September the 9th 1943.

With letter no 432/M.S. of June 27th 1944 the Minister of Marine, Admiral De Courten, informed the F.O.I. in the return-

C O P Y

ESTRATTO DEL GIORNALE "GIBRALTAR CHRONICLE"
del 15 novembre 1944

O F F I C I A L N O T I C E

IN THE SUPREME COURT OF GIBRALTAR ADMIRALTY JURISDICTION
IN PRIZE No. 6 of 1944

The Ship "POLLENZO"

Bruno Giordano, Master

TAKE NOTICE that a Writ has been issued and served in an action which has been instituted in the Prize Court namely in the Supreme Court of Gibraltar, Admiralty Jurisdiction by the Attorney-General and King's Proctor, the Proper Officer of the Crown, against the owners and parties interested in the ship "POLLENZO" of the port of Genoa, Italy, and the goods now or lately laden therein, for condemnation, which said ship and goods were seized and taken as prize by the Detaining Officer at Gibraltar and placed in the custody of the Marshal.

An appearance to such writ should be entered in thirty days from the 13th day of November, 1944.

E. PIZZABELLO,
Registrar(acting)

Registry of the Prize Court, Supreme Court, Gibraltar.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
FINANCE SUB-COMMISSION
APO 394

INS/105/F/73

18 October 1944.

SUBJECT : S. S. Pollenzo.

TO : Political Section.

Reference your file on the above named vessel, we have been informed by Mr. Bell of the Shipping Sub-Commission that the Pollenzo's cargo has become the property of an insurance company (name unknown) at whose disposal it will be placed when unloaded.

We should be grateful to hear if you obtain any information on this point, as, if the insurance company is an Italian one, the Finance Sub-Commission may become interested in the matter.



Maj. Ra.

Major, R.A.S.C.
Insurance Department,
Finance Sub-Commission.

Naval Sfc state that the disposal of Pollenzo's cargo is still being negotiated between Admiralty & Spanish Authorities. The proceeds of the sale when concluded will no doubt be credited to the It. Govt.

Ca 20
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Copy to Mr. Bell,
Liaison, Shipping Sub-Commission.

MEMORANDUM

TO : Vice-President Political Section
FROM: Liaison Shipping Sub-Commission
DATE: 15th October, 1944.

Referring to your Memo of 14 Oct 44, para 2.

"POLLENZO" . Before we are able to give the Italians any information about this vessel it seems we must await a reply to an enquiry which C.in C. Med. addressed to the Admiralty on the 7th September. I am calling MWTR Med's attention to this matter and will let you know in due course what instructions I receive from him.

G.A. Bell
G.A. BELL

2071

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

785016

THE VESSEL "POLLENZO"

Pollenzo

FLAG OFFICER HENDERSON, TRAIL,
 ALLIED CONTROL COMMISSION,
 HEADQUARTERS,
 RUSS.

21st September, 1941.

No. L. 316/52.

POLITICAL SECTION,
 ALLIED CONTROL COMMISSION,
 HEADQUARTERS,
 RUSS.

URGENT MESSAGE "POLLENZO".

The whole question of the "POLLENZO's"
 position has been referred to the Admiralty for decision
 and it is suggested that the Ministry of Foreign Affairs
 be informed in this sense.

Mr. Sturge

SECRETARY TO
 P.O. R.I. RUSS.

*Robert: informed**Robert: informed**26**9*

2070

44

R. MINISTERO
DEGLI
AFFARI ESTERI

*Duplicate
attached*
Nr. 6/447/200

MEMORANDUM FOR THE ALLIED CONTROL COMMISSION
POLITICAL SECTION

*La Sezione
Politica non
lo trova nel
suo archivio*

The Ministry of Foreign Affairs would
be glad to receive a reply to their Memo-
randum n. 6/195/95, dated 9th ultimo, con-
cerning the Italian vessel "POLLENZO". *Alf*

ROME, 8th September, 1944.



Navy Sub-Commission

May we have your comments

please?

*Alf
for H.A. Lammie*

2069

*Political Section
14/9/44*

0198

785016

6-17-44

MEMORANDUM FOR THE ALLIED CONTROL COMMISSION

POLITICAL SECTION

In June 1940 the Italian merchant ship "POLLINZO", which at the outbreak of hostilities had taken refuge in Spanish territorial waters in the Alacenas zone, was there captured by British Forces.

The crew was taken prisoner, the British flag was flown in place of the Italian, and an armed British guard was placed on board, without however changing the position of the ship.

The Italian Government have repeatedly requested the return of the "POLLINZO", on the grounds of the illegitimacy of her capture, which took place in Spanish territorial waters.

The British competent authorities agreed to release and return the crew to Italy, but maintained the armed guard on board and continued to fly the British flag. This is, still to-day, the position as regards the "POLLINZO".

The Minister of Marine, by letter n. 432, dated June 27th ult., addressed to Flag Officer Liaison Italy (F.O.L.I.) as per copy enclosed, asked that the Commander-in-Chief Meditteranean be approached with a view to obtaining the removal of the armed guard and enabling thereby the Italian Naval Authorities, after the necessary repairs, to employ the ship with an Italian crew and flying the Italian flag in the interest of the common war effort.

In consideration of the above, the Ministry of Foreign Affairs renews the request presented by the Ministry of Marine to F.O.L.I., confident that the Allied Control Commission will use its endeavours to have the matter favourably considered by the competent Allied authorities with the ultimate aim of having the "POLLINZO" placed at the disposal of the Italian Naval Authorities.

The Ministry of Foreign Affairs will much appreciate an early reply on the matter.

Rome, August 9th, 1944.

0199

In June 1940 the Italian merchant ship "POLIGNON", which at the outbreak of hostilities had taken refuge in Spanish territorial waters in the Algeiras zone, was there captured by British forces.

The crew was taken prisoner, the British flag was flown in place of the Italian, and an armed British guard was placed on board, without however changing the position of the ship.

The Italian Government have repeatedly requested the return of the "POLIGNON", on the grounds of the illegitimacy of her capture, which took place in Spanish territorial waters.

The British competent authorities agreed to release and return the crew to Italy, but maintained the armed guard on board and continued to fly the British flag. This is, still to-day, the position as regards the "POLIGNON".

The Minister of Marine, by letter n. 432, dated June 27th ult., addressed to Flag Officer Liaison Italy (F.O.L.I.), as per copy enclosed, asked that the Commander-in-Chief Mediterranean be approached with a view to obtaining the removal of the armed guard and enabling thereby the Italian Naval Authorities, after the necessary repairs, to employ the ship with an Italian crew and flying the Italian flag in the interest of the common war effort.

In consideration of the above, the Ministry of Foreign Affairs renews the request presented by the Ministry of Marine to F.O.L.I., confident that the Allied Control Commission will use its endeavours to have the matter favourably considered by the competent Allied authorities with the ultimate aim of having the "POLIGNON" placed at the disposal of the Italian Naval Authorities.

The Ministry of Foreign Affairs will much appreciate an early reply on the matter. *CMB*

Rome, August 9th, 1940.

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0200

Major J. M. Pearson.

Reference the cargo on the S.S. "MADDA".

I showed your memorandum of the 15th to Mr. Halford, who has telegraphed to the F.O. for instructions. In the meanwhile the telegram in question is held up.

It does not seem that you can have received the memorandum from the High Commissioner's Office dated the 1st June, as copy attached, which I sent to you asking you to inform the I.G. as in para. 2. In view of this it seems likely that the F.O. will agree to the scrap iron's coming to Italy. I will let you know as soon as a reply is received.

You may think it worth while to inform the Ministry of Foreign Affairs of the F.O.'s suggestion concerning the scrap iron on board the S.S. "POLLENZO" at Gibraltar, but in this case the Italians may want to tranship the cargo and bring it to Italy.

W. H. H. H.

18.6.44. Many thanks. I don't seem to have received the memorandum of 1 June, of which you attach a copy. I have informed IFO accordingly -

19-6-44

J. Pearson
Major

2067

0201

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

JMP/ejp

19 June 1944

SUBJECT: Cargo of S. S. POLLENZO

TO : S. E. don Renato Prunas,
Royal Italian Ministry of Foreign Affairs,
Salerno.

In confirmation of my verbal message to Roberti, it is suggested that since the S. S. POLLENZO is not worth repairing during the war and is unable to discharge the cargo, except at a port within towing distance of Gibraltar, this cargo of scrap iron might be sold in Spain.

Agreement is being sought from the Foreign Office concerning the similar cargo of the S. S. MADDA, which you wish to bring from Tenorife with cargo to Italy.

J. H. PEARSON
Major
Political Section

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