

ACC

10000/136/322

TRANSF
NOV. 19

10000/136/322

TRANSFER OF TERRITORY TO ITALIAN GOV'T, GENERAL
NOV. 1943 - MAR. 1945

Folder useful for
background -
incidental info

LIST OF PAPERS

2603/CC

Office of the
Chief Commissioner

ALLIED COMMISSION

File under No. 2603 TRANSFER OF TERRITORY TO ITALIAN
GOVERNMENT, GENERAL~~Confidential~~

VOL I

Page 7

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
96	9/6.B/CA, Stone	26 Mar 45	Bonomi	Propose no further transfer until armies move farther up north.

0035

~~Confidential~~

602.3

DSG AGG

LIST OF PAPERS

File under No. 602.3 TRANSFER OF TERRITORY

Page Six

SECRET

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
87	Memo Stone	30 Aug 44	Lush	Transfer of additional territory to It Govt. INCLs: Ltr 1/346 27 Aug Prunas & note from Caccia to A/CC
88	Ltr Capt Stone 276/8 A/CC 602.3	12 Sep 44	HQ AAI	Transfer additional territory Italian Government - Teramo, Aquila, Pescara & Chieti
89	Ltr Capt Stone 276/129/CA	30 Sep 44	Secy, Advisory Council	Transfer of Teramo, Aquila, Pescara, Chieti, Viterbo and Rieti.
89a	Ltr Noel Charles 1/44	7 Oct 44	Commo Stone	Advisory Council approves transfer, Teramo, Chieti, Viterbo, etc.
90	CLL ASC 4628, COS Section	10 Oct 44	AFHQ, ADV AAI	Advisory Council have approved transfer as per letter (89).
91	Ltr Stone, 2605/COS	10 Oct 44	Noel Charles	Have advised AFHQ your resolution approving transfer of Teramo, etc
92	Ltr Bonomi. Stone A/CC 602.3	16 Oct 44	Bonomi	Enclosing one set of copies of Documents on 16 Oct Transfer.
93	2605/151/COS, Norden	8 Feb 45	CA Sec	Ask regions concerned desirability turn over TERNI and ASCOLI PICENO Provinces.
94	Ltr Bonomi 10951/ 1.1.26.	10 Feb 45	Stone	Request return UMBRIA, MARCHE, TOSCANA.
95	9/6B/CA, Stone	15 Feb 45	Bonomi	Matter under investigation.

Confidential

Q. M. C. Form 353 (Old No. 490)
Revised July 26, 1948

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Page Five

SECRET

9-0784

SERIAL NUMBER	FROM--	DATE	TO--	SYNOPSIS
74	Cbl ACC S-292	17 Jul 44	AFHQ & AAI	No reply S-287 re publicity on Transfer Territory effective 20 Jul
75	Cbl AFHQ F73226	17 Jul 44	ACC ADV (Stone)	Request substance provision re-serving Military zone at Naples
75a	Cbl AFHQ F7322	18 Jul 44	ACC (Stone)	Substance provision reserving Military zone at Naples
76	Cbl ACC 676	18 Jul 44	AFHQ	Press release 20 Jul 2000 hrs re Transfer of Territory Ital Govt
77	ACC PRB	19 Jul 44	See Dist	Transmittal documents re Restoration Italian Territory
78	Ltr Capt Stone A/CC 602.3	20 Jul 44	Sup All Comd Med AFHQ	
79	Ltr Wilmer	1 Aug 44	A/CC	Suggestions re Document C restoration territory corrections
79a	Ltr Wilmer	4 Aug 44	A/CC	Restoration Provinces Littoria, Rome & Frosinone
80	Memo Stone	5 Aug 44	Brig Lush	Future duties of RAAC connection transfer Rome Ital Govt
80a	Ltr Capt Stone	6 Aug 44	AAI	Documents A & B for signature
81	Ltr Exec Comm 276/94/CA	7 Aug 44	See DIST	Handover Territory Ital Govt - Rome, Littoria & Frosinone 15 Aug
82	Ltr Capt Stone A/CC 602.3	14 Aug 44	SACMED	Transmittal Documents re Restoration Italian Territory A,B,C
83				Address by CINC AAI re return Rome, Frosinone, Littoria to It Govt
84	Ltr Maj Fielden PRB/R29	15 Aug 44	A/CC	Statement of Transfer of Territory by Gen Alexander
85	Cbl ACC S313	17 Aug 44	AAI	Ref MA1584 no reply necessary just few words acknowledgment
86	IS Ltr Pollock	18 Aug 44	Poletti	Hinted trouble 15th Aug but none

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Instructions.—When papers on a subject become numerous they will be numbered serially and brief entries made on this form.

Q. M. C. Form 354 (Old No. 490)
Revised July 26, 1918

LIST OF PAPERS

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8-5788

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
58	Cbl AFHQ F68818	5 Jul 44	ACC Main	Recommendation Advisory Council move Ital Govt & ACC Rome
59	Cbl ACC Main S266	5 Jul 44	AFHQ & ACC ADV	Transfer additional territory Ital Admin separate fr Rome move Same subj for 58 also
60	Cbl ACC Main S-267	6 Jul 44	ACC ADV	Paraphrase of F68818 fr AFHQ 5 Jul re Rome move & territories transfer of to Ital Admin
61	Cbl ACC ADV (Stone)	7 Jul 44	AFHQ	AAI agree Ital Govt & ACC with Advisory Council move Rome
62	²⁹⁷ Memo Densmore	7 Jul 44	Brig Lush	Review attd ltr respect suggested transfer dates
63	Ltr Brig Lush	7 Jul 44	A/CC	Recommendations transfers of certain territories
64	Cbl ACC Main S272	9 Jul 44	AFHQ	Transfer of further territory recommendations Advisory Council
65	Cbl ACC Main S277	9 Jul 44	ACC ADV	Make sure distribution S-272 Pol Sect, Upjohn & Monfort
66	Ltr Capt Stone	9 Jul 44	Noel Charles	Propose submit attd to Advisory Council for action please concur
67	Ltr Capt Stone	9 Jul 44	Alexander Kirk	Propose submit attd to Advisory Council for action please concur
67a	Ltr Kirk	10 Jul 44	Capt Stone	Incl 1 - Aide Memoire for Adv Coun
68	Ltr Capt Stone	11 Jul 44	Advisory Council	Prepared Aide Memoire re question transfer further territory
68a	Ltr Brig Lush 276/72/CA Handover Territory Italian Government	14 Jul 44	See Dist	fr Allied to Ital Govt
69	Cbl ACC S-287	15 Jul 44	AFHQ & AAI	AAI agree conditions & times transfer additional territory to Ital Admin approved Adv Council
70	Cbl ACC S-288	15 Jul 44	AFHQ & AAI	Charles requests text resolution transfer territories to Ital Admin passed Sup Allied Commander
71	Ltr Noel Charles	15 Jul 44	Capt Stone	Resolution passed by Adv Coun
72	Ltr Capt Stone A/CC 602.3	16 Jul 44	AAI	Terms restoration territory submitted reconfirmed Adv Council
73	Cbl AFHQ F72878	16 Jul 44	ACC Main	Final approval vote release be obtained fr SACMED 20 Jul release
73a	Ltr Upjohn 9/6B	17 Jul 44	A/CC	Restoration of Territory documents C & D for signature

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Q. M. C. Form 353 (Old No. 400)
Revised July 26, 1918

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8-7788

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
39	Cbl Freedom 49408	9 Feb 44	Fatima (MacFar)	Approval text trans announcement not received fr CCS (release 10 Feb announcement trans terr Ital)
40	Cbl Fargo 856	10 Feb 44	Freedom	Rec 49408 text announcement & transfer to be 11 Feb
41	MacFarlane Gen Proclamation "Ordinanza"	11 Feb 44	Italian people	Publication of Badoglio's proclamation drafted with turnover documents.
42	Proclamation "Italiani"	11 Feb 44	Italian people	Pep talk to the Italian people by Badoglio
43	Proclamation N.16	11 Feb 44	Italian people	Allied Military Government of Occupied Territory
44	Gen Alexander HQ ACC MGS Sect Brig Lush 276/31/CA	12 Feb 44	See Dist	Policy handover territory Ital Govt
45	Ltr MacFarlane CC/F/47	12 Feb 44	Gen Alexander	Ital translations Documents (A) & (B) re transfer terr Ital Govt
46	Ltr Brig Lush 276/27/CA	12 Feb 44	All Concerned	Re Proclamation N.16 terr south Salerno-Bari line including Sicily & Sardinia transfer Ital Govt
47	Ltr MacFarlane CC/G/50	13 Feb 44	Col Upjohn	Ital texts transfer Documents (A) (B) returned by Badoglio agree
48	Cbl Fargo 995	15 Feb 44	Freedom	Restoration liberated Italy to Ital Admin 11 Feb
49	MacFarlane Gen Cbl ACC Reg II 3814	16 Feb 44	Penbase Fargo Lush	Turnover situation mixed Puglia indifference to delight
50	Ltr MacFarlane	17 Feb 44	CINC AFHQ	Restoration of Territory oral declaration by Badoglio
51	Cbl Fargo 1125	20 Feb 44	Freedom	Reaction population transfer of territory to Ital Govt
52	MacFarlane Gen Memo Slaughter	20 May 44	Major Doe	Forwarded to you to be handled similarly to long memo fr Badoglio
53	Ltr MacFarlane CC/G/387	11 Jun 44	AFHQ	Proposals re transfers territory to Ital Govt administration
54	Ltr Maj Doe SG 602.3	22 May 44	Econ Sect Army & Sub - Com	Execution of Document "D" of Transfer of Territory forwarded Incl 1 - Ltr Cripps 20 May SG Incl 2 - Ltr Spofford 3 May ACC Incl 3 - Ltr Upjohn 16 May Admin
55	Ltr MacFarlane SG 602.3	8 Jun 44	AFHQ	Execution of Document "D" for Transfer of Territory
56	Cbl AFHQ F66748	1 Jul 44	ACC Main	Transfer of territory & move of Ital submitted Advisory Council
57	Cbl AFHQ F67063	1 Jul 44	ACC Main	Arrange Advisory Council Transfer territories to Ital Admin (list

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INSTRUCTIONS.—When papers on a subject become numerous they will be numbered serially and brief entries made on this form.

Q. M. C. Form 353 (Old No. 490)
Revised July 26, 1945

LIST OF PAPERS

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8-5788

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
19	Cbl Freedom 25348	7 Jan 44	Fatima & Filpot	Directive transfer certain territories fr CCS text 3 documents
20	Cbl Fatima 1948 Maj Doe	12 Jan 44	Freedom MGS	Ref F315 directive relative to territories within NAF534 Doc A
21	Cbl Freedom 29491	16 Jan 44	Fatima (Joyce)	Ref 1969 14 Jan considered not desirable re jurisdiction rear area
22	Cbl Freedom 29536	16 Jan 44	Fatima & Filpot	Ref 25348 7 Jan CCS dir trans certain terr to Ital Admin
23	Cbl Freedom 41997	23 Jan 44	Fatima & Filpot	Preparation Restoration Occupied Territory Ital jurisdiction
24	Ltr AFHQ MGS Col Maxwell	24 Jan 44	Dep Pres ACC	Ref 41977 23 Jan on same subj incl Documents (A) (B) (C) revised
25	Cbl Fargo 510 MacFarlane Gen	26 Jan 44	Freedom	Ref 41977 23 Jan approved documents to see Badoglio soon
26	Cbl Hqs Fargo 6533 - 553 MacFar	27 Jan 44	Freedom	Ref 41977 transfer terr Ital Govt have seen Badoglio Documents
27	Cbl Fatima 2191 Capt Stone	28 Jan 44	Freedom	Ref 2188 no objection text draft announcement with few changes
28	Ltr Capt Stone 091.1	29 Jan 44	Gen MacFarlane	Copy draft press announcement & Cbl 2191 stating changes 28 Jan
29	Ltr Capt Stone	29 Jan 44	Gen MacFarlane	Ref telephone conversation acted Badoglio working trans document
30	HQ ACC Memo Brig Lush	31 Jan 44	All Concerned	Early date hand over territory south Salerno-Dari line including Sicily & Sardinia
31	Memo	1 Feb 44	For Info	Dr/G33 trans terr placed in Genl's file temporarily
32	Cbl Fargo 655 MacFarlane Gen	1 Feb 44	Freedom	Views Ital Govt re Documents (A) & (C)
33	Cbl Freedom 46943	3 Feb 44	Fargo & Fatima R	Ref Fargo 655 1 Feb re different documents not or accepted
34	Cbl Fargo 745 MacFarlane Gen	5 Feb 44	Freedom	Ref 46943 final to be had by 8 Feb earliest re documents
35	Cbl Fargo 780 MacFarlane Gen	7 Feb 44	Freedom	Ref 46943 Rep Ital Govt informed agreement & signature the 8th Feb
36	Cbl Freedom 48486	7 Feb 44	Fargo	Assurance req by Ital Govt cannot be given re nonoccupied terr
37	Cbl Fargo 833 MacFarlane Gen	9 Feb 44	Freedom	Obtained Badoglio's signature to transfer documents
38	Cbl Fargo 834 MacFarlane	9 Feb 44	Freedom	Prior to signature Badoglio no changes made transfer documents

6050

G. M. C. Form 353 (Old No. 460)
Revised July 20, 1918

LIST OF PAPERS

File under No. 602.3 - TRANSFER OF TERRITORY

Page One

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
1	Ltr Badoglio No. 1154	28 Nov 43	Gen Joyce	Work Sections Inter-allied Com conjunction separate Ministries
2	Cbl Fatima 1278 Maj Doe	4 Dec 43	Freedom MGS	Documents (A)(B)(C) Restoration territory Ital Govt not received
3	AFHQ Col Maxwell MGS	6 Dec 43	Dep Pres ACC	Copies of Documents Restoration territory Ital Govt ref above cbl
4	Ltr Badoglio No. 1082	7 Dec 43	Gen Joyce	Ref 1085 26 Nov req opinion on administration authority provinces Ital Govt in civilian hands
5	Cbl Fatima 1319 Maj Doe	7 Dec 43	Freedom (Holmes)	Shortening document (A) restor- ation territory Ital Govt
6	Cbl Freedom 10987	7 Dec 43	Fatima	Report Brindisi meeting Advisory Council trans terr Ital admin
7	Cbl Sears (Fargo) S-4155 (Spofford)	12 Dec 43	Fatima (Joyce)	Prefects refusal continue after turn over if oath to King required
8	Cbl Freedom 15429	17 Dec 43	Fatima & Filpot	Advisory Council transfer terri- tory Admin Ital under 2 conditions
9	Cbl Freedom 16028	17 Dec 43	Fatima	Release to press re transfer territory to Ital Admin
10	Cbl Freedom 15630	18 Dec 43	Fatima	Transfer territory Ital Admin occupied by Allies S Salerno-Bari line including Gargania & Sicily
11	Cbl Freedom 15894	18 Dec 43	Fatima & Filpot	Ref 15429 17 Dec basis transfer territory Ital Administration
12	Cbl Fatima 1556 Maj Doe	21 Dec 43	Freedom (Holmes)	Proposal transfer territory Ital Admin originated with Allies
13		21 Dec 43		Document (D) reading transfer territory Ital Administration also Documents (C) & (AA)
14		22 Dec 43		Revised draft Document (A) trans terr Ital Admin
15	Cbl Freedom 17908	22 Dec 43	Fatima & Filpot	Restoration territory Ital Govt basis documents (A) (B) (C) AGWAR London consent
16	Cbl Freedom 19174	25 Dec 43	Fatima & Filpot	Documents (A) (B) (C) awaiting approval CCS brought by Upjohn Mor
17	Cbl Fatima 1164 Maj Doe	27 Dec 43	Freedom	All territory to be under Ital Admin except that zone operations
18	Cbl Fatima 1737 Maj Doe	1 Jan 44	Freedom MGS	Documents (A) (B) Alexander act authority of Gen Eisenhower

6049

Ref: 9/6.P/GA

26 March 1945.

My dear Mr. Prime Minister,

Further to my letter dated 15 February 1945, reference 9/6.P/GA, with regard to the restoration of further territory to the jurisdiction of the Italian Government, I have caused an exhaustive examination into the question to be made.

I find that for operational reasons it would be undesirable to restore to your jurisdiction the complete compartimenti of either UMBRIA or MARCHE. The compartimento of TOSCANA is not yet wholly liberated. Furthermore, I think it would be unsound to transfer merely those provinces which are immediately contiguous to Italian Government territory as they are economically and administratively bound up with the compartimenti I have mentioned above; also, at the present time, large numbers of Allied troops are in these provinces and the problems which inevitably arise in such circumstances are, I believe you will agree, more easily solved, to the greater satisfaction both of the Allied Forces and the inhabitants, by the Allied Military Government.

Accordingly, I believe the better plan will be to postpone any further restoration of territory until the liberation of further areas in the North makes possible the restoration to you of one or more complete compartimenti and I propose to advise the Supreme Allied Commander accordingly.

Yours very truly,

E.W.S.

/s/ Henry W. Stone

HENRY W. STONE
Rear Admiral, USNR
Chief Commissioner

His Excellency Ivanoe Bonomi,
The President of the Council of Ministers,
Italian Government,
R O M E.

Pol. ADVISERS, ALCOM
CA Section
Executive Comm'r.

Copy to: Regional Commissioner, TOSCANA Region.
" " UMBRIA MARCHE Region.

2003/10

96

SECRET

Ref: 9/6B/CA.

15 February 1945

My dear Mr. Prime Minister,

94

In reply to your letter dated 10 February 1945, reference 10951/1.1.26, I have already this matter under consideration and have in fact ordered a report to be made to me by my officers principally concerned.

73

I anticipate that I may be able to make proposals to the Supreme Allied Commander in a short time and will communicate with you again when I have received his decision.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE,
Rear Admiral, USNR,
Chief Commissioner.

His Excellency Ivanoe Bonomi,
The President of the Council of Ministers,
Italian Government,
ROME.

60/4

2603/CC

95

Translation

For President of the Council of Ministers
1095/1.1.26

Rome, 10 February 1945

My dear Admiral,

Since October 16th, 1944, since the last passage of territory - provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti, Viterbo - from the jurisdiction of A.M.C. to that of the Italian Government, the fighting line has moved further north under the pressure of the Allied armies, in view of the future operations which will bring about the complete liberation of the country.

During these long months of military Administration, the A.M.C. authorities have certainly been able - in the provinces which were not close to the front at least - to bring to an end through their wise and energetic action, the necessary work of reorganization which has to take place in the territories which have just been liberated, in relation with strictly military requirements as well as with civilian requirements.

On the other hand, the Allies having consolidated their positions, and the possibility of war reflexes getting more remote every day, the populations of these territories are now living in more normal conditions of life and work, after the hard period of enemy occupation, and the violent shocks of the fight.

The economy of these regions - Umbria, Marche and Tuscany - being characterized by great agricultural resources, its natural development requires great facilities for commercial relations and exchanges.

On the contrary, as the above mentioned provinces are under an administrative regime different from that of the neighbouring Southern provinces, economic exchanges between them are hampered or at least delayed. The important advantages which more active economic relations would bring about can therefore not be obtained.

I want to draw your attention on the fact that it would be opportune for more provinces to be handed over to the Italian Government, subordinately, of course, to military requirements. To increase the sphere of action of the organs of the Italian administration would bring about the immediate advantages which I have mentioned, and also enable to solve more easily the serious problems which will have to be faced on the liberation of the whole national territory.

Trusting that you will examine this question with your usual spirit of comprehension, I remain, my dear Admiral,

Truly yours,

S. I. Bonomi

Admiral Stone
Chief Commissioner
Allied Commission - Rome

e.o.

6048 of
C.S. List - 12 FEB 45
ACTION: C.A.S.E.C.
INFO: CHIEF COMAR
C.O.S.
POL. SEC.

SECRET

Ref: 2605/151/008

Tel: 735.

8 February 1945.

SUBJECT: Restoration of territory to Italian Government.

TO : Civil Affairs Section.

1. Reference to your TS/18/13/GA of 7 Feb 45, the Chief of Staff wishes you to write to the Regions concerned for their opinion and desirability of handing over the Provinces of TERNI and ASCOLI PICENO to the Italian Government. Their attention should be drawn to two factors which may militate against handing over at the present time and that is, the number of Allied troops who may be billeted in these two provinces and the severity of devastation.

2605/151/008
A/Q
EN15Jh Chief Staff Officer,
To the Chief of StaffCopy to: Econ Sec
Pol Sec

93

EWS/dfc

16 October 1944

A/CC 602.3

My dear Mr. Prime Minister:

Pursuant to the request of Sig. Sorrentino made to the Chief Legal Advisor of this Commission, I am enclosing one set of conformed copies of the Documents executed in connection with the restoration of territory to your Government's jurisdiction on 16 October 1944.

Very truly yours,

ELLERY W. STONE
Commodore, USNR
Acting Chief Commissioner

His Excellency Ivanoe Bonomi
The President of Council of Ministers
Italian Government
Rome

5 Inclosures

cc: Legal S/C
Chief of Staff
✓ 'A' Files

6044

92

File

Ref: 2505/908.

10 October 1944

Your Excellency,

I have the honour to acknowledge the receipt of your letter No. 1/24 of the 7th October, informing me of the text of a resolution passed unanimously by the Allied Advisory Council at their meeting on 6th October. As requested, this has been communicated to the Supreme Allied Commander Mediterranean for his action.

Very respectfully yours,

SIRRE W. STONE
Commodore, USNR
Acting Chief Commissioner.

H.E. Sir Noel Charles, Bart., K.C.M.G.,
British Embassy,
ROME.

6013

(91)

SECRET

4628

AFHQ RPTD ADV AAI

HQ ACC

4628

10 Oct 44

SECRET

PRIORITY

Chief of Staff Sec

SECRET PD REFERENCE YOUR GEORGE FIVE THREE EIGHT SEVEN POINT FOUR DASH TWO OF EIGHTEEN SEPTEMBER PD PARM TO AFHQ FOR SACMED FOR ACTION CMA BRITISH RESIDENT MINISTER CMA AMERICAN POLITICAL ADVISOR FOR INFO RPTD ADV AAI FOR ALEXANDER FOR INFO FROM HQ ACC FROM STONE PERSONAL PARM SIR NOEL CHARLES CMA CHAIRMAN IN OFFICE OF THE ALLIED ADVISORY COUNCIL FOR ITALY CMA REQUESTS THAT THE FOLLOWING TEXT OF RESOLUTION PASSED UNANIMOUSLY AT MEETING OF THE ALLIED ADVISORY COUNCIL FOR ITALY ON SIXTH OCTOBER BE TRANSMITTED TO THE SUPREME ALLIED COMMANDER PD QUOTE THE ADVISORY COUNCIL FOR ITALY HAVE EXAMINED THE PROPOSAL MADE BY CAPTAIN STONE IN HIS MEMORANDUM NUMBER TWO SEVEN SIX SLANT ONE TWO NINE SLANT CHARLIE ABLE OF THE THIRTIETH SEPTEMBER FOR THE TRANSFER OF CERTAIN TERRITORIES TO ITALIAN ADMINISTRATION AND THEY RECOMMEND THAT THIS PROPOSAL SHOULD BE IMMEDIATELY IMPLEMENTED UNQUOTE

89

5042

Political Sec (2)

Confidential

L.T. MONTANT, Jr.
1st Lt AGD
ADJUTANT

90

COPYAppendix BCOPY OF NOTE REGARDING TRANSFER OF TERRITORIESTO ITALIAN ADMINISTRATION

7th October 1944

1/ - /44

Sir, With reference to your memorandum No. 276/129/CA of the 30th September addressed to the Secretariat of the Advisory Council for Italy, I have the honor to inform you that at their meeting on the 6th October, the Council unanimously approved the following resolution regarding the transfer of certain further territories to Italian administration.

2. "The Advisory Council for Italy have examined the proposal made by Captain Stone in his memorandum No. 276/129/CA of the 30th September for the transfer of certain territories to Italian administration and they recommend that this proposal should be immediately implemented".

3. I shall be grateful if you will be so good as to communicate the foregoing to the Supreme Allied Commander, Mediterranean Command, for appropriate action by him.

I have the honour to be,

Sir,

Your obedient Servant,

encl.

102.3

Advisory Council for Italy, I have the honor to inform you that at their meeting on the 6th October, the Council unanimously approved the following resolution regarding the transfer of certain further territories to Italian administration.

2. "The Advisory Council for Italy have examined the proposal made by Captain Stone in his memorandum No. 276/129/CA of the 30th September for the transfer of certain territories to Italian administration and they recommend that this proposal should be immediately implemented".

3. I shall be grateful if you will be so good as to communicate the foregoing to the Supreme Allied Commander, Mediterranean Command, for appropriate action by him.

I have the honour to be,

Sir,

Your obedient Servant,

/s/ NOEL CHARLES

Captain Ellery W. Stone

U.S.N.R.,

Acting Chief Commissioner,
Allied Control Commission

102.3

276/129/CA

Sum - 91

896

SECRET.Ref: 276/129/CA.30th September 1944.

SUBJECT: Handover of territory to Italian Government.

TO : Secretary, Advisory Council for Italy.

1. The Italian Government have recently been pressing for an early restoration to their control of the Provinces of TERAPO, AQUILA, PESCARA and CHIETI, on the grounds that, among other things, the Province of CHIETI was liberated over nine months ago, and that in TERAPO and AQUILA the activities of the patriots has given ample proof of anti-German and anti-Fascist sympathies. These headquarters are in full agreement that from the administrative point of view these Provinces could be handed back at any moment and would suggest October 16th as a suitable date.

2. In order to conform to the new boundary of AFIR administrative responsibility in Italy, and thereby to simplify certain aspects of administration and legislation, it is considered that the Provinces of VITERBO and RIETI might also be handed back to the Italian Government at the same time. The damage suffered in these Provinces was not so great as in the areas where the Armies halted for a period. Public works are now well in hand, the Italian provincial administration is working, and except for a small portion of VITERBO, the whole area South of the Rear Army Security Control Line.

3. An additional advantage in this proposal is that it would enable the Allied Control Commission to withdraw at once a small number of officers badly needed in the North.

4. The matter has been referred to C-in-C, Allied Armies in Italy, who has replied that he has no objection to the proposed transfer.

5. Before referring the matter to SAC for final consideration we have been directed to enquire the views of the members of the Advisory Council. Perhaps you would kindly arrange to have the matter brought up for discussion at the next meeting of the Council on October 6th.

54 716

89

DISPATCHED
OCT 1944
via AG. 1520
CA.

see 90

ELLERY W. STONE
Captain, USMR
Acting Chief Commissioner

cc: R.G. & M.G. Sec.

FILES A B

SECRET

Ref/276/8/CA. (P/CA 68213)

12 September 1944.

SUBJECT: Transfer of additional territory to Italian Government.

TO : HQ. Allied Armies in Italy.

1. The Italian Government have recently been pressing for an early restoration to their control of the Provinces of TERAMO, AQUILA, PESCARA and CHIETI on the grounds that, among other things, the Province of CHIETI was liberated over 9 months ago, and that in TERAMO and AQUILA the activities of the patriots has given ample proof of anti-German and anti-Fascist sympathies. These headquarters are in full agreement that from the administrative point of view, these Provinces could be handed back at any moment.

2. In order to conform to the new boundary of AFHQ, and thereby to simplify certain aspects of administration and legislation, it is considered that the Provinces of VITERBO and RIETI might also be handed back to the Italian Government at the same time. The damage suffered in these Provinces was not so great as in the areas where the Armies halted for a period. Public works are now well in hand, the Italian provincial administration is working and except for a small portion of VITERBO, the whole area is South of the Rear Army Security Control Line.

3. An additional advantage in this proposal is that it would enable the Allied Control Commission to withdraw at once a small number of officers badly needed in the North.

4. Your approval is therefore sought for a proposal to hand back to the Italian Government the Provinces of TERAMO, AQUILA, PESCARA, CHIETI, VITERBO and RIETI. The date suggested for this transfer is September 30th.

602.3

58 170
 HQ AFHQ
 13 Sept 1944
 Hg.
 PRK

6029
 ELLERY W. STONE
 Captain, USMC
 Acting Chief Commissioner

88 (Drafted by RC & MG Sect --CA Br)

Acting Chief Commissioner

Transfer of additional territory to
Italian Government

30 August 4

Brigadier Lush, Executive Commissioner

1. Re attached: (87)

a. Letter 1/346 of 27 August, Prunas to Caccia, relative to additional turn over of territory to Italian Government.

b. Caccia's note, 29 August, re a. (87) 2

2. For your information in connection with para 6 g, Notes of VP's meeting, 28 August 44.

2 Incls:
as above

Stone

Hq ACC - Sec'y Gen.
DISPATCHED
Date - Time 30 AUG 1944
Via <i>myr</i> 1700
Initials <i>RS</i>

8028

FILES (A-B)

bb

(87)

30 Aug

August 29, 1944

MEMORANDUM TO: Acting Chief Commissioner

FROM : Political Section **A93**

B1 AUG 1944

Del Balzo of the Italian Foreign Office gave me this letter today. I told him for Prunas' and his confidential information that the matter had already come up here and that we were going into it. At the same time he must realize that these things took time to arrange. General Alexander's approval was necessary as Military Governor of Italy, and AFHQ and the Advisory Council had also to be consulted. It was thus a matter of weeks at least.

He said that he understood this and was grateful that we had already got it in mind.

Harold Caccia

2027

Ministero degli Affari Esteri
Il Segretario Generale

Rome, 27 AUG 1944

Dear Caccia,

various Italian personalities have recently represented to the President of the Council of Ministers the fact that the region of Abruzzi is amongst those which have not as yet been restored to the Italian Administration. This, they state, is all the more disappointing to the population as, in fact, with its attitude and its actions, it has given clear proof of anti-german and anti-fascist feelings.

Indeed you will surely recall the activities of the patriots, in the region of Mount Majella and, particularly, of the province ~~of the province~~ of Teramo and Aquila, the former liberated by patriots themselves, the latter by the Italian Corps of Liberation. The fact should also be borne in mind that a part of Abruzzi, namely, the Province of Chieti was liberated over nine months ago.

A favourable and prompt decision on the restoration of this territory would therefore be amply justified and warmly welcomed by public opinion.

I should be very grateful if you could see your way to calling the attention of the competent quarters of the ACC on these considerations, and if you would be so good as to let me know with what reception they have met.

Very sincerely yours

R. Prunas

Harold A. Caccia Esq.,
Vice President
Allied Control Commission
Political Section
R O M E

5028

1944

FILE UNDER NO 602.3 - TRANSFER OF TERRITORY

INDEX SHEET
SYNOPSIS

Mr Col Pollock Pub Saf 13 Aug 44 to Col Poletti,
Brig Lush, Col Kirk & then to A/CC.

Hinted trouble on 15th Aug 44 on the taking over of
Rome by Italian Government but no reports have been made.

DOCUMENT FILED UNDER NO.

000.1 - COMMUNISTS & SOCIALISTS
POLITICS

602.3

6025

INSTRUCTIONS - Under «Synopsis» make brief entry showing date of communication and from whom received and synopsis sufficient to identify the papers. When these index sheets become numerous under a subject they will be entered on the consolidated index sheets and then destroyed.

86

RESTRICTED

ADV HQ AMY

HQ ACC

S-313

17 AUG

RESTRICTED

PRIORITY

SECRETARY GENERAL

85
APP A

71 A 1 5 8 4

YOUR MIRE AELR ONE FIVE EIGHT FOUR IS REFERENCE PD PAREN TO HOW QUEEN ALLIED
ARMIES IN ITALY FOR GENERAL ALEXANDER FROM ACC FROM STONE PAREN WHILE I AGREE
 NO REPLY IS NECESSARY I THINK A FEW WORDS OF ACKNOWLEDGMENT WOULD BE
 APPRECIATED

AUTHENTICATED:

ROBERT E. DOE
 Major, A.G.D.
 Secretary General

cc: Pol. Sec.

6034

85

71 A 1 5 8 4

Hq ACC - Sec'y Gen.
 DISPATCHED
 Date-Time 17 Aug 1700
 Via *hqs.*
 initials *WRK*

RESTRICTED

filed *APP 1700*

DC59 IPAR V LB7Q NEWYU IMMEDIATE

T

FROM ADV HQ AAI 771036 B

O HQ ACC

QOI GR43 BT

A 2219
19 AUG 1944

Ref:

MA 1584 CONFIDENTIAL . PERSONAL FOR CAPTAIN STONE FROM
GENERAL ALEXANDER . REF YOUR 1872 OF 16 AUG SUBJECT
MESSAGE FROM 10 OCT. *Rel. Sec.*

85
APP E

IN VIEW OF MY RECORDING A MESSAGE YESTERDAY I DO NOT

THINK A REPLY IS NECESSARY. WHAT DO YOU THINK?

BT 171035

RFTN 267 OF 171035 43 MA1584

AND TO HQ ACC IMI ACC 1872 16

171035 RM B

cc: *Rel. Sec.*

6033

85 APP A

ALLIED CONTROL COMMISSION OUTGOING MESSAGE

19 AUG 1944

TO: HEADQUARTERS ALLIED ARMIES IN ITALY FOR GENERAL ALEXANDER
SIGNAL MESSAGE CENTER No:
FROM: ACC CLASSIFICATION: RESTRICTED
REFERENCE No: 1272 PRECEDENCE: PRIORITY
DATE AND TIME OF ORIGIN: AUG 14 OFFICE OF ORIGIN: POLITICAL

FOLLOWING IS THE TRANSLATION OF LETTER FROM PRIME MINISTER BONOMI TO YOU WHICH WILL APPEAR IN TODAY AFTERNOON PRESS PD PAREN TO HOW SUCHEN ALLIED ARMIES IN ITALY FOR GENERAL ALEXANDER FROM ACC FROM STONE PAREN MESSAGE BEGINS ON THIS FIRST DAY IN WHICH THE GOVERNMENT IS REASSUMING ITS POWERS IN ROME WHICH HAS BEEN RETURNED TO THE ITALIAN STATE BY THOUGHTS OF WITH ADMIRATION AND GRATITUDE TO THE ARMIES CIA WHO UNDER YOUR ORDERS CIA HAVE DRIVEN THE GERMAN INVADER UP TO THE LINE OF THE APENNINES CIA THUS MAKING POSSIBLE THE AUSPICIOUS EVENT WHICH WE ARE CELEBRATING TODAY PD AMONG THESE BRAVE AND VICTORIOUS TROOPS CIA WHO REPRESENT IN THEIR VARIOUS ORIGINS AND RACES THE WORLD CRUSADE AGAINST FASCIST AND NAZI TYRANNY CIA THERE ARE ALSO ITALIAN TROOPS PD THEIR NUMBER IS SMALL IN COMPARISON WITH THE GREAT BRITISH AND AMERICAN ARMIES PD BUT I ASSURE YOU THAT THEY ARE THE HEIRS OF THE ITALIAN ARMIES CIA WHO IN ONE NINE ONE EIGHT FIGHTING SIDE BY SIDE WITH YOURS AGAINST THE SAME ENEMY CIA WROTE THE GLORIOUS PAGES OF THE BATTLE AND OF VITTORIO VENETO PD THE SAD RESULTS OF AN INSANE POLICY CIA CONTRARY TO THE TRADITIONS AND IDEALS OF THE NATION CIA HAVE LED US TO THE PRESENT SITUATION PD BUT IT IS NOT NUMBERS THAT COUNT, COLON IT IS THE SPIRIT OF A PEOPLE AND OF ITS SOLDIERS PD I CAN ASSURE YOU THAT THE SPIRIT OF THE ITALIAN PEOPLE IS WITH YOU CIA WITH THE UNITED NATIONS CIA WITH THE GREAT

THE AUSPICIOUS EVENT WHICH WE ARE CELEBRATING TODAY PD AMONG THESE BRAVE AND VICTORIOUS TROOPS
 CMA WHO REPRESENT IN THEIR VARIOUS ORIGINS AND RACES THE WORLD CRUSADE AGAINST FASCIST
 AND NAZI OPPRESSION CMA THERE ARE ALSO ITALIAN TROOPS PD THEIR NUMBER IS SMALL IN COMPARISON
 WITH THE GREAT BRITISH AND AMERICAN ARMIES PD BUT I ASSURE YOU THAT THEY ARE THE HEIRS
 OF THE ITALIAN ARMIES CMA WHO IN ONE NINE ONE EIGHT FIGHTING SIDE BY SIDE WITH YOURS
 AGAINST THE SAME ENEMY CMA WROTE THE GLORIOUS PAGES OF THE PLAVE AND OF VITTORIO VENETO
 PD THE SAD RESULTS OF AN INSANE POLICY CMA CONTRARY TO THE TRADITIONS AND IDEALS OF THE
 NATION CMA HAVE LED US TO THE PRESENT SITUATION PD BUT IT IS NOT NUMBERS THAT COUNT,
 COLON IT IS THE SPIRIT OF A PEOPLE AND OF ITS SOLDIERS PD I CAN ASSURE YOU THAT THE SPIRIT
 OF THE ITALIAN PEOPLE IS WITH YOU CMA WITH THE UNITED NATIONS ~~OF~~ ^{OF} THE GREAT ~~OF~~ ^{OF} OF
 LIBERTY AND PEACE WHICH ILLUMINATE YOURS AND OUR MARCH PARA WITH THESE SENTIMENTS I SEND TO
 YOU AND TO YOUR TROOPS THE GRATITUDE OF HOME WHICH TODAY RETURNS FULLY TO ITS FUNCTION
 AS CAPITAL OF LIBERATED ITALY END MESSAGE.

85 APR 13

Distribution:

Authenticated by

Originator's signature

PUBLIC RELATIONS BRANCH
ALLIED CONTROL COMMISSION

PRB/R29

15 August 1944.

Subject: Statement on transfer of territory.

Acting Chief Commissioner.

HQ ACC, APO 364

648 Sec'y Gen.

Rec'd 16 Aug 0915

By JTB

A 2202
17 AUG 1944

I have been informed at six o'clock this evening by Mr Minifie that General Alexander is making a statement on the transfer of territory. PWB is apparently handling this and distributing it to the Italian press and even to the Allied correspondents, a thing which has never happened before. Actually, of course, this is absurd because it went to the Allied correspondents (and to this Branch) through the normal channels of AAI. But should not your PR Branch be at least informed by the ACC?

Lionel Fielden

LIONEL FIELDEN,
Major,
Public Relations Director.

602.3

6031

84

Mr Minifie

Capt Stone
wants the chance of
one last serving
of the final ~~entry~~ ^{entry}
afforded by Gen Alexander
before his departure
HAC 14/8

ADDRESS BY THE COMMANDER-IN-CHIEF,
ALLIED ARMIES IN ITALY.

A 2204

17 AUG 1944

The Allied Commission of Control has announced to-day the return to the Italian Government of the provinces of Rome, Prosinone, Littoria.

The movement which was begun on February 11th of this year with the return of Iucania, Calabria, Sicily and the provinces of Salerno and Potenza, continued on July 20th with the return of Foggia, Campobasso, Benevento, Avellino and Naples province, has now restored to the Italian people a region comprising nearly half of the area and population of the Kingdom.

And now in addition, the capital of the realm, Rome, has been restored and the Italian Government is already installed in the capital of United Italy.

That this has been made possible is due in the first place to the continuous advance of the Allied forces, who have steadily driven northwards through territory which presents considerable

APPOINTED BY THE COMMAND IN-CHIEF,
ALLIED ARMIES IN ITALY.

A 2204
17 AUG 1944

The Allied Commission of Control has announced to-day the return to the Italian Government of the provinces of Rome, Frosinone, Littoria.

The movement which was begun on February 11th of this year with the return of Lucania, Calabria, Sicily and the provinces of Salerno and Potenza, continued on July 20th with the return of Foggia, Campobasso, Benevento, Avellino and Naples province, has now restored to the Italian people a region comprising nearly half of the area and population of the kingdom.

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And now in addition, the capital of the realm, Rome, has been restored and the Italian Government is already installed in the capital of United Italy.

That this has been made possible is due in the first place to the continuous advance of the Allied forces, who have steadily driven northwards through territory which presents considerable military difficulties and against a determined enemy.

It has been made possible secondly by the conduct of the Italian people and of their Government. It is a tribute to the Italians' desire for peace and for order that tranquillity has been so readily established and that a Government representing all the political parties has been created and is

✓
File # 83
83

-2-

functioning and in so short a time. The wanton wreckage and brutal destruction of property, the heartless dissolution of families, and the atrocious murders carried out by a beaten but revengeful enemy had enormously increased the inevitable difficulties which meet a government attempting to rebuild a country ravaged by mechanised war. But the measure of success with which the Italian Government has initiated its task is indicated by the confidence with which the Allies have restored fresh territories to it.

The exigencies of warfare have not permitted the Allies to do more than re-establish the most urgent public services. But even these have been tasks of great magnitude. ~~The clearing of Naples harbour in a very few weeks after occupation raised this port in a short time to sixth in world magnitude in tonnage of traffic handled. Restoration of water, repair of sewage, resumption of rail traffic and repair of electric transmission facilities, have~~

benefitted not only the war effort of the Allies

2028

the greatest

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The work initiated by the Allies has been continued by Italians and to-day it is possible to send supplies by train from Naples to Reggio Calabria and across the Straits of Messina, from Messina to Palermo, over territory which had felt the full fury of the withdrawing Goth.

the greatest

-3-

As he was beaten northwards the enemy removed the livestock and grain. What he could not remove he destroyed whenever time and circumstance allowed. In the early months of the liberation of Sicily and Southern Italy the Allies, despite the urgent needs of our war effort, brought thousands of tons of grain and of medical supplies into Italy to save the population from starvation and disease. Those dangers no longer face us. Providence has blessed the land with a bountiful harvest, the best in many years. ~~There is food for all within this country.~~ Its collection and equitable distribution is a responsibility which the Italian Government has shouldered with confidence and pride.

The enemy knows already that he is beaten on the field of battle. But the war is not yet over. The tyrants are fighting to the last because they know that defeat will bring for them ~~inexorable~~ ^{annihilation} extermination. And the war will not

into Italy to save the population from
and disease. Those dangers no longer face us.
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the Italian Government has shouldered with
confidence and pride.

The enemy knows already that he is beaten
on the field of battle. But the war is not yet
over. The tyrants are fighting to the last
because they know that defeat will bring for them
inexorable extermination. And the war will not
be over when the last shot has been fired. The
fight against tyranny is one which must never be
discontinued. The price of liberty is perpetual
watchfulness. Guard it well.

SECRET

EWS/hjp

A/CC 602.3

14 August 1944

SUBJECT: Transmittal of Documents re Restoration of Italian Territory
TO : Supreme Allied Commander - Mediterranean, AFHQ, APO 512

1. Inclosed are certified copies of the following documents effecting the transfer of the provinces of Rome, Frosinone, and Littoria to the Italian Government as of 15 August 1944:

Document "A" - Terms of Restoration of Additional Italian Territory.

Document "B" - Allied Military Government of Occupied Territory, Proclamation No. 16b.

Document "C" - Proclamation by the Italian Government.

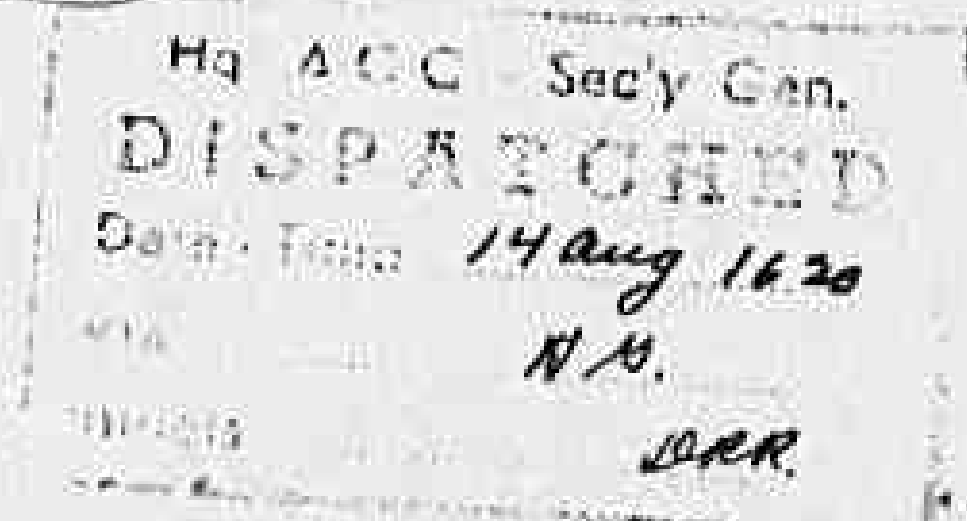
2. The signed copies of these documents are on file at this headquarters.

3 Incls:
as above

not to be filed

ELLMY W. STONE
Captain, USMC
Acting Chief Commissioner

6028



Confidential

Copies Furnished
Col. Wensmore
Col. Mayfield
T.R.

Secretary General

7-Aug-44

HEADQUARTERS
 ALLIED CONTROL COMMISSION
 R.C. & M.G. Section
 APO 394

HQ ACC, APO 394
 486 Sec'y Gen.
 Rec'd *8 Aug 1944*
 By *ORR*

Ref/276/94/CA

SUBJECT:- Handover of Territory to the Italian Government.

A 2057
9 AUG 1944

TO: R.C.'s Regions I, II, III, IV, V, VI, VII, VIII, IX, 'Z', & 'Y'.
 S.C.A.O.'s Fifth and Eighth Army.

1. Effective as from 0001 hours, 15 August 1944, the Provinces of ROME, LITTORIA and FROSINONE (Region IV) will be handed over to the Italian Government.

2. Regional Commissioner, Region IV, will thereafter operate in an advisory role throughout the above Provinces. The remaining Provinces of VITERBO, RIETI, TERNI and PERUGIA will continue under Military Government.

10 Aug 44
to
 Brigadier,
 Executive Commissioner.

Copy to: List "C", Group I, Less 38 - 48.
 G-5, AFHQ.
 HQ., A.A.I.

6025

(81)

Files A-103/7008

602.3

SECRET

EWS/nd

A/CS 602.3

6 August 1944

Subject: Restoration of Territory

To: Commander-in-Chief, Allied Armies in Italy

1. Attached terms of restoration of territory are submitted for signature, please. As you will recall, this transfer has been approved by your Headquarters and AFHQ.

2. The territory to be restored to the Italian Government comprises the Provinces of ROME, FROSINONE and LITTORIA.

Document "A" is a SECRET reservation of powers to you as Commander-in-Chief over the territory to be restored.

Document "B" is a public proclamation terminating Military Government in the area concerned.

3. Document A has been made shorter than the previous Document A by incorporating by reference in the former the terms and conditions of restoration contained in the latter rather than repeating them verbatim.

4. Document B is word for word the same as that used in the last restoration of territory except as to date and territory.

5. It will be appreciated if the papers can be returned by 13 August 1944 in order that the signature of the Italian Prime Minister may be obtained on the 14th.

6. It will be necessary for you to sign two copies of each document.

6024

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

2 Incls:

Incl 1 - Document "A" (in dupl)

Incl 2 - Document "B" (in dupl)

6 Aug 1944

SECRET

files (A413/700)

ALLIED CONTROL COMMISSION
INTER OFFICE MEMO

From: Acting Chief Commissioner

SUBJECT: Future Duties of RAAC

FILE No. 24711

TO: Brigadier Lush, Executive Commissioner,
Hq ACC

5 August 1944

Have you given consideration to any revisions in AAI directive as to duties of RAAC in connection with the transfer of Rome to the Italian Government on August 15th? If we are going to have any difficulties with RAAC in this connection, we should be settling them now.

ELMER W. STONE
Captain, USNR
Acting Chief Commissioner

cc: Col. Upjohn, Admin Sec

80

Hq ACC	Sec'y Gen.
DISPATCHED	
Date-Time	Aug. 25. 1944
Via	Mag.
Initials	RRR

60213

files ATP/6023

S E C R E T

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

HQ Allied Control Commission
391 Sec'y Gen.
Rec'd 4 Aug 14 35

By SR

RHW/pa.

4 August 44.

Tel.No.563

ACC/4102/3/L.

A 2149

13 AUG 1944

SUBJECT : Restoration of Provinces of LITTORIA, ROME and
FROSINONE.

TO : Acting Chief Commissioner.

1. I enclose two copies of the following documents :-

- (a) Document A
- (b) Document B in English and in Italian
- (c) Document C in English and in Italian.

2. Documents A and B are ready for the signature of General Alexander. Document C is ready for the signature of Sig.Bonomi.

3. Document A has been made shorter than the previous Document A by incorporating by reference in the former the terms and conditions of restoration contained in the latter rather than repeating them verbatim.

4. Document B is word for word the same as that used in the last restoration of territory except as to date and territory.

5. Document C in its English text is word for word the same as that used in the last restoration of territory except as to date and territory. The Italian form of Document C in its present form has been approved by a representative of the Council of Ministers who called on me yesterday afternoon.

6. It is not now necessary to have a separate Document D its contents having been taken care of in the last paragraph of Document A.

7. Incidentally two of the decrees required by previous Document D and just published in the latest Official Gazette contain errors which have already been called to the attention of the Italian representative. These errors will have to be corrected by amendments which should be published in the next Of-

(79)a

File (A) 413/40

60213

Official Gazette. Document C of the last restoration which according to Document D was to be published in the Official Gazette has not been published. I have requested that this be done without further delay.

Richard H. Wilmer

RICHARD H. WILMER,
Colonel, C.A.C.,
Acting Chief Legal Officer.

en21

As minuted by Potanelli.
Below, this matter is now being
dealt with directly by Col. Wilmer.

Q.

✓
5

Tel.No.563

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ACC/4102/1/L

A 2001
- 5 AUG 1944RHW/ap
1 Aug 1944

SUBJECT : Memorandum.

TO : The Acting Chief Commissioner.

HQ ACC. APO 394
349 Sec'y Gen.
Rec'd 2 Aug 1944
By APR

You will recall that at the last minute before the restoration of territory to the jurisdiction of the Italian Government on 20 July, H. E. PENALTEA stated that there were errors in the translation of Document C which Professor Forti had himself previously approved. The error H. E. PENALTEA, pointed out in my conference with him was not an error at all, but rather a preference for the use of some more fancy word. At that time I gave him a copy of Document C as it had been printed and asked him to send it back to me at an early date with any suggestions in order that they might be considered in preparing Document C for the 15 August restoration. Although, at the same time, I gave him my name and address, I have not received any word from him. To Count Roberti who appeared later in connection with these matters I have repeated my request for suggestions, but so far none is forthcoming. In order to put this document in final form and to be prepared to have it printed I would appreciate it, if you would request immediate action.

Ronald H. Wilmer

R. H. WILMER,
Col.CAC,

Acting Chief Legal Officer.

79
This matter is now being handled by Count
Wassner (Pres. Cons) with Col. Wilmer. *8 Aug 1944*

U. S. SECRET
Equals British SECRET

DMS/hjp

A 521

A/CC 602.3

21 JUL 1944 20 July 1944

SUBJECT: Transmittal of Documents re Restoration of Italian Territory

TO : Supreme Allied Commander - Mediterranean, AFHQ, APO 512

1. Inclosed are certified copies of the following documents effecting the transfer of additional Italian territory to the Italian Government as of this date:

Document "A" - Terms of Restoration of Additional Italian Territory.

Document "B" - Allied Military Government of Occupied Territory, Proclamation No. 16a.

Document "C" - Proclamation by the Italian Government.

Document "D" - Letter to the President of the Council of Ministers.

2. The signed originals of these documents are on file at this headquarters.

602.3

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

4 Incls:
as above

R019.

(78) files (A-B)

A/CC 602.3

20 Jul 44

U. S. SECRET
Equals British SECRET

BEST COPY POSSIBLE

HQ ACC, APO 394

117 Sec'y Gen.

Rec'd 20 July 12/15

By

PUBLIC RELATIONS BRANCH
ALLIED CONTROL COMMISSION

19 July, 1944

PRE/RL

Press Release: Hold for release July 20 at 2000 hours.

1. The Allied Control Commission announces the transfer to the Italian Government today, July 20, 1944 of all territories comprised in the provinces of Foggia, Campobasso, Benevento, Avellino and Naples, with the exception of the Commune of Naples. The Allied Control Commission further announces that on August 15, 1944 the province of Rome, including the city of Rome, and the provinces of Frosinone and Littoria will be handed over to the Government of Italy.

2. This transfer, which was recommended to the Supreme Allied Commander by the Advisory Council at their meeting on July 15, marks a further step in the procedure initiated on February 11, 1944, when the provinces of Salerno and Potenza and the compartments of Lucania and Calabria, together with the Island of Sicily, were restored to the jurisdiction of the Italian Government. The provinces of Bari, Brindisi, Lecce and Taranto and the island of Sardinia were not at any time under Allied Military Government.

3. The transfer of territory has been made possible by the victorious advance of the Allied Armies in Italy. Only two months have elapsed since those armies opened their attack against the Gustav Line. The United Nations are thus fulfilling with the utmost speed their declared intention that the Italian people should be given the earliest opportunity after their liberation to enjoy the free institutions which are an inherent part of political democracy.

4. The Allied Control Commission is charged with the responsibility for ensuring the effective use of Italian resources in the common war and of representing Allied interests and the Italian national and local governments. For this reason and the Italian national and local governments which is the end open-

2. This transfer, which was to be made by the Allied Commander by the Advisory Council at their meeting on July 15, marks a further step in the procedure initiated on February 11, 1944, when the provinces of Salerno and Potenza and the compartments of Lucania and Calabria, together with the Island of Sicily, were restored to the jurisdiction of the Italian Government. The provinces of Bari, Brindisi, Lecce and Taranto and the island of Sardinia were not at any time under Allied Military Government.

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4. The Allied Control Commission is charged with the responsibility for ensuring the effective use of Italian resources in the common war and of representing Allied interests to the Italian national and local governments. For this reason and in the interests of the common victory which is the end in view, it has been decided, in agreement with the Italian Government, that the Commune of Naples, with the Italian Government, shall be a part of the Allied zone owing to its exceptional importance as a military zone under the jurisdiction of the Commander-in-Chief. The United Nations also reserve the right to hold Allied military courts in the territory handed over to the Italian Government for the trial of offenses against Allied forces and property.

5. The territory which has now been handed over to the jurisdiction of the Italian Government comprises some 46,000 square miles with a population of some 15,000,000 people. Thus, on August 15 one third of Italy will have been returned to Italian administration. Without prejudice to the rights which the United Nations have under the Armistice and which are exercised in their behalf by the Commander-in-Chief of the Allied Forces and his representatives including the Allied Control Commission, all powers of government will henceforth belong to the Government of Italy. In his directive of February 11 the Commander-in-Chief stated that the situation then in the making would make it possible for future transfers of territory to be made to an Italy which had grown in strength and stature. Since the Government of Marshal Badoglio was broadened on

19 April 44

file 1/2000

11

(2)

21, 1944 to include the representatives of the six parties of the Committee of Liberation, and that Government in its turn gave way on June 18, after the liberation of Rome and according to the procedure envisaged, to the present Government under Signor Bonomi, which includes further representatives of the Committee of Liberation from newly liberated territories. The progress thus made towards the restoration of democratic Government on a broadening representative basis is a welcome sign of the desire of the Italian people to eradicate forever the last taint of Fascism. Yet the enemy is still on Italian soil, and the United Nations, who are now bearing the brunt of the fight for its freedom, look to the people of Italy, and to their Government, to spare no effort and seek no other purpose until victory is achieved.

COPY

AFHQ FOR SACRED

HQ ACC FROM UPJOHN

676

18

A 1772

20 JUL 1944

SECRET

PRIORITY

ADMIN SEC.

F 7 3 2 2 6 17

IN REPLY TO YOUR FOR SEVEN THREE TWO TWO SIX DATED SEVENTEEN JULY SUBSTANCE IS AS
 FOLLOWS PAREN TO AFHQ FOR SACRED FROM HQ ACC FROM UPJOHN PAREN QUOTE EXCEPT THE
 COMMUNE OF NAPLES IN THE PROVINCE OF NAPLES WHICH BY REASON OF MILITARY NECESSITY
 SHALL REMAIN A MILITARY ZONE UNDER MY SOLE CONTROL AND ADMINISTRATION AS C IN C AND
 IN WHICH ALL PROCLAMATIONS AND ORDERS ISSUED BY ME OR BY MY AUTHORITY ARE NOW EFFECTIVE
 SHALL REMAIN IN EFFECT UNTIL RESCINDED CMA AMENDED CMA OR MODIFIED PD UNQUOTE

602-3

R017..

(76)

676
 18 jul 44

file/101

SECRETHQ ACC MPO 303
88 Sec Gen
Recd 18 Jul 1944
By

1124

~~C.S.O.~~

orig to AFHQ

ACC MAIN FOR STONE RPTD ~~XXI~~/ AAI ADV AFHQ ADV CP

64/18

AFHQ SOD SACMED

PX73322

JUL181151B

A 1805
22 JUL 1944

SECRET

OF PRIORITY

CITE/PHGEC

File (A) 78

SACMED APPROVES RELEASE ON 20 JULY OF PRESS ANNOUNCEMENT OF TRANSFER OF FURTHER TERRITORY TO ITALIAN ADMINISTRATION. PARA 2 YOUR ACCS 287 WAS ANSWERED BY OUR PX72878: CONTACT COL ASTLEY, DPRO AFHQ, ADV PRESS HEADQUARTERS, ROME AND HAVE HIM ARRANGE DETAILS OF RELEASE, SIMULTANEOUS AT ALGIERS, ROME AND NAPLES IN COOPERATION WITH GENERAL TUPPER. PRO AFHQ ADVANCE. PARA 3. THE PRESENT MESSAGE ANSWERS YOUR 3292 AND COMPLETES AUTHORITY TO MAKE PRESS ANNOUNCEMENT

ACC DIST

ACT- SEC GEN

INF- CSO

A/CC

FILE



602.3

6018

File/Grp

Confidential

1273322

18 Jul 44

JUL1811515

1102

SECRET

ACC ADV FOR STONE

23/18

AFTER SIGNED SACHED

F 73226

July 17/1952
~~DATA/11/51~~

SECRET

PRIORITY

Cite FROM

A 1771
20 JUL 1944

FOR OUR INFORMATION, AND WITHOUT AFFECTING YOUR AUTHORITY TO PROCEED, CABLE
SUBSTANCE OF THE PROVISION RESERVING MILITARY ZONE AT NAPLES IN INSTRUMENT FOR
TRANSFER OF FURTHER TERRITORY

602.3

Part
Info ~~action~~ CAP-2
Action ~~info~~ Section
H/Sec
785015

(75)

F-73226

17 Jul 44

SECRET

F 76/24

JULY 16/1330

SECRET

19 JUL 1944

AFHQ RPTD ADV AAI RPTD ADV AFHQ

HQ ACC

S-292

SECRET

PRIORITY

ACTING CHIEF COMM.

5-287

NO REPLY RECEIVED BY CABLE SUGAR TWO EIGHT SEVEN OF FIFTEEN JULY CONCERNING
 PUBLICITY ON TRANSFER OF TERRITORY PD PAREN TO AFHQ FOR SACRED FOR ACTION CMA
BRITISH RESIDENT MINISTER CMA AMERICAN POLITICAL ADVISOR FOR INFO RPTD ADV AAI
FOR ALEXANDER RPTD ADV AFHQ FOR INFO FROM HQ ACC FROM STONE PERSONAL PAREN AS
 TRANSFER IS EFFECTIVE TWENTIETH JULY AN EARLY REPLY IS URGENTLY REQUESTED

DISTRIBUTION:

- 1 - Hon. Alexander Kirk
- 1 - Sir Noel Charles
- 3 - Political Section (for Advisory Council)
- 1 - VP Special float file

602.3

6014

Confidential

File/700

74

S-292
17 Jul 44

HQ ACC, APO 394

77 Sec. Y. Gen.
Rec'd 18 Jul 1100
By *[Signature]*SECRET

FDS/wb

Tel: 608HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTIONA 2116
12 AUG 1944

9/6R/AS

17 Jul 44

SUBJECT : Restoration of Territory.TO : Acting Chief Commissioner.

1 I attach herewith the following documents for signature:

Document "C" To be signed by H.E. DONOHUE.

Document "D" To be signed by you and accepted by H.E. DONOHUE.

2 Accordingly, when you see the Prime Minister, which should of course be not later than 19 Jul,

a He should be asked to sign two copies of Document "A" in the presence of two witnesses, one copy to be kept by him. The copies are already in your possession and have been prepared for you to be one of the witnesses but this is not essential.

b He should also sign Documents "C" and "D" in duplicate and keep one copy.

c He is NOT concerned with Document "B" copies of which are also already in your possession.

*G. R. Lytle*G. R. LYTTLE, Col
A/Head, Air Sec
6013

602.3

Confidential

(73) a

[Signature]

SECRET

HQ

F.3

Rec'd

By

17 Jul 1640

1778

1047

SC

Files (A) B

AFHQ ADV, ACC MAIN FOR ACTION AND TO DERO, AFHQ ADV PRESS HQ ROME-PRO
 AFHQ AAI ADV FOR INFO 34/17

AFHQ SGD SAGMED

FX72878

JUL 15 1747

SECRET

PRIORITY

CITE/PHGEG

ANSWER TO ACOS 287. PARA. CONTACT COL ASTLEY, DEPUTY PRO, AFHQ, ADV PRESS
 HQ, ROME, AND HAVE HIM ARRANGE RELEASE DETAILS, SIMULTANEOUS AT ROME,
 ALGIERS AND NAPLES, IN COOPERATION WITH GENERAL TUPPER, PRO AFHQ, AT
 AFHQ ADVANCE. FINAL APPROVAL FOR release VOTE must BE obtained FROM
 SAGMED; SHOULD NOT BE RELEASED BEFORE 20 JULY

ACC DIST

ACT: SEC GEN

INF: CSO

A/CC

FILE 2

602.3

6012

file/207

SECRET

JUL 17 1600

F72878
 16 Jul 44

73

SECRET

56-1-20

EWS/hjp

17 JUL 1944

A/CC 602.3

16 July 1944

SUBJECT: Restoration of Territory

TO : The Commander-in-Chief, Allied Armies in Italy

1. Attached terms of restoration of territory are submitted for signature, please, the Advisory Council having yesterday recommended AFHQ to approve such restoration on the 20 July 1944.

2. The territory to be restored to the Italian Government comprises the Provinces of FOGGIA, CAMPOTRANO, BENEVENTO, AVELLINO and NAPLES less Naples Comune which will remain under Allied Military Government. The terms are substantially identical with those of the previous hand-over at the 11 February 1944.

Document "A" is a SECRET reservation of powers to you as Commander-in-Chief over the territory to be restored.

Document "B" is a public proclamation terminating Military Government in the area concerned.

3. It will be appreciated if the papers can be returned by 18 July 1944 in order that the signature of the Italian Prime Minister may be obtained on the 19th.

4. It will be necessary for you to sign two copies of each document.

MILBURY W. STONE
Captain, USARV
Acting Chief Commissioner

2 Incls:

Incl 1 - Document "A" (in dupl)

Incl 2 - Document "B" (in dupl)

(72)

A/CC 602.3

16 Jul 44

Confidential

7/16/44

Files (A) B

OFFICE OF THE BRITISH CHIEF COMMISSIONER IN ITALY,

Via Agostino de' Pretis,

NAPLES.

R.O.M.E.

SG-1740

15th July 1944. 17 JUL 1944

Sir,

With reference to your letter of the 11th July,
I have the honour to inform you in my capacity as
Chairman in Office of the Allied Advisory Council for
Italy that the Council, at their Meeting held today,
passed unanimously the following resolution:

"The Allied Advisory Council for Italy have examined
the proposal made by Captain Stone on July 9th to the
Supreme Allied Commander for the transfer of certain
territories to Italian Administration and they
recommend that this proposal should be immediately
implemented."

2. I shall be grateful if you will arrange to
communicate this resolution urgently by telegraph to
the Supreme Allied Commander.

I have the honour to be,

Sir,

Your most obedient Servant,

W. H. Charles
Captain Elery Stone, R.S.M.R.,
Acting Chief Commissioner,
Allied Control Commission.

6010

76/44

15 Jul 44

Files A-B

SECRET

AFHQ SPTD ADV AAT SPTD ADV AFHQ

17 JUL 1944

HQ ACC

8-288

15 JUL

SECRET

PRIORITY

ACTING CHIEF COMM.

S-288 7 (attached)

REFERENCE BY SUGAR TWO EIGHT SEVEN OF FIFTEEN JULY PD PARISH TO AFHQ FOR SACRED FOR
ACTION CMA BRITISH RESIDENT MINISTER CMA AMERICAN POLITICAL ADVISOR FOR INFO RPTD
ADV AAT FOR ALEXANDER FOR INFO RPTD TO AFHQ ADV FOR INFO FROM HQ ACC FROM STONE
PERSONAL PAREN SIR NOEL CHARLES CMA CHAIRMAN IN OFFICE OF THE ALLIED ADVISORY
COUNCIL FOR ITALY CMA REQUESTS THAT THE FOLLOWING TEXT OF RESOLUTION PASSED
UNANIMOUSLY AT MEETING OF THE ALLIED ADVISORY COUNCIL FOR ITALY ON FIFTEEN JULY
BE TRANSMITTED TO THE SUPREME ALLIED COMMANDER COLON QUOTE THE ALLIED ADVISORY
COUNCIL FOR ITALY HAVE EXAMINED THE PROPOSAL MADE BY CAPTAIN STONE ON JULY NINTH
TO THE SUPREME ALLIED COMMANDER FOR THE TRANSFER OF CERTAIN TERRITORIES TO ITALIAN
ADMINISTRATION AND THEY RECOMMEND THAT THIS PROPOSAL SHOULD BE IMMEDIATELY
IMPLEMENTED PD UNQUOTE

AUTHENTICATED:

cc: Hon. Alexander Kirk
 Sir Noel Charles
 Political Section

L. D. DEMORE
 Colonel, Sig C
 Chief Staff Officer

Rnng

3 - Advisory Council
 1 - VP float

70

File/HY

S-288
 15 Jul 44

Confidential

602.5

Files (A) - B

SECRET

15 JUL 1944

AFHQ RPTD ADV AAI RPTD ADV AFHQ

HQ ACC

S-287

15 JUL

SECRET

PRIORITY

ACTING CHIEF COMB.

5 2 7 2
 FURTHER YOUR FOX SIX EIGHT EIGHT ONE EIGHT PD PARE TO AFHQ FOR SACRED FOR ACTION CMA
 BRITISH RESIDENT MINISTER CMA AMERICAN POLITICAL ADVISOR FOR INFO RPTD TO ADV AAI FOR
 ALEXANDER RPTD TO AFHQ ADV FOR INFO FROM HQ ACC FROM STONE PERSONAL. PAREN AAI HAS AGREED
 TO CONDITIONS AND TIMES OF TRANSFER OF ADDITIONAL TERRITORY TO ITALIAN ADMINISTRATION AS
 SET FORTH IN MY SUGAR TWO SEVEN TWO OF NINE JULY NOT TO ALL ADDRESSEES PD ADVISORY COUNCIL
 APPROVED PROPOSALS AT ITS MEETING TODAY AND IS TELEGRAPHING ITS CONCURRENCE PD REQUEST
 INSTRUCTIONS AS TO WHETHER ACC SHALL RELEASE PUBLICITY HERE OR WILL YOU DESIRE TO HANDLE PD
 IF LATTER CMA WOULD POINT OUT THAT LANGUAGE TO BE USED IN TRANSFER DOCUMENTS AS TO
 RESERVATION ON COMMUNE OF NAPLES WILL SAY SUBSTANTIALLY THAT THE COMMUNE OF NAPLES REMAINS
 A MILITARY ZONE BY REASON OF MILITARY NECESSITY UNDER THE SOLE CONTROL AND ADMINISTRATION
 OF THE COMMANDER IN CHIEF CMA REAFFIRMING EFFECTIVENESS OF ALL PROCLAMATIONS AND ORDERS
 ISSUED BY HIM OR UNDER HIS AUTHORITY PD THIS WILL PERMIT US TO AVOID REFERENCE TO TERM
 QUOTE AND UNQUOTE AS CONTINUING IN COMMUNE OF NAPLES AND INSTEAD WILL EMPHASIZE THE
 MILITARY NECESSITY OF TREATING IT AS A MILITARY ZONE PD IF YOU HANDLE PUBLICITY REQUEST
 WE BE GIVEN SUFFICIENT ADVANCE NOTICE TO ENABLE PWB AND ITALIAN GOVERNMENT TO COORDINATE
 THEIR PUBLICITY HERE



 KELLY W. STONE
 Captain, USNR

Acting Chief Commissioner

Confidential

 3- Advisory Council
 1- VP float

S-287

15 Jul 44

HQ ACC, APO 394

84 Sec'y Gen

Rec'd 15 Jul 1944

By

SECRET

HEADQUARTERS,
ALLIED CONTROL COMMISSION,
APO 394.

Regional Control and Military Government Section.
+++++

Ref: 276/72/CA.

14th July 1944.

SUBJECT: Handover of Territory to the Italian Government.

TO : Regional Commissioners,
Regions I, II, III, IV, VI, VII,
VIII, IX and ROME Region.
SCAO, AMG 5 Army.
SCAO, AMG 8 Army.

1. Effective as from 0001 hours, 20th July, 1944, the Provinces of NAPLES, BENEVENTO and AVELLINO (Region III) and of CAMPOBASSO and FOGGIA (Region V), will be handed over to the Italian Government.
2. Regional Commissioner, Region III will thereafter exercise supervision and control under ACC conditions throughout Region III with the exception of the Comune of NAPLES (which includes the City and Port of NAPLES) in which Allied Military Government will continue.
3. Regional Commissioner, Region V, will exercise similar supervision and control over the administration of CAMPOBASSO Province while administering the remaining Provinces of ABRUZZI and the MARCHES under Allied Military Government.
4. As from the date defined above, FOGGIA Province (Provincial Commissioner, Colonel C.R. Temperley) will be detached from Region V and will, temporarily, pass under direct command of ACC HQ. This Province, which lies in the compartment of Apulia, will eventually pass to the command of Region II.
5. Agreements of staff, transport and supplies are now being prepared by the Regional Commissioner, Region V and Provincial Commissioner, FOGGIA, and will be submitted to the Sections concerned for approval.
6. This will not be made public until further notice.

602.3

602.3

1. Effective as from 0001 hours, 20th July, 1944, the Provinces of NAPLES, BENEVENTO and AVELLINO (Region III) and of CAMPOBASSO and FOGGIA (Region V), will be handed over to the Italian Government.
2. Regional Commissioner, Region III will thereafter exercise supervision and control under AOC conditions throughout Region III with the exception of the Comune of NAPLES (which includes the City and Port of NAPLES) in which Allied Military Government will continue.
3. Regional Commissioner, Region V, will exercise similar supervision and control over the Administration of CAMPOBASSO Province while administering the remaining Provinces of ABRUZZI and the MARCHE under Allied Military Government.
4. As from the date defined above, FOGGIA Province (Provincial Commissioner, Colonel C.R. Tupperley) will be detached from Region V and will, temporarily, pass under direct command of AOC HQ. This Province, which lies in the compartmento of Apulia, will eventually pass to the command of Region II.
5. Adjutants of staff, transport and supplies are now being prepared by the Regional Commissioner, Region V and Provincial Commissioner, FOGGIA, and will be submitted to the Sections concerned for approval.
6. This will not be made public until further orders.

MSL/JG.

MSL
6007
1002
 Brigadier,
 Executive Commissioner.

Copy to: List "C", Group I, Less 33-48.
 C-5, A.N.H.Q.
 HQ. A.A.I.

68 Pa

file/700

276/12/cA
14 Jul 44

U. S. SECRET
Equals British SECRET

EWS/hjp

11 July 1944

11 JUL 1944

57 Sir:

The Supreme Allied Commander, Mediterranean, in his Message No. FX 67063 of July 1st, requested that the Advisory Council for Italy consider the question of transfer of further territory from Allied Military Government to the administration of the Italian Government. In this connection I have prepared an aide memoire for your consideration which is forwarded herewith.

If desired, I shall be glad to attend your next meeting, together with my Chief Legal Officer, in order to furnish any additional information desired.

Encl.

ELMER W. STONE
Captain, USMR
Acting Chief Commissioner

Chairman in Rotation
Allied Advisory Council for Italy
Naples

602.3

68

6008

H. L. / Y. S.

+ 54

11 Jul 44

U. S. SECRET
Equals British SECRET

UNITED STATES REPRESENTATIVE
ADVISORY COUNCIL FOR ITALY

Naples, July 10, 1944.

My dear Captain Stone:

(67) A 1662
13 JUL 1944

I have received your memorandum of July 9, 1944, regarding the transfer of further territory to Italian administration and hasten to inform you that I have received instructions from my Government to support an Advisory Council recommendation for the transfer, provided the safeguards established in the earlier transfer of territory are maintained, and provided also that there are no military considerations to the contrary. In the event, therefore, that it is clear the foregoing conditions are met there would appear to be no objection on the part of the United States Government to the proposal on the matter which you intend to submit to the Advisory Council for action at its next meeting.

Sincerely yours,

A. Kib.

Captain Ellery W. Stone, USNR,
Acting Chief Commissioner,
Allied Control Commission,
Naples.

6005

File 1/401

(67) a

10 Jul 44

602.3

EWS/hjp

9 July 1944

MEMORANDUM TO: The Honorable Alexander Kirk

9 JUL 1944

If you concur as to form, and I shall be grateful for a telephone call on Monday, I propose to submit the attached to the Allied Advisory Council for its action at its next meeting on July 15th.

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

cc: Sir Noel Charles

602.3

(67)

9 Jul 44

6004

7/14/44

HNF

C O P Y

S E C R E TAIDE MEMOIRE FOR ADVISORY COUNCIL

1. It is recommended that, subject to concurrence of Headquarters AAI, which I will undertake to ~~secure before July 15th~~, transfers of territory from Allied Military Government to the Italian Administration should take place as follows:

a. Campania (Provinces of NAPLES, BENEVENTO and AVELLINO) together with Provinces of FOGGIA (Apulia) and CAMPOBASSO (Abruzzi) should be handed over on 20th July, with the designation of the Commune of NAPLES, which includes the greater part of the town and all the port, as a military zone under A.M.G.*

b. The Provinces of ROME (including ROME City), LITTORIA and FROSINONE, should be handed over on 15th August.

2. Documents relating to the hand over have been prepared and the Italian Government has been asked to appoint a special representative to deal with the preliminary discussions.

E.W.S.

* The actual language to be used in the transfer document will be substantially as follows:

"The territory to be restored will be the provinces enumerated herein, except the Commune of Naples in the Province of Naples which, by reason of military necessity, shall remain a military zone under the sole control and administration of the Commander-in-Chief and in which all proclamations and orders issued by him or under his authority and now effective shall remain in effect until rescinded, amended or modified."

6003

This retains the Commune of Naples under AMG, but reference to AMG will not be used in any publicity.

(67) Incl I Confidential
C O P Y

EWS/hjp

9 July 1944

3 JUL 1944

MEMORANDUM TO: Sir Noel Charles, Bt., R.C.N.G.

If you concur as to form, and I shall be grateful for a telephone call on Monday, I propose to submit the attached to the Allied Advisory Council for its action at its next meeting on July 15th.

EMERY W. STONE
Captain, USNR
Acting Chief Commissioner

cc: The Honorable Alexander Kirk

602.3

6002

(66)

File/24
NF

9 Jul 44

ACC ADV

ACC MAIN

S-277

9 JUL

9 JUL 1944

RESTRICTED

PRIORITY

ACTING CHIEF COMM.

5 2 7 2

MAKE CERTAIN MY MESSAGE SUGAR TWO SEVEN TWO OF NINE JULY PAREN TO ACC ADV FOR
SECRETARY GENERAL FOR ACTION FROM ACC MAIN FROM STONE PAREN IS DISTRIBUTED TO
POLITICAL SECTION CMA UPJOHN AND MONFORT

AUTHENTICATED:

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

602.3

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S-277

9 Jul 44

RESTRICTEDFile/48
+ VF

U. S. SECRET
 Equals British SECRET

AFHQ RPTD ADV AAI RPTD ACC ADV

ACC MAIN

3-272

9 JUL

350454
 9 JUL 1944

SECRET

PRIORITY

ACTING CHIEF COMB.

0 5 1 8 5 9 6
 YOUR INFO FIVE ONE EIGHT FIVE NINE OF SIX JULY REFERS PD PAREN TO AFHQ FOR SACHED
 FOR ACTION CMA BRITISH RESIDENT MINISTER CMA AMERICAN POLITICAL ADVISOR FOR INFO
 RPTD TO ADV AAI FOR ALEXANDER FOR INFO RPTD TO ACC ADV FOR INFO FROM ACC MAIN FROM
 NONE PERSONAL PAREN FURTHER BY ADV TWO NINE SEVEN OF SEVEN JULY CMA TRANSFER OF
 FURTHER TERRITORY PD SUBJECT TO RECOMMENDATIONS ADVISORY COUNCIL AND APPROVAL AAI
 CMA PROPOSE TRANSFER TERRITORY AS FOLLOWS GLM PAREN ONE PAREN PROVINCES NAPLES
 CMA BENEVENTO CMA AVELLINO CMA FOGGIA AND CAMPORASSO CMA JULY TWENTIETH SEMICOLON
 WITH DESIGNATION OF COMMUNE OF NAPLES AS A MILITARY ZONE UNDER AMG PD PAREN TWO
 PAREN PROVINCES HOME CMA LITTORIA CMA PROSIRONE CMA INCLUDING HOME CITY CMA AUGUST
 FIFTEENTH

61
 AUTHENTICATED:

6000

ELERY W. STONE
 Captain, USMC
 Acting Chief Commissioner
 6003
 5009

cc: Hon. Alexander Kirk
 Sir Noel Charles

64
 5-272
 9 Jul 44
 Confidential
 Confidential
 SECRET

602.3

SECRET.7th July, 1944.Acting Chief Commissioner.DSN 1605
10 JUL 1944

(58)

I submit draft telegram in reply to the second part of AFHQ signal No. F-68818 of 5 July.

I recommend that on transfer to the Italian Government FOGGIA Province reverts to Apulia and comes under Region II. CAMPOBASSO will remain under Region V.

I also recommend that the Provinces of LAZIO come under ROME Region as they are transferred to the Italian Government. This will leave TERMI, and PERUGIA under Region IV who can at the same time begin organising Region XII.

I have discussed this with V.P. Administrative Section who agrees and suggests that it probably will not be possible to get the documents signed before July 20th.

I attach aide memoir for your use at the Advisory Council meeting.

Map attached.

MBL

K009

(63)

✓

7 Jul 44

J. H. P. S.
m 2 59

602.3

ALLIED CONTROL COMMISSION
INTER OFFICE MEMO

From: Office of the Acting Chief Commissioner

SUBJECT:

FILE No. 7 JUL 1944
7 July 1944

TO: Brigadier Lush

I received telephone call from Captain Stone 0915 hours this morning, 7 July. He is leaving Rome early tomorrow morning, July 8th; will be here at about 1100 hours. He requests that you remain in Naples in order to confer with him when he arrives. In the meantime he would like to have you review the attached letter with respect to suggested transfer dates, some of which have passed, and regrouping. This in order that you may be in a position to discuss it with him prior to his presenting the matter to the Advisory Council in accordance with Message P-66818, 6 July, from AFHQ.

L. D. DENSMORE
Colonel, Sig C
Chief Staff Officer

King

(62)

7 July 44

ALLIED CONTROL COMMISSION

INCOMING MESSAGE

TO: AFHQ FOR SACRED FOR ACTION, BRITISH RESIDENT MINISTER, AMERICAN POLITICAL
 ADVISOR FOR INFO RPTD **** SIGNAL MESSAGE CENTER NO: 51/7
 FROM: ACC ADV FROM STONE PERSONAL CLASSIFICATION: SECRET
 REFERENCE NO: 297 PRECEDENCE: PRIORITY
 DATE AND TIME OF ORIGIN: JUL 071320B OFFICE OF ORIGIN: CITE/ADV 297

8 JUL 1944

(58) ADDRESS CONTD *** ADV AAI FOR ALEXANDER FOR INFO RPTD ACC MAIN FOR INFO YOUR
 F 68818 JULY 5TH CITE REGD. AAI HAS AGREED THAT ITALIAN GOVERNMENT AND
 ALLIED CONTROL COMMISSION TOGETHER WITH ADVISORY COUNCIL MAY MOVE TO ROME
 DURING THE COMING WEEK, THE MOVE TO BE COMPLETED SO FAR AS POSSIBLE BY JULY
 15TH ON WHICH DATE GOVERNMENT WILL OFFICIALLY FUNCTION FROM ROME. ROME WILL
 CONTINUE UNDER AMG AT LEAST UNTIL AUGUST 15TH. WITH THE EXCEPTION OF NAVY WAR
 AND AIR MINISTRIES AND CORRESPONDING ALLIED CONTROL COMMISSION SUBCOMMISSIONS,
 AS TO WHICH FURTHER INFORMATION WILL BE TELEGRAPHED, ALL VICE PRESIDENTS OF
 ALLIED CONTROL COMMISSION WILL BE IN ROME BY JULY 12TH TOGETHER WITH HEADS
 OF CIVIL MINISTRIES. STAFFS WILL BE MOVING BETWEEN NOW AND THE 15TH. IN ANY
 CASE IT CAN BE STATED THAT THE TRANSFER OF THE GOVERNMENT AND ALLIED CONTROL
 COMMISSION HEADQUARTERS TO ROME WILL BE EFFECTIVE AS OF JULY 15TH. AS TO
 TRANSFER OF TERRITORY NO ADDITIONS TO OR DELETIONS FROM LIST OF PROVINCES IN
 MACFARLANES LETTER OF JUNE 11TH WILL BE PROPOSED BUT PROPOSALS FOR REVISED
 TIMES FOR TRANSFER WILL BE TELEGRAPHED NOT LATER THAN JULY 9TH

ACC MAIN DIST

INFO ACTION - CSO
 INFO - DEP CC
 CA BR
 ECON SEC
 FILE

5007
 ADMIN SEC
 POL SEC
 ESTAB OFFR
 FLOAT (2)

DATE AND TIME OF RECEIPT JUL 071740B

(61)

297
785015

File/RS

U. S. SECRET
 Actual British SECRET

ACC ADVANCE

ACC MAIN

S-267

6 JUL

SECRET
 PRIORITY 6 JUL 1944
 ACTING CHIEF COMM.

58
 FOLLOWING IS PARAPHRASE OF MESSAGE FOR SIX EIGHT EIGHT ONE EIGHT FROM AFHQ SIGNED
 SACRED CITE FIGGG DATED FIVE JULY REFERENCE CC APOSTROPHE EIGHT LETTER ELEVENTH
 JUNE PD PAREN TO ACC ADVANCE PERSONAL FOR STORE FROM ACC MAIN FROM DENS ONE PAREN
 QUOTE BASED ON RECOMMENDATION OF ADVISORY COUNCIL OF JULY SECOND CMA MOVE OF ITALIAN
 GOVERNMENT CMA ACC AND ADVISORY COUNCIL TO ROME IS AUTHORIZED AS SOON AS MILITARILY
 CONVENIENT PD CONSULT AAI RELATIVE ACTUAL DATE AND INFORM AFHQ OF RESULT PD THE
 TRANSFER OF FURTHER TERRITORY TO ITALIAN ADMINISTRATION AT SUCH TIME OR TIMES AS
 MAY BE MILITARILY CONVENIENT IN ACCORDANCE WITH FOUR PROPOSALS IS APPROVED IN
 PRINCIPLE AND IS AUTHORIZED SUBJECT TO A FAVORABLE REPLY TO AFHQ REQUEST FOR A
 RECOMMENDATION FROM ADVISORY COUNCIL PD ADVISE AFHQ OF ANY REVISION IN FOUR
 PROPOSALS RELATIVE TO THE GROUPING OF PROVINCES TO BE TRANSFERRED AND THE TIME
 OF TRANSFER PD IT IS UNDERSTOOD FROM FOUR PROPOSALS THAT THE TERMS OF TRANSFER
 OF SUCH TERRITORIES ARE TO BE IDENTICAL AS THOSE HERETOFORE APPROVED PD INFORM
 THE PRESIDENT IN OFFICE OF THE ADVISORY COUNCIL OF THE RESULTS PD QUOTE PD
 SUGGEST YOU CONTACT AAI AND REPLY TO AFHQ PD COPY OF ABOVE MESSAGE GIVEN ADVISORY
 COUNCIL CMA AMBASSADOR KIRK CMA SIR ROEL CHARLES CMA EXECUTIVE COMMISSIONER AND
 VICE PRESIDENTS PD ITALIAN GOVERNMENT WILL NOT BE INFORMED UNTIL YOU CLEAR WITH

AAI

AUTHENTICATED:

DISTRIBUTION:

Mr. Brady
 Political Section
 Administrative Section
 RC & MG Section
 Advisory Council
 Ambassador Kirk
 Sir Noel Charles

L. D. SENSORE
 Colonel, Sig C
 Chief Staff Officer

Confidential
 6 Jul 44

602.3

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 5008

U. S. SECRET
 Equals British S

AFHQ RPTD ADV AAI RPTD AFHQ ADV CP RPTD ACC ADVANCE

ACC MAIN

8-266

5 JUL 1944

SECRET

PRIORITY

ACTING CHIEF COMM.

5 JULY

57
 6 7 2 5 3
 YOUR FAX XRAY SIX SEVEN ZERO SIX THREE JULY FIRST CITE PHASED PD PAREN TO AFHQ FOR
 FOR SACRED ONE BRITISH RESIDENT MINISTER ONE AMERICAN POLITICAL ADVISOR AND CHURCH
 FIVE REPEATED TO ADV AAI FOR ALEXANDER REPEATED AFHQ ADV CP REPEATED ACC ADVANCE
 FROM ACC MAIN FROM STONE PERSONAL PAREN PARA ONE PD ADVISORY COUNCIL JULY FIRST
 ADOPTED RESOLUTION APPROVING AND URGING EARLY MOVE OF ITALIAN GOVERNMENT AND ACC
 TO PASS PD PARA TWO PD REFERENCE TO TRANSFER OF ADDITIONAL TERRITORY TO ITALIAN
 ADMINISTRATION ONE I MUST EMPHASIZE THAT MACFARLANE AND I HAVE ALWAYS CONSIDERED
 THAT THIS SUBJECT IS SEPARATE AND DISTINCT FROM THE MOVE TO ROME PD MACFARLANES
 LETTER CC SLANT GEORGE SLANT THREE EIGHT SEVEN OF JUNE ELEVENTH POINTS OUT THAT
 BOMBARDI WAS RESTRICED THAT HE WOULD HAVE NO OBJECTION TO MOVING GOVERNMENT TO ROME
 WHILE ROME STILL UNDER MILITARY GOVERNMENT PD TRANSFER OF TERRITORY SHOULD THEREFORE
 BE CONSIDERED AS A SEPARATE SUBJECT PD PARA THREE PD CHADWICK PAREN IN ROTATION PAREN
 OF ADVISORY COUNCIL NOW IN ALGIERA AND NECESSARILY THERE MUST BE DELAY IN ADVISORY
 COUNCIL CONSIDERING AT EXTRAORDINARY OR NEXT REGULAR MEETING THE QUESTION OF
 TRANSFER OF ADDITIONAL TERRITORY PD PARA FOUR PD IN VIEW OF ONE ONE TWO AND
 THREE ABOVE ONE I MUST AGAIN URGENTLY REQUEST THAT AUTHORITY BE GRANTED FOR

602.3

500g

5-266

5 Jul 44

Confidential

File/108

U. S. SECRET
Equals British SECRET

Message No. S-266 to AFB, Rptd Adv AAI Rptd AFHQ Adv CP Rptd Adv ACC, 5 July 44

IMMEDIATE TRANSFER OF ITALIAN GOVERNMENT AND ACC HEADQUARTERS TO ROME PD IF THIS
APPROVAL CAN BE GRANTED FORTHWITH ONA THE ITALIAN MINISTERS AND SENIOR ACC
OFFICERS CAN PROCEED TO ROME IN FORTY EIGHT HOURS AND SOME OF OUR RESPECTIVE
STAFFS CAN FOLLOW SHORTLY

AUTHENTICATED:

L. D. DUNMORE
Colonel, Sig C
Chief Staff Officer

cc: The Hon. Alexander Kirk
Sir Noel Charles

5094

Confidential
Equals British SECRET

Authorization of Government
Mark E. Korne

(Cable of Field Marshal
Nelson, SACMFD, to ACC,
6 July 1944)

"Considering" ~~after~~

"The transfer" ~~of~~ "I"

ACC F. 10000/132/924.

ALLIED CONTROL COMMISSION

INCOMING MESSAGE

SECRET

 050 1544
 6 JUL 1944

TO: ACC MAIN FOR ACTION PERSONAL FOR CHIEF COMMISSIONER
 SIGNAL MESSAGE CENTER No: N 30/06

FROM: AFHQ SIGNED SACRED CITE FHGEG CLASSIFICATION: SECRET

REFERENCE No: F 68818 PRECEDENCE: PRIORITY

DATE AND TIME OF ORIGIN: 060307 OFFICE OF ORIGIN:

Letter CC/G/587 of June 11.

Considering recommendation of Advisory Council communicated to me 2 July, the move of the Italian Government, the Allied Control Commission and Advisory Council to Rome as soon as militarily convenient is authorised. You should consult AAI regarding actual date and inform me of result.

The transfer of further territory to Italian Administration at such time or times as may be militarily convenient in accordance with your proposals is approved in principle and is authorised subject to a favorable reply to my request for a recommendation from the Advisory Council. I request that you advise me of any revision in your proposals as to the grouping of the provinces to be so transferred and the times of transfer. I understand in accordance with your proposals that the terms of transfer of such territories are to be identical as those heretofore approved. You may inform the president in office of the Advisory Council of the foregoing.

DATE and Time of RECEIPT 060307

Distribution:

ACTION: Col. Densmore

INFO: Mr. Grady

Admin. Sec.

Advisory Council

ACC DISTRIBUTION:

Political Sec.

RC&MG Section

Ambassador Kirk

Sir Noel Charles

CONFIDENTIAL

SECRET

2684

ACC MAIN FOR CHAIRMAN OF ADVISORY COUNCIL FOR ITALY RPTD
AFHQ ADV CP AND MAAT

16/02

AFHQ SIGNED SIGNED

DSB 1506
3 JUL 1944

SECRET

ROUTINE

CITE..FHGEC

FA67063

JULY 011857

GRATEFUL IF YOU WOULD ARRANGE FOR ADVISORY COUNCIL TO CONSIDER
FOLLOWING 2 RECOMMENDATIONS PUT FORWARD BY ACC:

(A). THAT PROVINCES OF NAPLES, BENEVENTO, AVELLINO, FOGGIA,
CAMPOBASSO, ROMA, LITIGIA, PROSINONE AND POSSIBLY 1 OR MORE PROVINCES
E OF THE APENNINES BE TRANSFERRED TO ITALIAN ADMINISTRATION ON SAME
BASIS AS TERRITORY ALREADY TRANSFERRED.

(B). THAT THE ITALIAN GOVERNMENT MOVE TO ROME AS SOON AS THAT
CAN BE CONVENIENTLY ARRANGED.

LETTER FOLLOWS IN CONFIRMATION.

60213

ACC MAIN DISTN

Action - ADV COUNCIL (OL REG)
INFO - SEC GEN
DIR EC ROOM
CA BR
POL SEC
FILR
FLONT (2)

see (53)

X FA 66748 of 1 July

(57)

19 Jul 44
F 67063

Confidential
JULY 020525

File/Jan

SECRET

2664

ACTION ACC MAIN FOR INFO HQ MAAF, AFHQ ADV GP

108/01

AFHQ SIGNED SAGMED

FX 66748

JULY 010916

SECRET

ROUTINE

CITE..FHGEC

DSM 1491
3 JUL 1944

(53)

LETTER CC/G/387 OF 11 JUNE. TRANSFER OF TERRITORY AND MOVE OF
ITALIAN GOVERNMENT ARE BEING SUBMITTED TO ADVISORY COUNCIL FOR RECO-
MMENDATION.

Action

Copies Sent to: 3 July

British High Commissioner in Italy
American Ambassador in Italy

ACC MAIN DIST

ACTION -
INFO

SEC GEN

LIEPCC

CA BR (FOR EX)

FILE

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F 66748
1 Jul 44Confidential

JULY 011544

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HEADQUARTERS ALLIED CONTROL COMMISSION

APO 594

HED/bd

SO 602.3

8 June 1944

Subject: Execution of Document "A" for transfer of territory

To: Allied Force Headquarters. (Attention SC of 3, G-5)

1. Reference your letter HQS 337.4-2 of 3 May 1944, subject as above.

2. By virtue of paragraph 2 of Document "A" the Italian Government undertook to publish in the official Gazette before the date of restoration the following decrees:

(a) A decree stabilizing wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us."

In compliance with this obligation the Royal Decree Law No. 32 of 11 Feb. 1944 was published in Gazzetta Ufficiale No. 7, Art. 1 of which reads as follows:

"The wages of private employees, the fixed maximum prices of all kinds of goods and the maximum tariffs for services in effect in the territories restored to the Italian Administration on February 11 at 0000 hours, remain in force without change. The regulations regarding the maximum quantities of rationed products allowed to be kept remain likewise unchanged."

Subsequently the Italian Government, in agreement with the respective branches of the Allied Control Commission, has passed a number of decrees changing rationing rules of certain goods and the prices of certain products and regulating the quantities of grain to be retained by certain classes of persons (the last by the Ministerial Decree of 2 May 1944 on Regulations for collecting grain and barley harvested in 1944, published in G.U. No. 24 of 3 May 1944). Decrees directly affecting rationing have not been published with the exception of that relating to the maximum legal quantities of grain. This decree has been approved by ACB.

(b) A decree to implement paragraph 5 of Document A providing for the establishment of Allied Military Courts to try offenses entailing hostile acts against the Allied Forces and empowering any member of the Allied Forces to arrest any person whom such member had reasonable grounds for believing is concerned in such an act, except in the case of an Italian officer or an Italian high official, in which case the Italian Government or the local superior authority concerned should be asked to cooperate in any action."

602.3

60213 Transfer of Land

is complete with this collection the Royal Decree Law No. 92 of 11 Feb. 1944 was published in Gazzetta Ufficiale No. 7, Art. 1 of which reads as follows:

"The wages of private employees, the fixed maximum prices of all kinds of goods and the maximum tariffs for services in effect in the territories restored to the Italian Administration on February 11 at 0000 hours, remain in force without change. The regulations regarding the maximum quantities of rationed products allowed to be kept remain likewise unchanged."

Subsequently the Italian Government, in agreement with the respective branches of the Allied Control Commission, has passed a number of decrees changing rationing rules of certain goods and the prices of certain products and regulating the quantities of grain to be retained by certain classes of persons (the last by the Ministerial Decree of 2 May 1944 on regulations for collecting grain and barley harvested in 1944, published in G.U. No. 24 of 3 May 1944). Decrees affecting rationing have not been published, with the exception of those relating to the maximum legal retentions of grain. This decree had the approval of ACC.

(b) A decree to implement paragraph 5 of Document A providing for the establishment of Allied Military Courts to try offences entailing hostile act against the Allied Forces and empowering any member of the Allied Forces to arrest any person whom such member had reasonable grounds for believing is concerned in such an act, except in the case of an Italian officer or an Italian high official, in which case the Italian Government or the local superior authority concerned should be asked to cooperate in any action."

The Italian Government fulfilled this undertaking by publishing the Royal Decree Law of 11 Feb. 1944, No. 31, Art. 3 of which in its original form read as follows:

"Whoever within the liberated Italian territory commits a hostile act or offence against property to the prejudice of the Allied Military Forces or of any member thereof, or of any functionary, representative or agent of the United Nations, or whoever takes part in seditious demonstrations against the Allied Forces or commits any act which in whatever way may hamper the war effort or help the enemy, shall be punishable under Italian penal law and shall be tried in Allied Military Courts according to their own procedures."

"In the case contemplated by the preceding paragraph 1, any member of the Allied Armed Forces can effect the arrest of any person who may be reasonably believed to be implicated in acts herein above set out, except where an Italian officer or high government official is concerned, in which case the Italian Government or the appropriate superior local authority will be requested to cooperate in the premises to the extent necessary."

- 1 -

SECRET

10 June 1944

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Upon request of the Allied Control Commission this Article was amended by P. Decree Law No. 112 of 13 April so as to permit the Italian Courts to take jurisdiction over the offenses against Allied interests unless the Allied authorities direct otherwise. The new Art. 3 reads:

"Whoever within the territories restored to Italian administration commits any hostile act or offence against property to the prejudice of the Allied armed forces or of any member thereof or of officials, representatives or agents of the United Nations or is guilty of any seditious demonstration against the Allied Forces or of any action whatsoever that impedes the prosecution of the war or aids the enemy, shall be tried by the Italian Courts according to the Italian penal laws."

"Wherever the jurisdiction of the Allied Military Tribunals is acknowledged in all cases which they shall decide to retain for their own jurisdiction. In such cases the Allied Military Tribunals will follow their own procedure but will apply the Italian penal laws."

"In such cases as set out in the first paragraph any member of the Allied armed forces may arrest any person when there are reasonable grounds for suspecting him to be implicated in any act therein set out, save only in the case of an Italian officer or high Italian official."

"In such a case except in matters of special urgency the Italian Government and the competent superior local authority shall be requested to take all necessary steps."

In our opinion the Italian Government has fully complied with their obligation in this respect.

5. Furthermore, the Italian Government gave their assurance "to proceed with all possible expedition to these decrees dealing with the following matters" (Paragraph 3 of Document D):

(a) To implement so far as may be necessary the terms set out in Document A and the terms of the Proclamation (Document C).

(d) Document A. The general clause affirming the continuance in full effect of all armistice terms throughout all Italian territory obviously does not need any implementation and is binding upon the Italian Government as part of the restoration agreement under International law.

The specific rights reserved for the United Nations in Document A stated below in an abbreviated form of headings together with an indication whether or not the obligations of the Italian Government arising out of each reserved right were embodied into a rule of municipal Italian law:

1. Right to use facilities, installations, etc. The only decree issued affecting the use of any facility is the Decree for Rationing Electricity throughout Italian Government territory and which we have asked to also be

"In such a case except in matters of special urgency the Italian Government and the competent superior local authority shall be requested to take all necessary steps."

In our opinion the Italian Government has fully complied with their obligation in this respect.

3. Furthermore, the Italian Government gave their assurance "to proceed with all possible expedition to use decrees dealing with the following matters:" (Paragraph 1 of Document B).

(a) To implement so far as may be necessary the terms set out in Document A and the terms of the proclamation (Document C).

(1) Document A. The general clause affirming the continuance in full effect of all armistice terms throughout all Italian territory obviously does not need any implementation and is binding upon the Italian Government as part of the restoration agreement under international law.

The specific rights reserved for the United Nations in Document A stated being in an abbreviated form of headings together with an indication whether or not the obligations of the Italian Government arising out of each reservation were embodied into a rule of municipal Italian law:

1. Right to use facilities, installations, etc. The only decree issued affecting the use of any facility is the Decree for Rationing Electricity throughout Italian Government territory and which we have asked be also made to apply to military Government territory. No other regulations were issued.

2. Right to quarter troops. No legislative provision issued.

3. Right to hold or require the Italian Government to hold in custody war and civilian internees. No legislative provision issued. The Allied Armed Forces up to date have exercised the right of holding in custody prisoners of war and civilian internees. The Italian Government has NOT been required to carry this out nor is it anticipated that it will be so required at present.

4. Right "to declare any area to be a military zone and to exercise therein the right of an occupying power or enforce such other controls as may be determined by the Allied Commander-in-Chief." In compliance with this term the MIL No. 31, 11 Feb 1944 contains the following provision:

Art. 4. Whenever military zones are established in liberated Italian territories by Allied Armed Forces, such forces will retain all

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police powers within said zones, including the power to issue and enforce rules and regulations.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces. Art. 3 and 4 of P.M.L. No. 31 set out above under 2(b) and 3(a) (i) and 4 respectively, were issued in compliance with this term.

6. The right to try offenses committed before restoration in violation of AMG proclamations or orders then in force. This term was implemented by Art. 2 of the P.M.L. No. 31, which provides as follows: "Proceedings in the Allied Military Courts for offenses heretofore committed contemplated by the proclamations and orders mentioned in Art. 2 (note: should read 'in Art. 2) shall be continued and disposed of by said Courts in accordance with the provisions of said proclamations and Orders."

7. No removal of AMG appointed officials without consent of Council. In this respect Art. 1, para 2 of the P.M.L. No. 31 states as follows: "The efficacy of the acts undertaken by the Allied Military Authorities... shall remain in force including the appointments and dismissals of public or private officials, which shall be recognized in every case as having full and valid legal effect as if they had been made by the Italian Government. The legal and financial status of those who have been placed in public offices by the Allied Military Government will be regulated by the rules of Italian laws."

the provisions of Document A and of Italian P.M.L. No. 31 on this point have been satisfactorily observed by the Italian Government. In addition an exchange of correspondence took place between the Chief Commissioner and the Chief of the Government in which the latter confirmed the necessity of previous consent by the A.C.C. to any change in the status of officials appointed by the AMG in restored territory (Marshal Badoglio's letter of 13 March 1944, No. 759).

8. The right to regulation economy of services. No legislation on this subject was published and no difficulties seem to have arisen.

9. The right to recovery or take any steps necessary for war regulation of the war. No need for legislation on this point has arisen.

10 & 11. Right of import, export and distribution of civilian supplies for civilian population without duty and right of import and export of military and other supplies necessary for prosecution of war. Nothing on this.

12. Free movement and immunity from taxation for any representative of the United Nations. No legislative provisions published. In response to Finance Sub-Commission's request for a formal recognition by the Italian Government of the immunity from taxation of the Allied persons and

legal and financial status of those who have been placed in public office by the Allied Military Government will be regulated by the rules of Italian laws.

The provisions of Document A and of Italian RDL No. 21 on this point have been satisfactorily observed by the Italian Government. In addition an exchange of correspondence took place between the Chief Commissioner and the Chief of the Government in which the latter confirmed the necessity of previous consent by the A.C.C. to any change in the status of officials appointed by the AMG in restored territory (Marshal Badoglio's letter of 13 March 1944, No. 759).

3. The right to requisition property or services. No legislation on this subject was published and no difficulties seem to have arisen.

9. The right to requisition or take any steps necessary for prosecution of the war. No need for legislation on this point has arisen.

10 & 11. Right of import, export and distribution of civilian supplies for civilian populations without duty and right of import and export of military and other supplies necessary for prosecution of war. Nothing on this.

12. Free movement and immunity from taxation for any representative of the United Nations. No legislative provisions published. In response to Finance Sub-Commission's request for a formal recognition by the Italian Government of the principle of immunity from taxation of the Allied Forces and instrumentalities thereof, a satisfactory reply has been received. The following circular letters of the Ministry of Finance are cited, No. 82 of 19 Feb 44 (immunity in general); No. 55 of 22 Jan 44 (immunity of imported wheat from customs dues and turnover tax); No. 97 of 16 Mar 44 (manufacturers' tax); No. 2943 of 12 May 44 (theatre admissions). Legislation in this field is deemed undesirable and likely to be confusing. This question has been the subject of extensive correspondence between HQ ACC and AFHQ (see AFHQ letter WGS/100 of 14 Jan, HQ, Henry Grady's letter 19058/T of 10 Feb to WGS, AFHQ, and AFHQ letter WGS/012.2 of 23 Apr to ACC).

13. Immunity of the representatives of the United Nations from the jurisdiction of Italian courts. No need for a legislative provision has arisen; as far as we know the Italian authorities scrupulously avoided any claim of jurisdiction over United Nations personnel.

14. Costs of maintaining Allied Troops within the unoccupied territory chargeable to the Italian Government. This matter is understood to be covered by the Armistice terms, pending final post-war settlement. Allied

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troops are paid in AM lire from funds drawn from AFA and charged to an occupation account. Equivalent amounts in dollars or sterling as the case may be are set aside in special suspense accounts in US and UK. Final disposition of the AFA occupation account and of the equivalent suspense accounts will have to be determined at a very high policy level in the course of a peace settlement.

(11) Document C. The terms contained in Document C were all put into effect by NDL No. 31. The terms of Document C are stated below together with the corresponding Articles of NDL No. 31:

Document C

1. Military government in the territory restored having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and civil administrative responsibilities, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and orders heretofore issued by the Military Governor or under his authority by its Delegation in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied forces in pursuance of such proclamations or orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and

NDL No. 31

Art. 1. Allied Military Government, having been terminated, all proclamations and orders heretofore emanating from the Military Governor General of the Allied Forces or from his delegates lose their validity in the territories formerly under the jurisdiction of the Allied Military Government.

The efficacy of the acts undertaken by the Allied Military Authorities, referred to in the preceding paragraph, by virtue of the said proclamations and orders shall remain in force including the appointments and dismissals of public and private officials, which shall be recognized in every case as having full and valid legal effect as if they had been made by the Italian Government.

The legal and financial status of those who have been placed in public office by the Allied Military Government will be regulated in accordance with the rules of Italian law.

(See also above 3(a)(17)).

2. All proclamations and orders heretofore issued by the Military Governor or under his authority by its delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such proclamations or orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

(b) Document C enumerates under the heading "Financial matters" a series of steps to be taken by the Italian Government, i.e.:

1. Respecting by decree if necessary the terms of Rendo No. 61 of 24 Sept 43, in relation to notes of exchange of Allied Military currency.
Rendo No. 61 was published in the Gazzetta Ufficiale, Special Series, No. 1/3, 18 Nov 43. Publication of an appropriately amended decree embodying the provisions of Rendo 61 has been requested of the Ministry of Finance by Finance Sub-Commission.

The efficacy of the acts undertaken by the Allied Military Authorities, referred to in the preceding paragraph, by virtue of the said proclamations and orders shall remain in force including the appointments and dismissals of public and private officials, which shall be recognized in every case as having full and valid legal effect as if they had been made by the Italian Government.

The legal and financial status of those who have been placed in public office by the Allied Military Government will be regulated in accordance with the rules of Italian law.

(See also above 3(a)(1)(7)).

Art. 2. The sentences pronounced by the Allied Military Tribunals shall remain in force and shall in all respects be recognized as though pronounced by Italian Tribunals, unless revised or modified by the Allied Control Commission or with the consent of the said Commission.

SECRET

licenses, appropriate administrative instructions will be developed and issued by the Italian Government.

4. Authorizing the competent Ministers in their discretion as a war measure to prohibit the entering into or carrying on of any kind of business except upon such terms or in such areas as they may prescribe, and authorizing them to require any property in which there are reasonable grounds for believing that any enemy or fascist interests, direct or indirect, exist, to be delivered to any agency designated by them to be blocked or to become subject to some other form of control; and providing that subject to the terms prescribed by the Minister of Finance property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly reports to the Minister of Finance showing any dealings in these accounts.

This term was embodied partly in paragraph 1 of Art. 2 of RL No. 22 set out above under 3, partly in paragraph 2 of the same Art. 2, which reads as follows, "Furthermore the Minister of Finance is given authority, a. to sequester or provide for any other form of controlled administration under the supervision of the Ministry of Finance of any property or undertaking in which assets or enemy nationals, be they physical or judicial persons, hold any direct or indirect interest; b. to keep frozen the values and bank deposits already affected by such measure, to determine the respective procedures and licenses to provide that the banking institutions holding such values or deposits report every 15 days all effected operations to the Ministry of Finance."

5. All future opening of safe deposit boxes and delivery of contents. The Minister of Finance has issued instructions that this may be done only in the presence of representatives designated by him, in Ministry of Finance circular No. 1995/TMS of 3 March 1944.

(c) Under the heading "United Nations and Enemy Property", Document II imposes upon the Italian Government the duty to pass a decree transferring administrative powers upon the Allied Director of Property Control in relation to the property of any of the United Nations or of any national of the United Nations including property of France and French nationals. As a result of extensive and at times difficult negotiations a machinery has been designed which met the wishes of the Director of the Property Control in respect to the above term. Administrative instructions have been issued to the Prefects and a draft decree is ready for publication which repeals the restricting Italian regulations regarding property owned by the United Nations, France and their respective citizens.

RAUL MASON MACFARLANE
Lieutenant General
Chief Commissioner

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SG 602.3

22 May 1944

MEMORANDUM TO: Vice President, Economic Section
Director, Army Sub-Commission
Chief, Naval Sub-Commission

D34 1160
15 JUN 1944

16 JUN 1944

1. Enclosed is a copy of a note from the Administrative Section to the Secretary General together with a letter from Colonel Spofford and a letter from the Chief Legal Officer, subject: Execution of Document "D" of Transfer of Territory.

2. It is requested that the comments desired in paragraph 4 of the letter from the Administrative Section be forwarded to this office as soon as possible.

ROBERT E. DOE
Major, A.G.D.
Secretary General

3 incls.

- 1 - AGO/4140/L of 20 May 44
- 2 - MBS-387.4-2 of 3 May 44
- 3 - AGO/4140/L of 16 May 44

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602.3 Summary of Proceedings

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SG 602.3
22 May 44

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COPY

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

ACC/4140/L

20 May 44

SUBJECT: Execution of Document "D" of Transfer of Territory.

TO : Secretary General, Near HQ ACC.

- 1 Reference MHS 387.4-2 dated 3 May 44 attached; this letter was forwarded to this Section for action. Legal Sub-Commission have submitted the attached memo ACC/4140/L dated 16 May 44.
- 2 It will be seen from the latter that information to complete the reply is required from ECONOMIC Section and from ARMY and NAVY Sub-Commissions, and possibly from Political Section.
- 3 It is considered that the co-ordination of the complete reply will need to be carried out by your office, the papers are therefore referred to you. In the meantime a copy of the LEGAL memo has been referred to Interior and Public Safety Sub-Commissions with instructions to furnish information required re para 3 a (1) Art. 2, para 3 a (1) Art. 12, and para 3 a (1) Art. 3. This information will be furnished to you on receipt by this office.
4. On the basis of the LEGAL memo referred to in para 1 above, the following Sections and Sub-Commissions will require to be consulted in addition to those of the Administrative Section, (now in hand);

ECONOMIC SECTION re para 2 a last para.

3 a (1) Art 1.
3 a (1) Arts. 10 and 11 (FINANCE S.C.)
3 a (1) Art. 14 (-do-)
3 b Arts. 1, 2, 3, 5. (-do)
3 a (1) Arts. 1, 2, & 3.
3 a (1) Arts. 1 & 2.

ARMY SUB-COMMISSION
NAVY SUB-COMMISSION

5004

(Sgt) R. R. GRIPPS
R. R. GRIPPS,
Lieut. Colonel,
GSO Admin Section.

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ACC/4140/L

20 May 44

C O P YS E C R E T

ALLIED FORCE HEADQUARTERS

Military Government Section

OMS/CF/mls

MGS-387.4-2

3 May 1944

SUBJECT: Execution of Document D for Transfer of Territory.

TO : Headquarters, Allied Control Commission.

Reference is made to Document D of the instruments for the transfer of territory to the administration of the Italian Government. By that document the Chief of the Italian Government undertook to take certain action of a legislative or administrative character, including as far as might be necessary the implementation of Documents A and C. While an examination of the Gazzetta Ufficiale makes it apparent where certain of the requisite decrees have been enacted, other requirements, called for action only "if necessary," "in so far as not already provided," etc. The actual situation is thus in some matters not known to this Section, which has been requested by the Civil Affairs Division, War Department General Staff, to advise on the matter. Accordingly the Allied Control Commission is requested to make a report to this Headquarters showing exactly what has been done to execute the various conditions of the transfer of territory to Italian administration.

(Sgd) CHARLES M. SPOFFORD
CHARLES M. SPOFFORD,
Colonel, G.S.C.,
Chief of Section.

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(54) Incl II

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HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ACC/4140/L

16 May 1944

SUBJECT: Execution of the Documents for Transfer of Territory.

TO : V.P. Admin. Section.

1. Reference is made to the letter of AFIL MES 387.4-2 of 3 May 1944. A survey of Italian legislation implementing the terms of the above documents together with the corresponding provisions of the said documents is set out below.

2. By virtue of para 2 of Document B the Italian Government undertook to publish in the Official Gazette before the date of restoration the following decrees:

(a) a decree stabilizing wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us."

In compliance with this obligation the Royal Decree Law No. 32 of 11 Feb. 1944 was published in Gazzetta Ufficiale No. 7, Art. 1 of which reads as follows:

"The wages of private employees, the fixed maximum prices of all kinds of goods and the maximum tariffs for services in effect in the territories restored to the Italian Administration on February 11 at 0000 hours, remain in force without change. The regulations regarding the maximum quantities of rationed products allowed to be kept remain likewise unchanged."

Subsequently the Italian Government, in agreement with the respective branches of the Allied Control Commission, has passed a number of decrees changing rationing rules of certain goods and the prices of certain products and regulating the quantities of grain to be retained by certain classes of persons, (the last by the Ministerial Decree of 2nd May 1944 on Regulations for collecting grain and barley harvested in 1944, published in G.U. No. 24 of 2 May 1944.). The particulars of the changes effected in this field ~~have~~ ^{are} obtained from the respective subcommittees.

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(b) a decree to implement paragraph 5 of document A providing for the establishment of Allied Military Courts to try offences entailing any hostile act against the Allied Forces and empowering any member of the Allied Forces to arrest any person when such member had reasonable grounds for be-

(a) "A decree stabilizing wage rates, maximum prices, charges for services, maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us."

In compliance with this obligation the Royal Decree Law No. 32 of 11 Feb. 1944 was published in Gazzetta Ufficiale No. 7, Art. 1 of which reads as follows:

"The wages of private employees, the fixed maximum prices of all kinds of goods and the maximum tariffs for services in effect in the territories restored to the Italian Administration on February 11 at 0000 hours, remain in force without change. The regulations regarding the maximum quantities of rationed products allowed to be kept remain likewise unchanged."

Subsequently the Italian Government, in agreement with the respective branches of the Allied Control Commission, has passed a number of decrees changing rationing rules of certain goods and the prices of certain products and regulating the quantities of grain to be retained by certain classes of persons, (the last by the Ministerial Decree of 2nd May 1944 on Regulations for collecting grain and barley harvested in 1944, published in G.U. No. 24 of 3 May 1944.). The particulars of the changes effected in this field ~~have been~~ obtained from the respective subcommittees.

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(b) "A decree to implement paragraph 5 of document A providing for the establishment of Allied Military Courts to try offences entailing any hostile act against the Allied Forces and empowering any member of the Allied Forces to arrest any person whom such member had reasonable grounds for believing is concerned in such an act, except in the case of an Italian officer or an Italian high official in which case the Italian Government or the local superior authority concerned should be asked to cooperate in any action."

The Italian Government fulfilled this undertaking by publishing the Royal Decree Law of 11 Feb. 1944 No. 31, Art. 3 which in its original form read as follows:

"Whoever within the liberated Italian territory commits a hostile act or offences against property to the prejudice of the Allied Military Forces or of any member thereof or of any functionary, representative or agent of United Nations, or whoever takes part in seditious demonstrations against the Allied Forces or commits any act which in whatever way may hamper the war effort or help the enemy, shall be punishable under Italian penal law and shall be tried in Allied Military Courts according to their own procedure."

"In the case contemplated by the preceding paragraph 1 any member of the Allied Armed Forces can effect the arrest of any person who may be reasonably believed to be implicated in acts therein above set out, except where an

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16 March 44

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Italian officer or high government official is concerned, in which case the Italian Government or the appropriate superior local authority will be requested to cooperate in the premises to the extent necessary."

Upon request of the Allied Control Commission this Article was amended by R. Decree Law No. 112 of 13 April so as to permit the Italian Courts to take jurisdiction over the offences against Allied interests unless the Allied authorities direct otherwise. The new Art. 3 reads:

"whosoever within the territories restored to Italian administration commits any hostile act or offence against property to the prejudice of the Allied armed forces or of any member thereof or of officials, representatives or agents of the United Nations or is guilty of any seditious demonstration against the Allied Forces or of any action whatsoever that impedes the prosecution of the war or aids the enemy, shall be tried by the Italian Courts according to the Italian penal laws.

"However the jurisdiction of the Allied Military Tribunals is acknowledged in all cases which they shall decide to retain for their own jurisdiction. In such cases the Allied Military Tribunals will follow their own procedure but will apply the Italian penal laws.

"In such cases as set out in the first paragraph any member of the Allied Armed Forces may arrest any person when there are reasonable grounds for suspecting him to be implicated in any act therein set out, save only in the case of an Italian officer or high Italian official.

"In such a case except in matters of special urgency the Italian Government and the competent superior local authority shall be requested to take all necessary steps."

In the opinion of this Subcommission the Italian Government has fully complied with their obligation in this respect.

3. Furthermore, the Italian Government gave their assurance "to proceed with all possible expedition to pass decrees dealing with the following matters" (para 3 of document D):

(a) To implement so far as may be necessary the terms set out in Document A and the terms of the Proclamation (Doc. C).

(i) Doc. A. The general clause affirming the continuance in full effect of all armistice terms throughout all Italian territory obviously does not need any implementation and is binding upon the Italian Government as part of the restoration agreement under international law.

The specific rights reserved for the United Nations in Doc. A stated below in an abbreviated form of headings together with an indication whether or not the obligations of the Italian Government arising out of each reserved right were embodied into a rule of municipal Italian law.

Allied Armed Forces may arrest any person when there are reasonable grounds for suspecting him to be implicated in any act therein set out, save only in the case of an Italian officer or high Italian official.

"In such a case except in matters of special urgency the Italian Government and the competent superior local authority shall be requested to take all necessary steps."

In the opinion of this Subcommittee the Italian Government has fully complied with their obligation in this respect.

3. Furthermore, the Italian Government gave their assurance "to proceed with all possible expedition to pass decrees dealing with the following matters" (para 3 of document D):

(a) To implement so far as may be necessary the terms set out in Document A and the terms of the proclamation (Doc. C).

(i) Doc. A. The general clause affirming the continuance in full effect of all armistice terms throughout all Italian territory obviously does not need any implementation and is binding upon the Italian Government as a result of the restoration agreement under international law.

The specific rights reserved for the United Nations in Doc. A stated below in an abbreviated form of headings together with an indication whether or not the obligations of the Italian Government arising out of such reserved right were embodied into a rule of municipal Italian law,

1. Right to use facilities, installations, etc. No legislative provision enacted. Army, Navy and other Subcommittees concerned can supply information as to whether administrative regulations were issued.
2. Right to quarter troops. No legislative provision issued. The Interior, Army Subcommittee might supply particulars as to admin. instructions.
3. Right to hold or require the Italian Government to hold in custody IWA and civilian internees. No legislative provision issued. For administrative instructions see Army and Public Safety Subcommittees.

4. Right to declare any area to be a military zone and to exercise there in the right of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

In compliance with this term the RDI 11 Feb. 1944, No. 31 contains the following provision,

Art. 4. Whenever military zones are established in liberated Italian territories by Allied Armed Forces, such forces will retain also all police powers within said zones, including the power to issue and enforce rules and regulations.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces.

Art. 3 and 4 of RDL No. 31 set out above under 2(b) and 3(a) 1 and 4 respectively, were issued in compliance with this term.

6. The right to try offences committed before restoration in violation of AMG proclamations or orders then in force.
This term was implemented by Art. 2 of the RDL No. 31 which provides as follows: "proceedings in the Allied Military Courts for offences heretofore committed contemplated by the proclamations and orders mentioned in Art. 2 (Notes) should read in Art. 1" shall be continued and disposed of by said Courts in accordance with the provisions of said proclamations and orders.

7. No removal of AMG appointed officials without consent of C. in C. In this respect Art. 1 para 2 of the RDL No. 31 states as follows: "the efficacy of the acts undertaken by the Allied Military Authorities shall remain in force including the appointments and dismissals of public or private officials, which shall be recognized in every case as having full and valid legal effect as if they had been made by the Italian Government. The legal and financial status of those who have been placed in public office by the Allied Military Government will be regulated by the rules of Italian laws.

In addition to the above an exchange of correspondence took place between the Chief Commissioner and the Chief of Government in which the latter confirmed the necessity of previous consent by the A.C.C. to any change in the status of officials appointed by the AMG in the restored territory (Marshal Badoglio's letter of 13 March 1944 No. 759). As far as this Subcommission is concerned the Minister of Justice gave his assurance to adhere to this agreement in respect to judicial officials in a meeting held on 24 March 1944.

8. The right to requisition property or services. No legislation on this subject was published and no difficulties seem to have arisen. Interior Subcommissions and the Army Subcommission may supply information as to administrative instructions.

9. The right to reconquer or take any steps necessary for prosecution of war. No need for legislation on this point has arisen. **none**

10 & 11. Right of import, export and distribution of civilian supplies for civilian population without duty and right of import and export of military and other supplies necessary for prosecution of war.

Most probably arrangements have been made in this respect between

efficiency of the appointments and dismissals of public officials remain in force including the appointments and dismissals of public officials, which shall be recognized in every case as having full and valid legal effect as if they had been made by the Italian Government. The legal and financial status of those who have been placed in public office by the Allied Military Government will be regulated by the rules of Italian laws.

In addition to the above an exchange of correspondence took place between the Chief Commissioner and the Chief of Government in which the latter confirmed the necessity of previous consent by the A.C.C. to any change in the status of officials appointed by the AMJ in the restored territory (Marshal Badoglio's letter of 13 March 1944 No. 759). As far as this Subcommission is concerned the Minister of Justice gave his assurance to adhere to this agreement in respect to judicial officials in a meeting held on 21 March 1944.

6. The right to requisition property or services. No legislation on this subject was published and no difficulties seem to have arisen. Interior Subcommissions and the Army Subcommission may supply information as to administrative instructions.

9. The right to prosecute or take any steps necessary for prosecution of war. No need for legislation on this point has arisen.

10 & 11. Right of import, export and distribution of civilian supplies for civilian population without duty and right of import and export of military and other supplies necessary for prosecution of war.

Most probably arrangements have been made in this respect between Finance Subcommission and other Subcommissions concerned on one side and the Italian Government on the other. These Subcommissions will be able to furnish particulars.

12. Free movement and immunity from taxation for any representative of the United Nations.

No legislative provisions published. There might be some administrative directives issued in agreement with Interior and Finance Subcommission.

13. Immunity of the representatives of the United Nations from the jurisdiction of Italian courts.

No need for a legislative provision has arisen; to this Subcommission's knowledge the Italian authorities scrupulously avoided any claim of jurisdiction over United Nations personnel.

14. Costs of maintaining Allied troops within the unoccupied territory chargeable to the Italian Government.

This matter was dealt with by the Financial Subcommission which will be able to supply particulars.

(11) Document C. The terms contained in Document C were all put into effect by NDL No. 31. The terms of Document C are stated below together with the corresponding Articles of NDL No. 31.

Document C

1. Military Government in the territory restored having been terminated by the Allied Military Government, all powers of Government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by its delegates in the said territory and which have been terminated therein by the Military Government or as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such proclamations or orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized

NDL No. 31

ART. 1. Allied Military Government, having been terminated, all proclamations and orders heretofore emanating from the Military Governor General of the Allied Forces or from his delegates lose their validity in the territories formerly under the jurisdiction of the Allied Military Government.

The efficacy of the Acts undertaken by the Allied Military Authorities, referred to in the preceding paragraph, by virtue of the said proclamations and orders shall remain in force including the appointments and dismissals of public and private officials, which shall be recognized in every case as having full and valid legal effect as if they had been made by the Italian Government.

The legal and financial status of those who have been placed in public office by the Allied Military Government will be regulated in accordance with the rules of Italian laws.

(See also above 3(a)(1)(7))

ART. 2. The sentences pronounced by the Allied Military Tribunals shall remain in force and ~~shall~~ all rescripts be recognized as ~~being~~ pronounced by Italian Tribunals, unless re-

recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

The legal and financial status of those who have been placed in public offices by the Allied Military Government will be regulated in accordance with the rules of Italian laws.

(See also above 3(a)(1)(7))

3. All acts done by any member of the Allied Forces in pursuance of such proclamations or orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

ART. 2. The sentences pronounced by the Allied Military Tribunals shall remain in force and ~~shall~~ all respects be recognized as ~~valid~~ pronounced by Italian Tribunals, unless revised or modified by the Allied Control Commission or with the consent of the said Commission.

(b) Document D enumerates under the heading "Financial matters" a series of steps to be taken by the Italian Government i.e.,

1. Reconnecting by decree if necessary the terms of Rendo No. 61 AC of 24 Sept. 1943 in relation to notes of exchange of Allied Military Currency, Rendo No. 61 was published in the Gazzetta Ufficiale, Special Series, No. 2/B, 18 Nov. 1943 and the Finance Subcommittee has not requested its republication in form of a decree.

2. Barring transactions in lands and buildings so far as necessary to prevent inflation.
In agreement with the Finance Subcommittee the policy of imposing limitations upon the above transactions has been abandoned.

3. "If necessary and in so far as not already provided for in existing legislation; (fortifications?) except as permitted or licensed by the Minister of Finance, all transactions in foreign exchange, import or export of coins, currency securities or gold or silver bullion and bearing financial, commercial or other transactions, involving trade or communication with any person outside the territory actually administered by the Italian Government except as between such territory and Italian territory still occupied by the Allied Military Forces and except transactions, imports and exports for the Allied authorities authorized by them."

This term was implemented by para 1 Art. 2 of the above mentioned RUL No. 32 which reads as follows:

"for the purposes of the prosecution of war the Chief of the Government is given authority to impose in the aforesaid territories (i.e. territory restored to the Italian administration), in agreement with the competent Ministers and as the cases may arise, special directives for or limitations upon the exercise of any productive or commercial activities and also to fix the zone in which such activity may be conducted."

The Finance Commission should be consulted as to administrative instructions in point.

4. Authorizing the competent Ministers in their discretion as a war measure to prohibit the entering into or carrying on of any type of business except upon such terms or in such areas as they may prescribe, and authorizing them to require any property in which there are reasonable grounds for believing that any enemy or fascist interests, direct or indirect exist, to be delivered to any agency designated by them to be blocked or to become subject to some other form of control; and providing that subject to the terms prescribed by the Minister of Finance property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly reports to the Minister of Finance showing any dealings in these accounts.

This term was embodied partly in para 1 of Art 2 of RUL No. 32 set out above under 3, partly in para 2 of the same Art 2 which reads as follows:

"Furthermore the Minister of Finance is given authority,

(a) to request or provide for any other form of controlled administration under the supervision of the Ministry of Finance of any property or undertaking in which fascists or enemy nationals, be they physical or judicial persons, hold any direct or indirect interest.

(b) to keep frozen the values and bank deposits already affected by such measure, to determine the respective procedures and likewise to provide that the banking institutions holding such values or deposits report every 15 days all affected operations to the Ministry of Finance."

5. Requiring all future initial openings of safe deposit boxes and every of contents to be made only in presence of representatives designated by the Minister of Finance. The financial subcommittee should be requested to supply information on administrative instructions issued on this subject.

4. Authorizing the competent Ministers in their discretion as a war measure to prohibit the entering into or carrying on of any type of business except upon such terms or in such areas as they may prescribe, and authorizing them to require any property in which there are reasonable grounds for believing that any enemy or fascist interest, direct or indirect exist, to be delivered to any agency designated by them to be blocked or to become subject to some other form of control; and providing that subject to the terms prescribed by the Minister of Finance property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly reports to the Minister of Finance showing any dealings in these accounts.

This term was embodied partly in para 1 of Art 2 of ROL No. 32 set out above under 3, partly in para 2 of the same Art 2 which reads as follows:

"Furthermore the Minister of Finance is given authority;

(a) to sequester or provide for any other form of controlled administration under the supervision of the Ministry of Finance of any property or undertaking in which fascists or enemy nationals, be they physical or judicial persons, hold any direct or indirect interest.

(b) to keep frozen the values and bank deposits already affected by such measure, to determine the respective procedures and likewise to provide that the banking institutions holding such values or deposits report every 15 days all effected operations to the Ministry of Finance."

5. Requiring all future initial openings of safe deposit boxes ^{every} of contents to be made only in presence of representatives designated by the Minister of Finance. The Financial Subcommission should be requested to supply information on administrative instructions issued on this subject.

(c) under the heading "United Nations and Enemy Property" paragraph 2 imposes upon the Italian Government the duty to pass a decree "confering administrative powers upon the Allied Director of Property Control in relation to the property of any of the United Nations or of any national of the United Nations including property of France and French nationals."

As a result of extensive and at times difficult negotiations a machinery has been designed which met the wishes of the Director of the Property Control in respect to the above term. Administrative instructions have been issued to the Prefects and a draft decree is ready for publication which reveals the restricting Italian regulations regarding property owned by the United Nations, France and their respective citizens. The particulars can be obtained from the Property Control Subcommission.

/s/ G. R. UPJOHN

G. R. UPJOHN, Colonel
Chief Legal Officer.

SECRET

HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Chief Commissioner
APO 394DSM (S)
13 JUN 1944

Ref. CC/G/387.

11th, June, 1944.

MEMORANDUM:

TO: Allied Force Headquarters,
(ATTENTION: Supreme Allied Commander)

1. In consequence of the way in which operations have developed, I wish to make the following proposals regarding future transfers of territory to Italian administration and the location of Italian Government.

(i) Transfers of Territory.

(a) Campania (Provinces of Naples, Benevento and Avellino) to be transferred to the Italian Government on 24th June.

(If necessary special reservations will be made regarding the part of Naples which will in any case be left as a military zone)

(b) The Provinces of Foggia and Campobasso to be transferred to the Italian Government on July 10th.

(In both cases all A.M.G. personnel will remain at their posts in A.C.C. capacity at any rate until the Amasse has been completed.)

(c) The Provinces of Roma, Littoria and Frosinone to be transferred to the Italian Government on July 20th.

(Whether or not it will be possible to transfer one or more additional Provinces East of the Appennines on this date depends upon the rate of progress of the 8th. Army in the Adriatic Sector.)

(ii) The Italian Government.

As regards the move of the Italian Government, I had hitherto envisaged that it would not be possible to start moving it to Rome for at least a month or six weeks after Rome fell into our hands. It was naturally to be anticipated that we would find a very disorganized capital.

This has not been

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cc/G/387
11 June 44

file/100

602.3 Italian Government Vol. II

- - 2 - -

This has not been the case and with public utilities and communications of all kinds functioning adequately and with ample accommodation available there are now no material reasons why the Government should not be installed in Rome at once.

The only local difficulty in this connection lies in the fact that Rome must be kept under Military Government for, at any rate, a long enough period to enable me to decide that an administration which is of necessity, and must of necessity, be dislocated and purged is capable of functioning efficiently.

I have asked Sig. Bonomi and Sig. De Nicola whether, should the situation arise, the Italian Government would find it awkward or, from their point of view, undesirable to function in Rome while the city was still under Military Government. They were most emphatic that they would have no objection whatever.

2. As regards efficiency of administration with all its resultant advantages; and as regards the prestige of the new Government and of the Lieutenantcy, there is everything to be said for installing the Government and the Lieutenant in Rome at as early a date as possible.

All the Ministries are available in Rome and could be occupied at very short notice. More important still large numbers of civil servants are available and ready to step into their appointments. They will naturally be subject to normal epuration but it seems clear that the bulk of those with bad Fascist backgrounds have fled the city.

Conditions in Salerno are extremely difficult. There are no proper Government offices, there is a desperate shortage of living accommodation, and there is an extremely limited staff of civil servants whose numbers cannot be increased for reasons of accommodation alone. Working in Salerno, the Government will be functioning under very grave handicaps and its efficiency will be infinitely less than it would be in Rome.

3. Taking all the above into consideration I consider that while adhering approximately to the dates I have suggested in para. 1 for the successive transfers of territory to the Italian Government I would like to urge strongly that the Italian Government should be permitted to return to Rome as soon as this can be conveniently arranged. Unless unforeseen circumstances intervene I should be able to get the Italian Government functioning in Rome by the 1st July. This depends, however, on the date on which my proposal is approved. **5078**

4. I would be grateful if you would let me know as soon as possible whether you approve my above suggestions. In anticipation I am having the necessary Transfer Documents prepared on exactly the same lines as those which were used in effecting the transfers last February.

5. I have discussed.....

53

- - 3 - -

5. I have discussed all the above with General Alexander whom is in agreement.

NOEL MASON MACFARLANE
Lieutenant General
Chief Commissioner

cc, British Resident Minister
American Political Adviser
Hq, AAI (for General Alexander)

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13 JUN 1961
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DSN 300
20 MAY 1944PEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

FJS/lws

20 May 1944

MEMORANDUM FOR: Major Doe.

Captain Stone has directed me to forward this to you and suggests that it be handled similarly to that long memo from Marshal Badoglio in which you indicated the action in the left-hand margin, or in any other manner which you desire.

The Administration Section need not be included as they are taking action and results will be forwarded.

FRANK J. SLAUGHTER
Captain, AGD
Deputy Secretary General

3 Incls

- 1 - Ltr ACC/4140/L
dated 20 May 44 to DSG
- 2 - Ltr AFHQ MGS-337.4-2
dated 3 May 44 to ACC
- 3 - Ltr ACC/4140/L
dated 16 May 44 to VR Adm Sec

FJS
FJS/gss

(52)

20 May 44

602, 3 Incls of Stone

U. S. SECRET Equals British SECRET

*Capt. Slough**cc/G/72*HEADQUARTERS
ALLIED CONTROL COMMISSION
A.P.O. 394*DS 162*
24 FEB 1944

SUBJECT: Restoration of Territory

TO : C. in C., A.F.H.Q.

17th February 1944

When Marshal Badoglio signed the documents of restoration he made an oral declaration to me which he subsequently embodied in a letter addressed to me. A copy of his letter and a translation is attached.

I gave no undertaking to the Marshal or assented to his statement in any way but stated simply that I would forward his request.

HORRISON MACFARLANE
Lieutenant-General,
Chief Commissioner.

*600-3**file*
*1778**50*U. S. SECRET
Confidential
SECRET*17 Feb*

C O P Y

H Q QUARTERS PENINSULAR BASE SECT.

2814
22 FEB 1944

16 FEBRUARY 1944

IMPORTANT

PENBASE FARGO FOR LUSH

NONE

ACC REGION TWO

150800A

161705A

RT/220

None

TUINOVER SITUATION MIXED (REF FARGO 831) PUGLIA INDIFFERENCE TO DELIGHT.
REGGIO UNEASINESS AND BEWILDERMENT FEAR WHOLESALE REMOVAL AMG APPOINTEES.
CATANZARO UNFAVORABLY RECEIVED, DISTRIBUTION OF FLOUR SUFFERING WITHOUT
DIRECT AMG AUTHORITY. COSENZA EXCEEDINGLY PLEASED AT PROOF OF ALLIED
SYMPATHY AND CONFIDENCE BUT HOPE ACC WILL REMAIN TO HELP. SALERNO GENERAL
PREFERENCE FOR AMG BUT AWAITING DEVELOPMENTS. RURAL MATERA INDIFFERENCE,
TOWN APPREHENSIVE, POLITICIANS THERE TRYING TO MAKE CAPITAL FOR THEMSELVES
ADVISED TO BE PATIENT AND BEHAVE. POTENZA MOVE CONSIDERED PREMATURE. NO
FAITH IN NEW AUTHORITY. NO DISORDER REPORTED ANYWHERE YET.

PBS DIST.

INFO HQ ACC
C-2
CG
SECY

ACC DIST.

(ACTION) C.A. BP.
(INFO) SECY GEN.
DEPUTY CHIEF COMM.
FILE
FLOAT

5071

14563

(Gen. MacFarlane has
seen this)

(2-18-44)

C O P Y

49
RT/220
16 Feb

SECRET

FALGO 995

FALGO (S. REGER DIR. POL. SECT.)

15 FEB 44

SECRET

10050 MACFARLANE

PRIORITY

MESSAGE FOR SCS SIGNED MACFARLANE

The following for Italian Legation at Lisbon. "Number PG/1 dated February 12. Nearly all liberated Italy was restored by the Allies to Italian administration on February 11. This is a first step toward renewed unity of the country and at same time indication and proof of restored confidence. The Royal Government will spare no effort to reorganize the unitarian life of the country, to further its rebirth, and to carry on the war of liberation with utmost energy, event should be particularly underlined amongst Italians and and foreigners. All Italians should be told that the country counts, today more than ever, on their solidarity and unity. Kindle their faith and their hopes. After so many painful events the date of February 11 is for us undoubtedly one of the first propitious days. Request that above message be forwarded to Madrid Ankara Tangier Buenos Aires Berne Stockholm Helsinki Dublin and Kabul. Will you kindly confirm. Signed

Badoglio

m79

m79

L. F. WICKEL
Lt. Col., AGD
Adjutant Gen.

48
Falg. 995
15 Feb
Confidential

Ref. CC/G/50.

SECRET

C O P Y ✓

SF

FLEA/rj

13th. February, 1944.

MEMORANDUM:

TO: Colonel Upjohn,
Chief of the Legal Sub-Commission.

1. I return herewith the Italian texts of Transfer Documents "A", "B" and "D" duly signed up. Marshal Badoglio has duplicates.
2. Marshal Badoglio has naturally accepted the fact that the official text is the English.
3. I enclose also a letter from Badoglio asking us to produce a protocol affirming that we propose to return to Italian administration the Islands of PANTELLARIA, LAMPEDUSA AND LINOSA when we have ceased to require their use for military reasons.
4. I told Badoglio that I would be prepared to forward his request.
5. Will you please draft a note to A.F.H.Q. forwarding Badoglio's request.

NOEL MASON MACFARLANE,
Lieutenant-General,
Chief Commissioner.

EACG

C O P Y

cc/G/50

13 Feb

Rep Chief Comm. Capt. Stone
786
14 FEB 1944

file
#90

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 334

12 February 1944

Ref/276/27/CA

MEMORANDUM

TO : All Concerned

1. By Proclamation No. 16, that part of the Italian Peninsula which lies south of the northern boundaries of the provinces of Salerno, Potenza and Bari, together with the island of Sicily (but exclusive of the islands of Pantelleria, Lampedusa and Linosa) was restored to the jurisdiction of the Italian Government with effect from 0001 hrs. on 11 February 1944.

2. Without prejudice to the rights which the United Nations have under the Armistice and which are exercised in their behalf by the Commander-in-Chief of the Allied Forces and his representatives, including the Allied Control Commission, all powers of government in the above mentioned areas will henceforth belong to the Government of Italy.

3. According to the terms of the Armistice, the Allied Control Commission will continue to insure the effective use of Italian resources in the common war and to represent Allied interests to the Italian National and Local governments.

By command of Lieutenant General RASON MACFARLANE:

M. S. LUSH
Brigadier

Executive Commissioner

Distribution:

Dist. (A)
60 copies Region I
60 copies Region II
60 spares

60213
RONG

276/27/CA
12 Feb

CC/P/47

SECRET () PERSONAL

C O P Y

SF

FIMM/rj

12th. February, 1944.

I am sending out by hand two copies of the Italian translations of Documents "A" and "B" in connection with the Transfer of Territory to the Italian Government. These are required for record purposes and I would be glad if you would sign them.

Naturally in the case of all these documents the English version is the official text.

I send you also a copy of a letter which I sent yesterday to General Wilson. I have attached all the enclosures but the one which I would like you to read particularly is my memorandum on the political situation which I have flagged "X".

I saw Badoglio yesterday and he was in good heart and played very well over one or two rather awkward points. I have as yet had no reports of any repercussions to the transfer of territory. Our initial impression here is that it is not creating any very great interest in the mass of the people.

I would be grateful if you could return the signed documents by the hand of my messenger.

NOEL MASON MACFARLANE
Lieutenant-General,
Chief Commissioner

GENERAL SIR HAROLD R. ALEXANDER,
G.C.B., C.S.I., D.S.O., M.C.,
COMMANDER-IN-CHIEF.

C O P Y

CC/P/47

12 Feb

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2 copies
Reg. Chief Comm.
Capt. Stone

HEADQUARTERS,
ALLIED CONTROL COMMISSION
APO 394.

Regional Control & Military Government Section.

File 1-100

Ref: 276/31/CA.

12, February, 1944

Subject: Policy on handover of territory to Italian Government.

To: Regional Commissioner, Region I
" " " " Region II
" " " " Region III
" " " " Region IV
" " " " Region V
" " " " Region VI
Senior Civil Affairs Officer, AMG 5 Army.
" " " " AMG 8 Army.

1. As from 11th February, Allied Military Government has ceased in Regions I and II and the Italian Government has resumed its administration in Sicily and the whole of Southern Italy up to the Northern boundaries of the Provinces of Salerno, Potenza and Bari, and continues the administration of Sardinia.
2. Regional control in these areas will continue but henceforth will be of an advisory nature. The Italian Government, through its various Ministries, will be advised and controlled by Headquarters, Allied Control Commission. Regional Commissioners will be informed of the nature of advice given and will endeavour to ensure, in co-operation with the Italian authorities, that this is carried out in every aspect of government in the Regions.
3. The method by which this advice should be given and the relations between the Allied Regional officers and officials of the Italian administration have already been defined in A.C.C. Memorandum of 23rd January, 1944. I would only add here that advisory control is far more difficult than executive government and calls for an abundance of patience and tolerance. Quite apart from the complexities of the political situation, no government emerging from

END

Region VI

Senior Civil Affairs Officer, AIG 5 Army.
" " " " " " " " " " " "
" " " " " " " " " " " "

Aug 31 1991

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3. The method by which this advice should be given and the relations between the Allied Regional officers and officials of the Italian administration have already been defined in A.C.C. Memorandum of 23rd January, 1944. I would only add here that advisory control is far more difficult than executive government and calls for an abundance of patience and tolerance. Quite apart from the complexities of the political situation, no government emerging from the oblivion of defeat and occupation can command the immediate confidence of the people. The removal from the administration of many Fascist officials has left the machinery of government without many of the cogs.

4. The administration, therefore, will need all the assistance and advice which can be put at its disposal. Whatever the form of government, efficient administration is essential for our operations. Everything must be done, therefore, compatible with freedom of speech and thought, to gain for the administration the confidence of the people. Initially, doubtless, inefficiency in administration may be anticipated. But Regional officers must do everything in their power to uphold the authority of the Italian officials and to abstain from any executive action themselves. They must be careful in their dealings with Italian officials and the Italian public and in their speech with all and sundry, including other Allied officers, not to bring the administration into contempt, even when its officials seem guilty of inefficiency, corruption and worse. They must help to sort things out and must report any case of 'bad administration immediately. Regardless of politics it is the duty of Regional officers to put whatever Italian administration may be in office on its feet and to keep it there.

5. In the initial stages of advisory control considerable numbers of Allied officers will be maintained in the Regions. The tendering of advice, however, is more likely to be successful if it comes from a few key men in command with senior officials of the Italian administration than if every Italian

-2-

official is bolstered up by the presence of an Allied officer. The Italians must learn to stand on their own legs. It is the policy of the Chief Commissioner, therefore, to reduce the numbers in Regions substantially as soon as may prove possible and Regional Commissioners should plan to this end.

6. Allied Military Government will continue in the forward areas. No change in policy is intended. But S.C.A.O's, AAG, 5 and 8 Armies, under the operational command of their Army Commanders, will have the benefit of advice on economic and administrative questions from Headquarters, AMG/ACC. The maintenance of law and order and the safeguarding of military interests will be the chief duties of Regional Commissioners and their staffs, but with the possibility of further territory being turned over to the Italian Government in the near future, more attention will be paid to the necessity for continuity in administrative and economic policy and it is possible that minor changes in practice will be evolved in the light of experience gained in the southern areas. The Italian Government will be closer to the scene of action, and will be in more constant and practical touch with the members of the Allied Control Commission, who will be consulting them, particularly as regards personnel, over administrative and economic matters in forward areas.

7. But the authority remains with the Chief Commissioner and Regional Commissioners should report at once any instances of attempts on the part of the Italian Government to interfere or intervene in areas under Allied Military Government.

N. S. LUSH,
Brigadier,
Executive Commissioner,
for Chief Commissioner.

MSL/JC.

Copy to: Deputy President.
Sec. General for Chief Commissioner.
Deputy Chief Commissioner.
Vice President.
H.Q., A.C.M.F.
H.Q. 5 Army.
H.Q. 8 Army.
H.Q. No. 1 District.
H.Q. No. 2 District.
H.Q. No. 3 District.
ACC Liaison, HQ. A.C.M.F.

Public Relations Officer

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MSL/JG.

[Signature]
M. S. LUSH,
Brigadier,
Executive Commissioner,
for Chief Commissioner.

Copy to: Deputy President.
Sec. General for Chief Commissioner.
Deputy Chief Commissioner.
Vice President.
H.Q., A.C.H.F.
H.Q. 5 Army.
H.Q. 8 Army.
H.Q. No. 1 District.
H.Q. No. 2 District.
H.Q. No. 3 District.
ACC Liaison, in. A.C.H.F.
Public Relations Officer.

Allied Military Government

PROCLAMATION

Governo Militare Alleato

PROCLAMAZIONE

WHEREAS, I assumed all powers of government and jurisdiction over
the territory of Italy and Sicily occupied by my troops and over
the inhabitants and established military government to ensure the

(43)

11 Feb

Government of Occupied Territories

AMATION No. 16

e Alleato del Territorio Occupato

AMA Numero 16

ment and jurisdiction in
troops and over its in-

VISTO che ho assunto tutti i poteri statali e giurisdizionali
ritorio dell'Italia e della Sicilia occupato dalle mie truppe e su

t of Occupied Territory

ION No. 16

del Territorio Occupato

Numero 16

VISTO che ho assunto tutti i poteri statali e giurisdizionali nel territorio dell'Italia e della Sicilia occupato dalle mie truppe e sugli abitanti

75
11 Feb

WHEREAS, I assumed all powers of government and jurisdiction over the territory of Italy and Sicily occupied by my troops and over the inhabitants and established military government to exercise these powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R. L. G. ALEXANDER, G. C. S. I., D. S. O., M. C., General, Military Governor of all the C

government and jurisdiction in
by my troops and over its in-
ment to exercise these powers

wers, Proclamations and Orders
or under my authority through-

included with the Italian Govern-
has been appointed, and

has declared war on Germany
the United Nations, and

ve consented at the request of the
h of the occupied territory to the
as may be compatible with military

OLD R. L. G. ALEXANDER, G. C. B.,
ilitary Governor of all the Occupied

VISTO che ho assunto tutti i poteri statali e giurisdizionali sul territorio dell'Italia e della Sicilia occupato dalle mie truppe, ed ho stabilito un Governo Militare per esercitare questi poteri nel suddetto territorio, sotto la mia autorità.

VISTO che nell'esercizio di tali poteri, Proclami e Decreti sono state emesse di tratto in tratto da me e per la mia autorità nel suddetto e:

VISTO che un Armistizio col Governo Italiano è stato stipulato ed una Commissione Alleata di Controllo nominata, e

VISTO che il Governo Italiano ha dichiarato guerra alla Germania e che è diventata co-belligerante delle Nazioni Unite.

VISTO che le Nazioni Unite, sulla richiesta del Governo Italiano, hanno approvato la restituzione di tanto del territorio occupato alle Autorità competenti del Governo Italiano, quanto sia compatibile con le esigenze militari.

ORA, quindi, io Sir HAROLD R. L. G. ALEXANDER,
I., D. S. O., M. C. Generale Governatore Militare

VISTO che ho assunto tutti i poteri statali e giurisdizionali nel territorio dell'Italia e della Sicilia occupato dalle mie truppe e sugli abitanti del suddetto territorio, ed ho stabilito un Governo Militare allo scopo di esercitare questi poteri nel suddetto territorio, sotto la mia direzione e:

VISTO che nell'esercizio di tali poteri, Proclami ed Ordinanze, sono state emesse di tratto in tratto da me e per la mia autorità, nel territorio suddetto e:

VISTO che un Armistizio col Governo Italiano è stato concluso ed una Commissione Alleata di Controllo nominata, e:

VISTO che il Governo Italiano ha dichiarato la guerra alla Germania ed è diventata co-belligerante delle Nazioni Unite, e:

VISTO che le Nazioni Unite, sulla richiesta del Governo Italiano hanno approvato la restituzione di tanto del territorio occupato alle Autorità competenti del Governo Italiano, quanto sia compatibile con le esigenze militari.

ORA, quindi, io Sir HAROLD R. L. G. ALEXANDER G. C. B., C. S. I., D. S. O., M. C. Generale Governatore Militare di tutto il territorio oc-

NOW, THEREFORE, I, SIR HAROLD R. L. G. ALEXANDER, G. C. B., C. S. I., D. S. O., M. C., General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G. B. E., K. C. B., D. S. O., Commander in Chief of the Allied Forces, hereby proclaim as follows:

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa) are hereby terminated as of 0001 hours on **eleventh** day of **February 1944**. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

(sd) **H. R. ALEXANDER**
General,
Military Governor

11 February 1944

D R. L. G. ALEXANDER, G. C. B.,
Military Governor of all the Occupied
Territories by General Sir Henry Maitland
Wilson, Commander in Chief of the Allied

Proclamations
issued by me and all Proclamations
issued under my authority in that portion
of the northern boundaries of the provinces
of Sicily and Adjacent Islands (but not
hereby terminated as of 0001 hours
on 11 February 1944. The Italian Government
will, subject to all powers, rights and
of the Allied Commander in Chief

(sd) H. R. ALEXANDER
General,
Military Governor

ORA, quindi, io Sir HAROLD R. L. G. ALEXANDER,
I., D. S. O., M.C. Generale Governatore Militare d
cupato, in virtù dell'Autorità della quale sono in
Capo Comandante Sir Henry Maitland Wilson G. C. B.
proclamo quanto segue:

Il Governo Militare Alleato, stabilito da me e
ordinanze finora emessi da me, e per la mia autorità
dell'Italia continentale al sud dei confini settentrionali
Salerno, Potenza e Bari, nella Sicilia ed isole dipendenti
Lampedusa e Linosa), sono terminate a cominciare
l'**undicesimo** giorno di **Febbraio 1944**.
L'Italiano amministrerà il suddetto territorio, fermi restano
immunità delle Nazioni Unite, del Capo Comandante
e della Commissione Alleata di Controllo.

11 Febbraio 1944

H. R. ALEXANDER
Governatore

ORA, quindi, io Sir HAROLD R. L. G. ALEXANDER G. C. B., C. S. I., D. S. O., M. C. Generale Governatore Militare di tutto il territorio occupato, in virtù dell'Autorità della quale sono investito dal Generale Capo Comandante Sir Henry Maitland Wilson G. B. E., K. C. B., D. S. O., proclamo quanto segue:

Il Governo Militare Alleato, stabilito da me e tutti i proclami e le ordinanze finora emessi da me, e per la mia autorità, in quella parte dell'Italia continentale al sud dei confini settentrionali delle Province di Salerno, Potenza e Bari, nella Sicilia ed isole dipendenti (salvo Pantelleria, Lampedusa e Linoso), sono terminate a cominciare dalle ore 0001 dell'**undicesimo** giorno di **Febbraio 1944**. Indi poi il Governo Italiano amministrerà il suddetto territorio, fermi restanti, i poteri, diritti ed immunità delle Nazioni Unite, del Capo Comandante delle Forze Alleate e della Commissione Alleata di Controllo.

11 Febbraio 1944

H. R. ALEXANDER

Generale

Governatore Militare

ITALIAN

Le Nazioni Unite, aderendo alla
la maggior parte del nostro terr
sia restituita.

Restano naturalmente in vigo
sono necessarie per la condotta de

Ringrazio gli Alleati, a nome d
per questo nobile gesto, che è anc

A nessuno sfuggirà l'importan
prima tappa verso la rinnovata un
e la nostra suprema aspirazione
l'abisso, alla quale il Popolo Italian
da cui vogliamo completamente r

ALIANI,

ite, aderendo alla richiesta del R. Governo, hanno
del nostro territorio sinora occupato dalle Forze

ralmente in vigore soltanto quelle clausole e co
er la condotta della guerra.

Alleati, a nome di Sua Maestà il Re e di tutto il Po
gesto, che è anche una prova di fiducia.

aggirà l'importanza e la portata dell'avvenimento.
o la rinnovata unità della Patria, che deve essere il
rema aspirazione, la prima tappa dopo la cieca
e il Popolo Italiano è stato per venti anni costretto
completamente redimerci, in nome della libertà ch

chiesta del R. Governo, hanno disposto che
o sinora occupato dalle Forze Alleate ci
scoltanto quelle clausole e condizioni che
guerra.
Maestà il Re e di tutto il Popolo Italiano,
una prova di fiducia.
e la portata dell'avvenimento. E' questa la
della Patria, che deve essere il nostro scopo
prima tappa dopo la cieca corsa verso
e stato per venti anni costretto da un Regime
merci, in nome della libertà che ci è cara.

(42)
11 Feb

prima tappa verso la rinnovata u
e la nostra suprema aspirazion
l'abisso, alla quale il Popolo Italia
da cui vogliamo completamente
ma non della licenza, in cui ness

ITALIA

Le Forze Alleate combattono
sco, quello stesso nemico che ab
sul Piave. Dall'esito di questa lo
gli Italiani, in ogni settore della
bono contribuire con tutti i loro
senza esitazioni, senza discussioni

I nostri fratelli ci attendono
ancora premuti dalla baionetta n

La guerra può essere vinta

rinnovata unità della Patria, che deve essere il nostro
aspirazione, la prima tappa dopo la cieca corsa
popolo Italiano è stato per venti anni costretto da un
pletamente redimerci, in nome della libertà che ci
in cui nessun popolo può cadere senza pericolo est

ITALIANI,

combattono vittoriosamente con noi il comune nemico
ico che abbiamo combattuto insieme sul Carso, sulla
i questa lotta dipende l'avvenire dell'Italia e del mon
tore della vita nazionale, dai più umili ai più alti,
tutti i loro mezzi e con tutte le loro forze, senza
discussioni.

attendono in Roma eterna, in tutte le città e in tutti
paionetta nazista.

essere vinta soltanto con la più leale, con la più fra

della Patria, che deve essere il nostro scopo
prima tappa dopo la cieca corsa verso
stato per ventí anni costretto da un Regime
erci, in nome della libertà che ci è cara,
polo può cadere senza pericolo estremo.

iosamente con noi il comune nemico tede-
combattuto insieme sul Carso, sull' Isonzo,
ende l'avvenire dell'Italia e del mondo. Tutti
zionale, dai più umili ai più alti, vi deb-
e con tutte le loro forze, senza riserve,
a eterna, in tutte le città e in tutti i villaggi
to con la più leale, con la più franca, con

I nostri fratelli ci attendono in Roma eternamente ancora premuti dalla baionetta nazista.

La guerra può essere vinta soltanto con la più intima collaborazione coi liberi e grandi atti che ostacolino le Forze Armate nostre e bellico o comunque giovino al nemico, compiti giudicati ed esemplarmente puniti.

E' questo dopo molte dolorose e tormentate perchè, se lo sapremo e vorremo, sarà il primo che può venire solo dallo sforzo risoluto e coraggioso.

Siate, Italiani, all'altezza dell'avvenimento risorgente dall'abisso, insanguinata e dolente.

11 febbraio 1944.

PI

ndono in Roma eterna, in tutte le città e in tutti i vi
netta nazista.

e vinta soltanto con la più leale, con la più franca
one coi liberi e grandi popoli alleati. Chiunque co
rze Armate nostre e Alleate o ne intralcino lo
no al nemico, compirà opera anti-italiana e sarà sen
nte punito.

e dolorose e tormentose giornate, il primo giorno
vorremo, sarà il primo della rinascita nazionale, ri
lo sforzo risoluto e concorde di tutti.
ezza dell'avvenimento, in nome di questa nostra
sanguinata e dolente.

944.

PIETRO BADOGLI

eterna, in tutte le città e in tutti i villaggi
con la più leale, con la più franca, con
grandi popoli alleati. Chiunque compia
stre e Alleate o ne intralcino lo sforzo
compirà opera anti-italiana e sarà senz'altro
mentose giornate, il primo giorno fausto,
il primo della rinascita nazionale, rinascita
e concorde di tutti.
mento, in nome di questa nostra Patria
ente.

PIETRO BADOGGIO

ORDINA

**Ritenuto che le Nazioni Unite hanno a
Italiano di restituzione, secondo le mod
per la efficace prosecuzione della guerr
occupati dalle Forze Alleate.**

Il Capo del Governo, Primo Min

ORDI

1. - Dato che il Governatore Militare Alleato ha posto fine
strazione italiana, tutti i poteri statali e giurisdizionali nei territor

41

11 Feb

ORDINANZA

Nazioni Unite hanno aderito alla richiesta del Governo
ione, secondo le modalità e le condizioni necessarie
secuzione della guerra, di determinati territori finora
e Alleate.

verno, Primo Ministro, Segretario di Stato

5100

ORDINA

atore Militare Alleato ha posto fine al governo militare nei territori restituiti all'Ammini-
i statali e giurisdizionali nei territori restituiti, e sopra gli abitanti di essi, nonché la su-

1. - Dato che il Governatore Militare Alleato ha posto fine al governo di amministrazione italiana, tutti i poteri statali e giurisdizionali nei territori restituiti e le responsabilità amministrative vengono riassunti dal Governo Italiano.

2. - Tutti i Bandi e le Ordinanze finora emanati dal Governatore Militare e dai suoi delegati nei territori suddetti e che il Governatore Militare ha abrogato o riconosciuti dal Governo Italiano, per il tempo in cui hanno avuto esecuzione, producono gli stessi effetti giuridici come se emanati dal Governo Italiano e come se emanati da funzionari italiani.

3. - Tutti gli atti compiuti da qualsiasi membro delle forze Alleate in esecuzione delle Ordinanze, nonché tutte le misure ufficiali di qualunque genere adottate da tali Bandi ed Ordinanze, comprese tutte le nomine e le rimozioni da qualsiasi carica riconosciuti legali, validi ed impegnativi da tutti i Tribunali e funzionari italiani.

4. - Tutte le sentenze emanate dai Tribunali Militari Alleati saranno riconosciute legali ed aventi gli stessi effetti come se emanate dai Tribunali Italiani e dai funzionari italiani, a meno che non vengano revocate o modificate e con il consenso di questa.

5. - Con regi decreti legge, in corso di pubblicazione, vengono stabiliti i

Salerno, 11 Febbraio 1944

Governatore Militare Alleato ha posto fine al governo militare nei territori restituiti all'Amministrazione statale e giurisdizionali nei territori restituiti, e sopra gli abitanti di essi, nonché la su-
strativa vengono riassunti dal Governo Italiano, salvo i diritti riservati alle Nazioni Unite.

Ordinanze finora emanati dal Governatore Militare Alleato, o in nome dello stesso dai
detti e che il Governatore Militare ha abrogato in occasione di tale restituzione, sono
ano, per il tempo in cui hanno avuto esecuzione, come validamente emanati ed aventi
e se emanati dal Governo Italiano e come tali saranno riconosciuti da tutti i Tribunali

piuti da qualsiasi membro delle forze Alleate in applicazione dei suddetti Bandi e Ord-
re ufficiali di qualunque genere adottate dal Governo Militare Alleato in applicazione di
omprese tutte le nomine e le rimozioni da qualsiasi ufficio pubblico e privato, saranno rico-
pegnativi da tutti i Tribunali e funzionari italiani.

emanate dai Tribunali Militari Alleati saranno riconosciute dal Governo Italiano valide,
fetti come se emanate dai Tribunali Italiani e come tali saranno considerate da tutti i Tri-
a meno che non vengano revocate o modificate dalla Commissione Alleata di controllo

legge, in corso di pubblicazione, vengono sanzionate le antescritte disposizioni.

io 1944

IL MARESCIALLO D'ITALIA
Pietro Badoglio

SECRET

PARCO 856

PARCO

10 FEBRUARY 44

SECRET

10050 MACFARLANE

OPERATIONAL PRIORITY

FREEDOM

JUST RECEIVED YOUR FOUR NINE FOUR ZERO
 EIGHT PD PENBASE PARCO FROM MACFARLANE PERSONAL PARCO TO AFHQ
 FOR HQS PD CITE PARCO EIGHT FIVE SIX PD I AM ALTERNING TEXT OF
 ANNOUNCEMENT TO AGHER WITH TEXT TRANSMITTED TO CHARLIE CHARLIE MORAR
 BY YOU PD TERRITORY IS BEING TRANSFERRED TO ITALIAN GOVERNMENT AT
 ZERO ZERO ZERO ONE FEBRUARY ONE ONE PD QUITE IMPOSSIBLE TO KEEP THIS
 SECRET AFTER TIME OF TRANSFER PD PUBLICITY IN LOCAL PRESS IS
 ESSENTIAL PD TEXT OF ANNOUNCEMENT HAS BEEN IN MY POSSESSION FOR A
 LONG TIME PD I INFORMED YOU MANY DAYS AGO THAT I HOPED TO ARRANGE
 FOR TRANSFER OF TERRITORY ON ONE ZERO FEBRUARY PD THERE HAS BEEN AMPLE
 TIME TO AGREE THE ANNOUNCEMENT PD UNDER THE CIRCUMSTANCES I PROPOSE
 TO MAKE THE ANNOUNCEMENT TO PRESS CONFERENCE SPECIALLY SUMMONED FOR
 THE PURPOSE THIS AFTERNOON AND TO FIX RELEASE TONIGHT ONE ZERO SLANT
 ONE ONE FEBRUARY AT MIDNIGHT

5062

Cop 6:
 Dan MacFarlane

L.P. NICKEL,
 Lt. Col. AGC
 Adjutant General

SECRET

10 FEB 1944

U.S. SECRET

SECRET

/sk

13/09

19403

SECRET

OPERATIONAL PRIORITY

0905/3A Feb

FRENCH SIGNS CISE CIP FENCE

100330A Feb

FATIMA FOR MADFARLANE DTG PAROD FOR MADFARLANE

Approval of text of Transfer Announcement not yet received from CCS(?), reference year 12A of 3 February. No announcement can be made until it arrives. Meantime have urged earliest approval and proposed simultaneous Announcements from AFM and W22. CCS may decide that simultaneous Announcements should also be made from London, Moscow and Washington which would cause slight delay. No objection to your announcing details op(?) ACC when transfer of territory is announced.

Text transmitted to CCS for approval differs from your text in following points and changes in your text should be made accordingly. Paragraph 2. Read "have" for "enjoy" in line 5. Paragraph 2. Last sentence should read: "Where Allied Military Government has been operating within the territory thus restored, it will accordingly be brought to an end." Paragraph 3. Third sentence should read: "It was a human necessity that the men, women and children in the occupied territory should be relieved as far as possible from the distress which military operations had brought upon them." Paragraph 7. Second sentence should read: "The principal duty assigned to it was to take such measures of control according to the terms of the Armistice as to transform Italy into an effective instrument of war against Germany." Paragraph 8. End of last sentence; Substitute "present administration" for "present Government of Technicians". Paragraph 10. Second sentence should read: "According to the terms of Armistice, it will be the channel

9 Feb

10 FEB 1948

549

U.S. SECRET Equals British SECRET

Incoming Cable # 49403 from FREEDOM (Cont'd)

/ak

for communicating the desires of the United Nations to the Italian Government and will insure the effective use of Italian resources in the common war."

Paragraph 11. Delete last sentence beginning: "Nothing must stand in its way etc."

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K060

FOR RELEASE MIDNIGHT, FEBRUARY 10

ANNOUNCEMENT OF RESTORATION OF
ITALIAN TERRITORY

1. As Commander-in-Chief of the Allied Forces, I wish to make the following announcement.

2. On 11 February 1944, that part of the Italian peninsula which lies south of the northern boundaries of the provinces of Salerno, Potenza and Bari together with the islands of Sicily and Sardinia will be restored to the jurisdiction of the Italian Government. Without prejudice to the rights which the United Nations have under the Armistice and which are exercised in their behalf by the Commander-in-Chief of the Allied Forces and his representatives including the Allied Control Commission, all powers of Government will henceforth belong to the government of Italy. At the same time, Allied Military Government which has been responsible for the control and administration of this territory will cease to function within its boundaries.

3. When the Allied Forces first occupied the territory of metropolitan Italy, military operation and the best interests of the civil population made military government a necessity. It was a military necessity that order should be established and maintained among the civil population behind the lines so that our troops could continue their fighting under the most favourable conditions.

It was a human necessity that the men, women and children in the occupied territory should be assisted so far as conditions allowed in recovering from the misery and devastation which warfare had imposed on their homes and lands. Accord-

File 50

by the Commander-in-Chief of the Allied Forces and his representatives including the Allied Control Commission, all powers of government will henceforth belong to the government of Italy. At the same time, Allied Military Government which has been responsible for the control and administration of this territory will cease to function within its boundaries.

3. When the Allied Forces first occupied the territory of metropolitan Italy, military operation and the best interests of the civil population made military government a necessity. It was a military necessity that order should be established and maintained among the civil population behind the lines so that our troops could continue their fighting under the most favourable conditions.

It was a human necessity that the men, women and children in the occupied territory should be assisted so far as conditions allowed in recovering from the misery and devastation which warfare had imposed on their homes and lands. Accord-

ingly, Allied Military Government was established on the basis of international law. It was conducted with humanity and justice.

4. The eradication of Fascism and the restoration of freedom of speech :
 end of the press to the Italian people were established in the original plans as fundamental aims of Allied Military Government. These aims emanated from the firm belief that our war in Italy was being waged against the Fascists and their Nazi masters and that the Italian people should be given the earliest opportunity after their liberation to enjoy the free institutions which are an inherent part of political Democracy. In the field, Allied Military Government undertook to realize these aims to the fullest extent consistent with military necessity.

5. Wherever the success of Allied arms made it possible, the vast majority of Italians repudiated Fascism in all its forms and manifestations. The Armistice of September 3rd was not only an admission of military defeat; it was an official condemnation of the political group which had placed Italy in German hands. Italy's declaration of war against Germany on October 13th marked the final break of the Italian people with German dominated Fascism.

6. On November first, the Government of the United States of America, the United Kingdom and the Soviet Union expressed their basic policy towards Italy in the Moscow declaration of their respective Foreign Secretaries. The Declaration reiterated the fundamental principle that "Fascism and all its evil influences and emanations shall be utterly destroyed" and added that "the Italian people shall be given every opportunity to establish governmental and other institutions based upon democratic principles."

7. This statement was reflected in the formation of the Allied Control Commission which assumed its powers and duties on November tenth. The principal duty assigned to it was ^{to take such measures of control} ~~the control~~ according to the terms of the Armistice ^{as to transfer} ~~Italy's economic resources and manpower~~ in order that Italy should be transformed into an effective instrument of war against Germany. But the Commission was also charged with planning for the gradual transfer of territory to the Italian administration. The Italian Government was enjoined to strengthen its administrative structure in preparation for the transfer.

8. On December 15th, the Advisory Council for Italy, composed of representatives of the United Kingdom, the United States of America, the Soviet Union

ences and emanations shall be actual people shall be given every opportunity to establish governmental and other institutions based upon democratic principles."

7. This statement was reflected in the formation of the Allied Control Commission which assumed its powers and duties on November tenth. The principal duty assigned to it was *to take such measures of control as to transfer* ~~the control~~ according to the terms of the Armistice ~~off~~ Italy's economic resources and manpower in order that Italy should be transferred into an effective instrument of war against Germany. But the Commission was also charged with planning for the gradual transfer of territory to the Italian administration. The Italian Government was enjoined to strengthen its administrative structure in preparation for the transfer.

8. On December 15th, the Advisory Council for Italy, composed of representatives of the United Kingdom, the United States of America, the Soviet Union and the French Committee of National Liberation, recommended that the ^{big} ~~Italian~~ territory which I have described above should be transferred to Italian administration subject to the guidance and instructions of the Allied Control Commission for Italy. The transfer was recommended with the understanding that it should be subject to two conditions: that the administration, central and local, should be carried on by officials of proven good faith and Allied sympathies and ^{administration} that the transfer should involve no commitment to the present government after the capture of Rome.

9. These conditions are consistent with the larger principles which the Allied Governments have already declared. Italians of honest, democratic convictions must lay the foundation for their country's future. They must work out that future democratically according to the will of the Italian people when that will

can be adequately expressed.

10. The Allied Control Commission will see that this is done. According to the terms of ~~the~~ Armistice, it will ~~continue to~~ ^{be the basis for} insure the effective use of Italian resources in the common war, and to represent Allied interests to the Italian national and local governments. At the same time it will see that opportunity is given to the people of Italy to develop their political activities in an atmosphere of fairness and freedom.

11. For the reasons given at the beginning of this announcement, it will be necessary for Allied Military Government to continue to function in the combat zone. But it is also foreseen that as our armies advance and normal conditions are restored in the territory progressively occupied, future transfers will be effected. The situation now in the making will make it possible for these future transfers to be made to an Italy which has grown in strength and stature. We look to the Italian people to translate this possibility into a firm reality and to work together toward the common victory. ~~Nothing must stand in its way for it is the indispensable condition of the freedom of all~~
@unkind.

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Manikind.

8057

SECRET

FARGO 834

FARGO
SECRET
URGENT

9 FEBRUARY 44
10050 MACFARLANE

FREEDOM (ACTION) HQ ACMF (INFO)

PRIOR TO SIGNING TRANSFER DOCUMENTS

BADOGGIO ASKED IF I COULD GIVE HIM THE ASSURANCE HE HAS REQUESTED IN CONNECTION WITH ARTICLE ONE DOCUMENT ABLE PD I REPLIED NO PD PENBASE PAREN FARGO FROM MACFARLANE PERSONAL PAREN TO AFHQ FOR MGS FOR MACMILAN CIVIL AFFAIRS FOR CINC FOR ACTION RPTD HQ ACMF FOR CINC FOR INFO PD SITEFARGO EIGHT THREE FOUR PD HE ASKED ALSO IF I WOULD INSERT A CLAUSE STATING THAT PANTELLARIA GMA LAMPEDUSA AND LINOSA WOULD BE RETURNED TO THE ITALIAN GOVERNMENT AFTER THE ALLIES HAD CEASED TO HAVE ANY MILITARY USE FOR THEM PD I REPLIED IN THE NEGATIVE BUT STATED THAT IF HE WOULD SUBMIT A WRITTEN STATEMENT TO THIS EFFECT I WOULD FORWARD IT TO THE ALLIED GOVT'S PD I ASKED BADOGGIO TO CONFIRM THE FACT THAT HE WISHED DOCUMENT ABLE TO REMAIN A SECRET DOCUMENT IN THE SAME WAY AS THE LONG TERMS PD HE CONFIRMED THIS PD I DID MY BEST TO INCLUDE BADOGGIO TO OMIT MENTION OF THE KING IN THE THIRD PARAGRAPH OF HIS MESSAGE TO THE ITALIAN PEOPLE PD HE REMAINED UNDERSTANDABLY ADAMANT ON THIS POINT AND I EVENTUALLY AGREED TO HIS MESSAGE REMAINING IN ITS ORIGINAL FORM PD I AM FORWARDING EARLIEST BY AIR COPIES OF ALL FIVE TRANSFER DOCUMENTS AS SIGNED PD BADOGGIO AND I HAVE EACH RETAINED SIGNED COPIES

Internal Distribution:

Legal Sub Comm
Econ V P
Pol Sec
Admin VP
Brig Lush
Finance Sub Com

L.R. NICKEL,
AGD
Adjutant General

SECRET

SECRET

FARGO 833

FARGO

9 FEB 14

SECRET

10050 MACFARLANE

URGENT

FREEDOM (ACTION) HQ ACME (INFO)

OBTAINED MACGILLIG SIGNATURE TO TRANSFER DOCUMENTS THIS MORNING
 PD PLEASE PASS FARGO PERSONAL FOR MACFARLANE PARAN TO AFHQ FOR HIS CMA CINC CMA
 FOR INFO
 MACMILLAN AND CIVIL AFFAIRS FOR ACTION RPTD HQ ACME FOR CINC/PD CITE FARGO EIGHT THREE
 THREE PD TRANSFER OF JURISDICTION WILL TAKE PLACE AT ZERO ZERO ZERO ONE HOUR ONE ONE
 FEBRUARY PD SEE MY IMMEDIATELY FOLLOWING TELEGRAM

6023-

RNG

L. F. NICKEL

Lt. Col., AGD
 Adjutant General

Confidential

833

574

COPY

071540A

N-1020

SECRET

RADIO

2706

SECRET PRIORITY TELEGRAM

RECEIVED AT FBS SIGNAL MESSAGE CENTER

7 FEBRUARY 1944

SECRET

(Stamped: FOR INFORMATION ONLY)

PRIORITY

CG FBS FOR FARGO FOR MACFARLANE

KONE

SIGNED C IN C

Note by Gen. MacFarlane:
No Action IMAGE

071301A

071540A

48126

FELGS

Document A Article 1. Replying to message FBS 7355 cite Fargo 745.
The assurance requested by the Italian Government cannot be given. If United Nations were to insist upon the retention and exercise of all their rights under Article 19 of long terms, Italian Government would be bound to "make available" many facilities. The United Nations are now willing to make certain territory "non-occupied", stipulating however for certain rights which the long terms attach to "occupation". Since the Italians are required by document A Article 1 to "make available" such facilities etc as the Allied C in C may require, it seems evident that they may be called upon to furnish more than merely free transport. If Document A Article 1 meant no more than is already provided in Article 21 (B), it would have been needless.

FBS DISSE:

ACC DISSE:

INFO

AMB HQ

C-2

CG

SECY

(INFO) PA TO CG
BRIC JUST
ECON SEC
ADMIN SEC
POLITICAL SEC
LEGAL S C
FINANCE S C

5054

COL. 3-

36

48486

7 Feb

SECRET

FARGO 780

COPY

FARGO (GEN MACFARLANE C COMM)

7th. February, 1944.

SECRET

10050 MACFARLANE

PRIORITY

FREEDOM RPTD HEADQUARTERS A.C.M.F. FROM MACFARLANE PERSONAL

Transfer of Territory. With reference your 46943

FHMGS. I informed Colonel Jung and representatives Italian Government of decisions conveyed in your telegram under reference last night. Badoglio arrives Salerno tomorrow 8th. February. I will endeavour to secure his agreement and signature tomorrow night.

6.62.5-

(33)

5053

780

7 Feb

~~SECRET~~

FARGO 745

K0
39

FARGO

5 FEB 44

~~SECRET~~

10050 MACFARLANE

PRIORITY

FREEDOM

33

4 6 9 4 3

CABLE FARGO FOUR SIX NINE FOUR THREE REFERS TO MESSAGE FROM
FARGO NINE MACFARLANE PROPOSAL FROM TO APRIL FOR HIS PER CING FOR MACMILLAN TO CITY
FARGO NINE FOUR FIVE TO ITALIAN GOVERNMENT ON THE NINE TO DOUBTFUL IF I CAN GET FINAL
AGREEMENT BEFORE EIGHT FEBRUARY AT EARLIEST TO YOUR TELEGRAM DATE CLEAR AND UNDERSTOOD
ACCEPT FOR DOCUMENT ABLE ARTICLE ONE TO ITALIAN GOV NO REQUEST FOR THIS ARTICLE TO
BE REDRAFTED TO THEY ASKED ONLY FOR AN ASSURANCE THAT THEIR FINANCIAL LIABILITIES UNDER
ARTICLE TWO ONE FROM BARGE FROM OF THE LINE THREE WERE LIMITED TO THE PROVISION OF
FREE TRANSPORT AND THAT ARTICLE ONE OF DOCUMENT ABLE DID NOT DECREASE THEIR FINANCIAL
LIABILITY TO PLEASE GIVE ME CLEAR ANSWER ON THIS POINT

INTERNAL DISTRIBUTION:

Pol. Section
Finance Sub-Comm.
Econ. V.P.
Legal Sub-Comm.
Admin V.P.
Brig. Lush.

4052
L.F. NICKEL,
Lt. Col., ASD,
Adjutant General.

602.3-

37

745

5 Feb

9 at

U. S. SECRET
 Equals British SECRET
 ALLIE CONTROL COMMISSION INCOM

MESSAGE /afe

SVC/RELAY NO.

M/C NO : 1/4

CLASS: SECRET

REF NO: 46943

PREC : PRIORITY

FILED : FEB 031841A

FROM : FREEDOM SIGNED CINO. CITE FMGS

REC'D : FEB 040055A

TO : FARGO REPEATED FATIMA REAR AND FAIRBANKS

Herewith reply to your message CIT Fargo 655 of 1 February and to memorandum DP/G/33 of same date with its inclosures.

1. Document A, Article 1 must stand as written. Under article 19 of long terms the Italian Government must make certain things available in occupied territory. Although the territory restored becomes "non-occupied", we reserve, nevertheless, the rights stipulated in Article 1 of Document A.

2. Document A, Article 9. Redraft cannot be accepted. However, you are authorized to add at end of Article 9 these words "except as may from time to time be agreed by the Allied Powers."

3. Document A, Article 11. Redraft cannot be accepted. But you may alter old sentence to begin "any official or other representative of, in respect of any activities for official account, any agency of the United Nations, civilian or military" etc.

4. Document A, Article 13. Desired amendment cannot be accepted. Document A speaks of the restored territory as being "non-occupied." Italian amendment would limit costs recoverable to those arising from troops connected with "occupation".

5. Document C. Separation into three parts as described is acceptable.

6. Document C, Article 3. Your comment is approved. You may omit

Confidential

46943

3 Feb

U.S. SECRET
Royal British SECRET

Incoming message fr Freedom, #46943, dtd 3 Feb 44, cont'd:

"except that any person" etc. at close of 1 Article, and insert the [?] same undertaking at some appropriate place in Document A. Advise this Headquarters of any textual change you may make.

7. Proclamation by Marshal Badoglio. 3rd paragraph thanks Allies in name of King and people. Our Governments have directed that it is important in connection with all proposed documents that Royalty, Crown and King be not emphasized. It would appear therefore desirable that this mention of the King be omitted from the text.

8. It is to be remembered that transfer on basis of documents A, B and C as presented to Italian Government represented more favorable views than that previously taken by the two Governments, and was accepted by them only after strong recommendations of Allied C-in-C. Accordingly this Headquarters not prepared to ask COS approval of modifications desired by Italian Government.

DISTRIBUTION:

2 - AG
1 - Diary

1 Cys. *ack*

King

Confidential - 2 -

653

SECRET

CONF

PARCO FROM MACFARLANE PERSONAL

1st. February 1944

SECRET

10050 MACFARLANE

URGENT

FREEDOM FOR C-IN-C-, MACMILLAN, MURPHY AND WGS

Transfer of Territory.

Colonel Jung accompanied by Casardi and Philipson submitted at Circulations last night and this morning views of Italian Government regarding Documents "A" and "B".

Para Two. Document "A" Article One. They ask for assurance that nothing therein increases their financial liability implied in their interpretation of Armistice Terms. Their view is that financial liability under Article 21(c) is limited to provision of free transport facilities. Comment. I suggest that if possible this assurance be given.

Para three. Article Nine. Italian Government desire following redraft. Quote. The right to import and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without payment, as long as such supplies are and remain in Allied hands, of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its Political Sub-Divisions or Agencies. From time to time the United Nations and the Italian Government will consider whether and to what extent civilian supplies for distribution to the civilian population should, when transferred to distributors, pay any impost, tax or charge or duty having in mind that sale prices to the civilian population should be fixed on a basis consistent with the general economic financial policy and situation but that essential supplies should be free of tax. The Allied Forces may also export products or commodities free of any imposts, taxes, charge or duty. Unquote. Comment. I recommend acceptance of this redraft. Para Four. Article

Eleven. Italian Government wish this article to commence as follows. Quote. Any member of the United Nations land, sea or air forces or their officials or accredited repre-

32

653

1 Feb

101.3-

50/9

representatives may enter and remain, etc. Unquote. Italian Government fears that in its original form and by inclusion of the word agents the Article might increase incidence of smuggling and other irresponsible acts. Comment. I recommend acceptance of Italian redraft.

Para Five. Article Thirteen. The Italian Government apparently in an attempt to limit financial liability request that the words quote engaged in duties connected with the occupation of the country unquote be added after the words quote or other personnel unquote. Comment. I recommend that this Article be omitted altogether in order to postpone major question of interpretation of financial liability under Armistice Terms unless it is desired to bring the matter to a head in connection with the document under consideration.

Para Six. I consider that on the whole the representations of the Italian Government in connection with this document appear generally reasonable.

Para Seven. Document "G". Italian Government for psychological reasons wish to separate legislation part of proclamation from that part which appeals to the people and suggest the following procedure. Firstly. Articles One to Four as proclamation. Secondly. Articles Five and Seven as message by Badoglio of which acceptable draft has been submitted to me. Thirdly. Contents of Article to be enacted immediately but in normal manner and unobtrusively as legislation in Gazette. Comment. I recommend that this procedure be accepted. End of comment. In addition Italian Government desire omission of last sentence Article Three from quote except unquote to end. They are willing loyally to consult Allied Nations but wish final decision to rest with them. Comment. I consider that we must be firm on this point but I suggest that these words could be omitted from the proclamation and that a ~~pro~~ clause be added to Document "A" to cover the point.

5018

Para Eight. Document "D". Agreement was arrived at on this Document.

Para Nine. I am forwarding fuller details by air soonest possible. I hope it may be possible to secure agreement on the Documents "A" and "C" in time to carry out the transfer of territory on 10th February as provisionally agreed.

Lieutenant-General,
Deputy President

KQ17

COPY

MEMORANDUM

DP/C/33 on Transfer of Territory placed in general's
own file temporarily.

init: RJ

DP/C/33 - 2 pages of country

5016

DP/6/33

1 Feb

HEADQUARTERS
ALLIED CONTROL COMMISSION
APC 394

31 January 1944

MEMORANDUM

TO : ALL CONCERNED

1. At a very early date "that portion of Italy south of the northern boundaries of the Province of Salerno, Potenza, and Bari, and Sicily and adjacent Islands" will be handed over to the Italian Government and jurisdiction subject to the guidance and instructions of the Allied Control Commission under the Chief Commissioner.

2. North of this line Allied Military Government will continue under the direction of the Chief Commissioner acting for the Military Governor (G.O.C.-in-C. ACHP).

3. AMG 5th and 8th Armies and Regions III and IV will therefore continue their present functions. Region V will shortly be added. Regions I and II will thenceforth assume an advisory capacity only, as described in para 8 of the Chief Commissioner's memorandum of 23 January.

4. Thus both Military Government in the forward areas and the advisory functions of A.C.C. in territory administered by the Italian Government will be carried on by one organization.

5. The Administrative and Economic Sections and the Subcommissions coming under their direction will extend their advisory functions to cover the whole of liberated Italy and will advise the Chief Commissioner in their respective spheres on matters both north and south of the dividing line.

6. It is the wish of the Chief Commissioner that the Regional organization should continue both in the areas under Military Government and those under advisory control. The S.C.A.Os, 5th and 8th Armies, the R.C.A.Os of Regions III, IV and V, and the Regional Control Commissioners of Sardinia and Regions I and II will maintain their organizations (on a reduced scale in the latter cases) and all specialist officers in the Regions as well as the C.A.Os and C.A.F.Os and C.Os will be under their command.

7. In order to centralize control of the Regional organizations (including 5th and 8th Armies AMG) and to ensure compliance by the Italian Government with the advice rendered to them and the execution of the Chief Commissioner's

time their present functions. Region V will shortly be added. Regions I and II will thenceforth assume an advisory capacity only, as described in para 3 of the Chief Commissioner's memorandum of 23 January.

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7. In order to centralize control of the Regional organizations (including 5th and 8th Armies AMB) and to ensure compliance by the Italian Government with the advice rendered to them and the execution of the Chief Commissioner's orders, as advised by the Economic and Administrative Sections, a third section has been set up to be called the Regional Control and Military Government Section headed by an Executive Commissioner having the status of a Vice President under whose immediate command will come the R.C.A.Os and R.C.Os and ~~staffs~~ **staffs** both administrative and specialist in all matters, and the S.C.A.Os, 5th and 8th Armies and military personnel of HQ, A.C.C., for administration and discipline.

8. On all matters of policy the Chief Commissioner's orders and directives (as advised by the Subcommissions) will be passed to the R.C.A.Os and R.C.Os by this Section. Heads of Subcommissions will correspond with their representatives in the Regions (but not with representatives of other Subcommissions) on routine technical matters only. R.C.A.Os and R.C.Os will address themselves on all matters to the V.P. of the A.C. and H.Q. Section, which will also carry out (in the Establishment Branch), the M5, A & Q, G-1 and G-4 duties for all personnel of the A.C.C. All postings and assignments to Regions and to HQ will be made by the Section and no transfers of personnel from Region to Region will be carried out except by this Section.

30

31 Jan

9. This Section will also be responsible for Displaced Persons, Security and for proper liaison between A.C.C. and Regions and all Allied military (all services) formations.

10. It is important to maintain the channel of communication to Regions and Army AMGs through this Section in order that coordination of policy, continuity in administration and close liaison with military formations and units may be ensured, so far as is possible, both in the areas administered by Allied Military Government and in the territory in which the Allied officers act in an advisory capacity only.

11. It is therefore the Chief Commissioner's wish that Subcommissions should err on the side of passing too much through this Section, especially during the early stage, rather than of dealing direct with their representatives in the field.

By command of Lieut. General MacPALLAN:

M. S. LUGH
Brigadier
Executive Commissioner
Allied Control Commission

DISTRIBUTION:

"A"
10 copies Region I
" 10 " " II
60 Staves

9. This Section will also be responsible for Displaced Persons, Security and for proper liaison between A.C.C. and Regions and all "Allied military (all services) formations."

10. It is important to maintain the channel of communication to Regions and Army AGCs through this Section in order that coordination of policy, continuity in administration and close liaison with military formations and units may be ensured, so far as is possible, both in the areas administered by Allied Military Government and in the territory in which the Allied officers act in an advisory capacity only.

11. It is therefore the Chief Commissioner's wish that Subcommissions should err on the side of passing too much through this Section, especially during the early stage, rather than of dealing direct with their representatives in the field.

By command of Lieut. General MacGILLIVRAY:

DISTRIBUTION:

"A" 10 copies Region I
" 10 " " II
60 copies

M. S. DUSH
Brigadier
Executive Commissioner
Allied Control Commission

W. S. DUSH

Brigadier

Executive Commissioner

Allied Control Commission

DISTRIBUTION:

"/n"

* 10 copies Region I

" 10 " " II

60 Spares

EWS/hjp

29 January 1944

MEMORANDUM FOR: General MacFarlane

Confirming our telephone conversation this evening, I met with the Marshal at 6 PM. He informed me that:

a. His "technicians" were working on the transfer documents and he would be ready to discuss them with me tomorrow (Sunday).

b. He handed me a Note Verbale with reference to the Prisoners of War Agreement and he reviewed the various points made therein. (The original together with a hasty translation are enclosed.)

I asked him to state his position with respect to the agreement as submitted and he reaffirmed the position taken with you--that he could not and would not sign. Among other points he made, he stated that there was not a street in Italy on which he could walk without being stoned, if he signed the agreement as tendered. He said that the worst that could happen to him would be for the Allies to make him a prisoner of war for refusing to sign it, but at least as such he would have the protection of the Geneva Convention, which he was being asked to sign away on behalf of almost a half a million Italian soldiers.

My impression is that he has made his decision and will not yield.

I am enclosing a copy of the letter of January 5th addressed to General Joyce which is referred to in the Note Verbale.

With reference to the Bari political meeting, he said that the Government had not the slightest intention of taking action of any sort as result of any of the speeches made or resolutions adopted. The meeting had adjourned this afternoon with the delegates returning to their homes, order had been maintained as he had promised you, and the Government was not disturbed by anything that had transpired.

ELERY W. STONE
Captain, USNR
Acting Chief of Staff

(29)

EWS:Gm

29 Jan

U. S. SECRET
Equals British SECRET

4461 24762
29 JAN 1944

EAS/hjp

29 January 1944

091.1

MEMORANDUM FOR: General MacFarlane

There is forwarded herewith a copy of the draft press announcement which accompanied our copy of the transfer documents received here. There is also enclosed a copy of our dispatch No. 2191 to Freedom dated 28 January.

(27)

ELMER W. STONE
Captain, USNR
Acting Chief of Staff

2 Incls:
as above

60213791

5013

(28)

Confidential
SECRET

29 Jan.

U S SECRET EQUALS BRITISH SECRET

copy

OUTGOING MESSAGE

EWS/hjp

SECRET

1/20

URGENT

2191

FATIMA

JAN 281050A

FREEDOM

2 1 8 8
FURTHER OUR TWO ONE EIGHT EIGHT GENERAL MACFARLANE SEES NO OBJECTION TO
PAREN TO FREEDOM FROM FATIMA FROM STONE SIGNED MACFARLANE PAREN TEXT OF
DRAFT ANNOUNCEMENT BUT I SUGGEST FOR LAST WORD FOURTH LINE PARAGRAPH
TWO SUBSTITUTE QUOTE HAVE UNQUOTE FOR QUOTE ENJOY UNQUOTE TO AVOID
POSSIBILITY OF DOUBTFUL MEANING IN TRANSLATION

AUTHENTICATED:

ELLERY W. STONE
Captain, USNR
Acting Chief of Staff

DISTRIBUTION:

2 - AG Files
1 - Diary

U S SECRET

Equals British SECRET-

27

2191

28 Jan

U. S. SECRET

ALLIED CONTROL COMMISSION INCOMING MESSAGE /dfo

SVC/RELAY NO.

M/C NO : 2/28

CLASS: ~~SECRET~~

REF NO: PBS 6533

FARGO 553

PREC : URGENT

FILED : JAN 272130A

FROM : PENBASE (FARGO PERSONAL FROM MACFARIANE)
CITE FARGO 553.

REC'D : JAN 280150A

TO : FREEDOM RPTD FILIPOT AND FATIMA

AG JAN 280642A

See your number 16997 and my number 510, Transfer of Territory to Italian Government.

Saw Badoglio today. I went through document A with Badoglio who asked that he might be given time to consider it together with documents B, C and D with his colleagues. I considered this request reasonable but insisted on receiving a reply within 48 hours. I do not anticipate any difficulties with the possible exception of clause 5 of document A. I think it possible that Badoglio may suggest some modification to this clause although I pressed him strongly to accept the document as it stood and stressed the fact that the clause was an enabling one and that action under the clause would be strictly limited to cases of the kind mentioned. In anticipation of agreement being reached Badoglio agreed (a) to move his government to Salerno by the 10th February and (b) that the date of transfer should be the 10th February. I am making arrangements to facilitate the move of the Italian Government starting if possible on the ³⁰13th inst. I hope to let you have Badoglio's decision regarding the transfer documents within 48 hours.

26 DISTRIBUTION:

2 - AG
1 - Diary

Confidential

5041

SECRET

FARGO 510

FARGO

URGENT

URGENT

26 JAN 44

13050 MACFARLANE

FIRESTON

PERSONAL FROM MACFARLANE TO YOUR CABLE NUMBER FOUR ONE NINE
 NINE SEVEN REFERRED TO PARAGRAPH FARGO FOR MACFARLANE PARTEN TO AFTER FOR THE PD
 SITE FARGO FIVE ONE ZERO PD AM HELD UP BY WEATHER IN NAPLES PD WILL SEE RADOLIO
 TOMORROW AT LATEST PROCEEDINGS BY ROAD IF WEATHER DOES NOT IMPROVE PD I SAW GENERAL
 ALEXANDER LAST NIGHT PD HE APPROVED ALL THE DOCUMENTS INCLUDING A NEW DOCUMENT FOR
 WHICH IS IN THE FORM OF A DIRECTIVE TO MARSHAL RADOLIO AND ENSURES THE MOST
 IMPORTANT ITEMS OF THE ACTION WHICH IT WILL BE NECESSARY FOR THE ITALIAN GOVERNMENT
 TO TAKE VIDE LAST SENTENCE OF PARA PARTEN ABLE PARTEN OF YOUR TELEGRAM UNDER REFERENCE PD
 GENERAL ALEXANDER HAS AGREED THAT I SHOULD PROPOSE ONE ZERO FEBRUARY AS THE DATE OF
 TRANSFER TO ITALIAN JURISDICTION PD THIS DELAY IS NECESSITATED BY THE NECESSITY FOR
 GETTING THE ITALIAN GOVERNMENT INSTALLED AND CAPABLE OF FUNCTIONING IN SALERNO
 BEFORE TAKING OVER AND BY THE TIME REQUIRED TO DRAFT VARIOUS ESSENTIAL DECREES IN
 COLLABORATION WITH THE ITALIAN GOVERNMENT PD HOPE TO GIVE YOU DEFINITE NEWS TOMORROW

L.F. NICKEL,
 Lt. Col., AGD,
 Adjutant General.

25

26 Jan

SECRET

(Excludes British MOST SECRET)

ALLIED FORCE HEADQUARTERS

Military Government Section

ATM/CF/jw

24 January 1944

SUBJECT: Preparation of Restoration of Occupied Territory
to Italian Jurisdiction.

TO : GO C in C Allied Central Mediterranean Forces.
Deputy President Allied Control Commission.

1. Attention is invited to our Message 41997 of 23 January.
Inclosed will be found Documents A, B, and C of 22 December, revised
to substitute the name of General Wilson for that of General Eisenhower.
Also the words "and decree" are omitted from the second paragraph of
Document C.

2. In accordance with penultimate paragraph of the above message,
there is transmitted, for your comment, draft of an announcement of
restoration of Italian territory. Inasmuch as this matter must be
presented to the Combined Chiefs of Staff very promptly, your comment
by cable should be received here not later than 1200 hours, Friday,
January 28th.

John J. ...
for A. T. MAXWELL
Colonel
Acting Chief

Incls: as above.

Copy to:

HQ AMG

(omitting draft press announcement)

6002.3

(24)

24 Jan

(E)

ET
OST

K229

U. S. SECRET
 Equals British SECRET

INCOMING

24 JAN 1944
8597

/afe

1/24

41997

JAN 231708A

JAN 240100A

SECRET

PRIORITY

FREEDOM SIGNED WILSON CITE WIMGS

FATIMA FOR MACFARLANE, FILPOT FOR ALEXANDER, RTD TO FARGO FOR
 AMG, RELAYED TO FAIRBANKS

Look to letter MGS 387.4-2 December 25, 1943, from AFHQ to GOC, 15 Army Group and Acting Deputy President, AGO, copy to Hq AMG, subject: "Preparation for Restoration of Occupied Territory to Italian Jurisdiction." That letter inclosed documents A, B, and C of 22 December "In order that you may be prepared to proceed on that basis in the event that you received instructions to that effect."

Acting upon authority conveyed by GCS Directive received today, Allied G-in-C now directs that restoration of territory to Italian jurisdiction be effected upon basis of documents A, B, and C of 22 December, substituting General Wilson's name for that of General Eisenhower. General Alexander and General MacFarlane will arrange between them for taking the necessary action. This will include:

(a) Communication to Italian Government by General MacFarlane of terms upon which it is purposed to restore territory to Italian jurisdiction. With this will go statement of any action it will be necessary for Italian Government to take to carry forward essential measures now established by proclamation. (b) Procure from Italian Government acknowledgment that it has taken note of these terms, and assurance of execution by Marshal Badoglio as Head of the Italian Government of Document C. (c) The Italian Government will be called upon to give a firm date as early as is practicable, on which it will be prepared to assume the powers and jurisdiction thus purposed to be restored. (d) Execution by General

K028

23
 Confidential

U. S. SECRET
Equals British SECRET

2597

41997, 23 Jan 44, fr Freedom, cont'd.

Alexander of Documents A and B. (Note that he has already approved these instruments, save for a few minor changes dictated by higher authority in the course of approving the transfer.) He will not terminate Allied Military Government in territory concerned until he is satisfied that requisite action by Italian Government has been taken.

Document A will be regarded as secret in same way long Terms of Armistice are secret.

It is desired that the transfer be effected as soon as is practicable.

General MacFarlane will inform AFHQ, as promptly as may be, of the firm date on which it will be possible to effect the transfer to Italian jurisdiction. AFHQ has prepared a draft press announcement, to be communicated to the CGS for approval, stating that the transfer will take place at a certain future date, and giving the background of and reasons for the transfer. Copy of this draft being forwarded to you for comment. It is desired that this announcement be made as early as possible, in order that the psychological advantage may be obtained even before the transfer is effected. Publicity will be handled by AFHQ.

General MacFarlane requested to keep AFHQ informed of progress.

DISTRIBUTION:

- 2 - AG
- 1 - Diary
- 1 - Dep Pres.
- 1 - Legal Sub Com.

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- 2 -
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INCOMING

17 JAN 1944
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ROUTING

FREEDOM SIGNER GINO CITA FRAGO

FATIMA FOR JOYCE MPTD FILFOY FOR ALEXANDER
MPTD FRAGO FOR AG

37/16

29536

JAN 161510A

JAN 161829A

(19)

Outlined message 25948 of 7 January CCS directive on transfer of certain territory to Italian administration. After discussion with General MacFarlane here the GIMC called CCS expressing opinion that the tone of documents is unduly severe, and recommending that latest directive be cancelled and that transfer be on basis of documents a, b, and c of 22 December. These documents were transmitted to General Alexander and General Joyce by letter CCS 387.4 - 2 of 25 December, and are the original documents a, b, and c somewhat modified in details. This Headquarters therefore awaits reply of CCS before further action taken.

DISTRIBUTION:

- 2 - AG
- 1 - Diary
- 1 - C of S - INFO
- 1 - General MacFarlane - INFO

(22)

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16 Jan

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17 JAN 1944

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ROUTINE

FREEDOM SIGNED CINC CITE RECS

NATINA FOR JOYCE RPTD FLAMBO

3/17

29491

JAN 161407A

JAN 162326A

In view pending turn over of jurisdiction rear areas, upon which certain modifications in constitution and responsibilities of CEC will occur, action along lines indicated your 1969 of 14 January not now considered desirable.

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2 - AG
 1 - Diary

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(21)

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16 Jan

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OUTGOING

CE/MSY

13/12

1948

JAN/2/1935A

SECRET

URGENT

FATIMA FROM FAIRMAN SIGNED JOYCE

FREEDOM FOR MGS

OBSERVE OPENING SENTENCE OF JAN THREE ONE FIVE PD EVIDENT THIS DIRECTIVE
RELATES TO THOSE TERRITORIES EMBRACED WITHIN PROPOSAL OF NAF FIVE THREE
FOUR PD DOCUMENT A HOWEVER OMITTS DEFINITION OF TERRITORIES WITHIN WHICH
PROCLAMATIONS ARE REVOKED PD TO FREEDOM FOR MGS FROM FATIMA FROM FAIRMAN
SIGNED JOYCE PD ACCORDINGLY ARTICLE ONE WILL BE MADE TO READ IN PART AS
FOLLOWS COLON QUOTE ALL PROCLAMATIONS AND ORDERS HERETOFORE ISSUED BY ME
OR UNDER MY AUTHORITY ARE HEREBY TERMINATED AS AT ~~ZERO~~ ZERO ZERO ONE
HOURS ON BLANK DAY OF BLANK ONE NINE FOUR FOUR THROUGHOUT THAT PORTION OF
THE MAINLAND OF ITALY SOUTH OF THE NORTHERN BOUNDARIES OF THE PROVINCES
OF SALERNO CMA POTENZA CMA AND BARI CMA AND SICILY AND ADJACENT ISLANDS
PAREN BUT NOT PANTELLERIA OR LAMPELUSA OR LINOSA PAREN UNQUOTE PD PARA
DOCUMENT B PD OMIT QUOTE AND DECREE UNQUOTE FROM SECOND PARAGRAPH PD
CONSTITUTIONAL PRACTICE REQUIRES DECREES BE MADE IN NAME OF KING PD
PROCLAMATION BY BADOGLIO CMA HOWEVER CMA WILL CREATE INTERNATIONAL DUTY
WHICH ITALIAN GOVERNMENT MAY DISCHARGE BY MEANS OF WHATEVER DECREES
APPEAR REQUISITE PD PARA DOCUMENT C PD IN SECOND PARAGRAPH WILL ENUMERATE
ALL PROVINCES IN REGIONS ONE AND TWO CMA THE FOUR PROVINCES OF APULIA CMA
AND THE THREE OF SARDEGNA PD ARTICLE SEVEN WILL BE MADE TO READ SIMPLY

U. S. SECRET
EQUALLY BRITISH SECRET

1948

12 Jan

Official File

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SECRET
 STRIKE BRITISH SECRET

13 JAN 1944

1294

outgoing mess. TO FREEDOM FOR MSG JAN 1944 CR/mra

QUOTE TO REQUISITION PRIVATE OR PUBLIC PROPERTY UNQUOTE PD PARA REGARDED
 HERE AS ESSENTIAL THAT ITALIAN GOVERNMENT EXECUTE DECREES TO CARRY FORWARD
 CERTAIN MEASURES NOW ESTABLISHED BY PROCLAMATION CMA 3 POINT C POINT CMA
 CONTROLLING FOREIGN EXCHANGE TRANSACTIONS AND PROHIBITING SYNDICATE PAYMENTS
 PD LETTER OF TRANSMITTAL TO HEAD OF ITALIAN GOVERNMENT WILL CALL UPON THAT
 GOVERNMENT TO ISSUE DECREES TO CONTINUE SUCH MEASURES AS TERM OF RESTORATION
 PD PARA REQUEST ABOVE BE CONFIRMED AND MADE FINAL SEMICOLON THAT AUTHORITY
 AND DIRECTION BE GIVEN TO GENERAL ALEXANDER TO EXECUTE DOCUMENT A AND TO
 DEPUTY PRESIDENT TO SERVE PAPERS ON ITALIAN GOVERNMENT AND TO EXECUTE DOCUMENT
 C AS REPRESENTATIVE OF ALLIED C IN C PD PARA HAVE NOTIFIED GENERAL
 ALEXANDER APOSTROPHE S HEADQUARTERS THAT I HAVE ARRIVED HERE AND WILL
 BEING TEXTS AS SOON AS ERRORS IN TRANSMISSION ARE SETTLED PD MEANWHILE AM
 SENDING HIM TEXTS AS CORRECTED ABOVE PD GENERAL JOYCE DUE HERE TONIGHT PD
 IT NOW APPEARS EARLIEST POSSIBLE SERVICE OF PAPERS ON ITALIAN GOVERNMENT
 WILL BE UPON ASSUMPTION OF OFFICE BY NEW DEPUTY PRESIDENT

AUTHENTICATED:

ROBERT E. LOE
 Major, A. G. D.
 Secretary of Commission

DISTRIBUTION

2 - AG
 1 - Diary

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RECEIVED

/dre

SECRET

PRIORITY

FRANCE SHIPED CINO CITE PINGO

STATUS FOR JOICE RPTD FILPOT FOR ALEXANDER AND
FARGO FOR AMO

5/08

25348

JAN 672128A

JAN 080920A

directive on transfer of certain territories just received from GOC. They
send text of three documents of which summary follows:

NEW A. Proclamation by Military Governor.

1. Without prejudice to continued status of territory as "occupied,"
to position and powers therein of Allied Forces, or to rights of Allied C-in-C
in regard thereto, proclamations and orders will be terminated at certain date.
Government thenceforth to be exercised by Italian Government subject to instruc-
tions of AGC.

2. Allied C-in-C may cancel any act of Italian Government or re-
sume government if required by military exigencies or interests of public order or
good government.

3. Nothing herein shall affect right of Allied C-in-C to do all
necessary for security, operations, etc., of Allied Forces and to issue proclama-
tions binding on Italian authorities and people, or of the AGC to take action
necessary for execution of Armistice.

NEW B. Proclamation by Italian Government. As in old draft proclamation

NEW C. Agreement to be entered into between representative of Allied C-in-C
and representative of Italian Government, expressly stipulating in 13 articles the
points made in original draft document "A".

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 Equals Edition Secret

1957
 8 JAN 1958

Incoming message # 25346 from Freedom dtd 7 Jan 44, cont'd.

dfo

End of Summary

Prisoners will bring text to Bari and Brindisi Sunday or Monday.

REFERENCES:

2 - AG
 1 - diary
 1 - Gen. Taylor)
 1 - Col. Upjohn) INFO
 1 - Mr. Gecio)

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U. S. SECRET
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- OUTGOING

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3/1
 1737
 011523A

SECRET

PRIORITY

FATIMA

FREEDOM MOS

JAN

JAN

WITH REGARD TO DOCUMENTS PAREN A PAREN AND PAREN B PAREN GENERAL ALEXANDER IS
 EXPRESSED TO ACT BY VIRTUE OF AUTHORITY OF GENERAL EISENHOWER PD TO FREEDOM MOS
FOR FAIRMAN FROM FATIMA FROM UPJOHN SIGNED JOYCE PD IN VIEW OF RECENT STAFF
 CHANGES THIS MAY REQUIRE ALTERATION PD THERE ARE THREE ALTERNATIVES CLIN PARA.
 PAREN ONE PAREN IF EISENHOWER HAS NOT REPEAT NOT HANDED OVER YET TO MAITLAND
 WILSON DOCUMENTS REMAIN AS DRAWN PD PARA PAREN TWO PAREN IF EISENHOWER HAS HANDED
 OVER TO MAITLAND WILSON THEN LAST NAME SHOULD BE SUBSTITUTED FOR EISENHOWER PD
 IF THIS IS CORRECT PLEASE SIGNAL FULL NAMES TITLES AND DECORATIONS OF MAITLAND
 WILSON PD PARA PAREN THREE PAREN APPOINTMENT OF GENERAL ALEXANDER AS C IN C
 ITALY MAKE IT UNNECESSARY TO REFER TO ANY AUTHORITY CONFERRED UPON HIM PD PARA
 AS WE HAVE ONLY SEEN PRESS REPORTS AND GENERAL ALEXANDER IS HIMSELF UNCERTAIN OF
 POSITION PLEASE ADVISE AS TO CORRECT COURSE

AUTHENTICATED:

DISTRIBUTION:

- 2 - AG
- 1 - Diary
- 1 - Col. Upjohn

ROBERT E. DOE
 Major, A.C.D.
 Secretary of Commission

[Signature]

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1737

1 Jan

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U. S. SECRET
Equals British MOST SECRET

KAJ/bhl

SECRET

PRIORITY

FATIMA

FREEDOM PERSONAL FOR EISENHOWER

29/27

1164

272315A

THE FOLLOWING COMMUNICATION WAS RECEIVED FROM MARSHAL BADOGLIO TODAY QUOTE DURING THE MEETING IN MALTA WITH GENERAL EISENHOWER CMA HE MENTIONED TO ME THAT AS SOON AS MY GOVERNMENT WOULD BE COMPLETED AND IN CONDITION TO FUNCTION ALL LIBERATED PROVINCES WOULD BE PUT UNDER ITALIAN JURISDICTION CMA LEAVING ONLY UNDER DIRECT ANGLO DASH AMERICAN CONTROL THOSE PROVINCES IN THE ZONE OF OPERATIONS PD PARA I BELIEVE THAT IN ABOUT TWO WEEKS CMA WHEN THE COMMISSION SECTIONS WILL BE WORKING SMOOTHLY WITH THE SEPARATE ITALIAN MINISTRIES CMA WE SHALL BE ABLE TO SAY THAT THE FUNCTIONING OF THE GOVERNMENT IS COMPLETELY NORMAL AND SUCH AS TO GUARANTEE A GOOD ADMINISTRATION PD PARA THE TRANSFER OF THESE PROVINCES UNDER OUR DIRECT CONTROL MAY THEN BE ESTABLISHED BETWEEN THE TENTH AND THE FIFTEENTH OF DECEMBER PD PARA ALLOW ME TO SAY THAT A STATEMENT ON THIS SUBJECT EMANATING FROM ANGLO DASH AMERICAN SOURCES WOULD HAVE THE GREAT VALUE OF CUTTING OFF ALL RUMORS ISSUED BY ENEMY PROPAGANDA CMA ESPECIALLY IN REGARD TO SICILY PD PARA PLEASE LET ME KNOW GENERAL EISENHOWERS VIEWS ON THIS POINT PD UNQUOTE PARA IN A TALK WITH BADOGLIO AFTER RECEIPT OF HIS NOTE I TOLD HIM MY ESTIMATE OF MINIMUM TIME REQUIRED TO ESTABLISH GOVERNMENT AND COMMISSION IN NAPLES AREA WAS THREE WEEKS FROM DATE OF AUTHORITY TO GO AND HE ACQUIESCED ENTIRELY PD TO FREEDOM PERSONAL FOR EISENHOWER FROM FATIMA SIGNED JOYCE PD THIS TIME FACTOR NATURALLY IS BASED ON COMPLETE COOPERATION

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1164

27 Dec

U. S. SECRET
Equals British MOST SECRET

OF THOSE IN AUTHORITY IN CLEARING PREMISES TO BE OCCUPIED AND ESTABLISHING
COMMUNICATIONS PD PARA I RECOMMEND THAT AS SOON AS DECISION AS TO LOCATION IS
REACHED THE DATE OF TURNOVER BE SET AND THAT I BE ADVISED ACCORDINGLY

AUTHENTICATED:

ROBERT E. DOE
Major, A.G.D.
Secretary of Commission

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2 - AG Files
1 - Diary

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26 DEC 1943/39

INCOMING

/afg

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PRIORITY

FREEDOM SIGNED EISENHOWER CIVIL TIMES

FATIMA REPEATED FILPOT AND FARGO

2/26

19174

DEC 251845A

DEC 260359A

Documents (A), (B), (C) in form settled by combined Civil Affairs Committee and only awaiting final approval CCS are being brought over by Upjohn on Monday. To save time he will hand them to Filpot for their immediate information on his way to Brindisi. Can you arrange vehicle to be 1600 hours Monday at Bari airport?

DISTRIBUTION:

- 2 - AG Files
- 1 - Diary
- 1 - Gen. Taylor - ACTION

5027

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19174

25th Dec.

U. S. SECRET
 Equals British SECRET

23 DEC 1943

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INCOMING

/drx

SECRET

PRIORITY

FREEDOM SIGNED EISENHOWER CITE FARGO

FATIMA REPEATED FILLOT FOR AND AND FARGO AND FAIRBANKS

5/23

17908

Dec 221946A

Dec 230208A

AGWAR now indicates that subject to consent of London restoration of territory to Italian Government will be on basis of documents (a) (b) (c) and that MAN 307 will be cancelled.

Documents (a) (b) (c) have been slightly amended and are being sent you by fast air mail.

Upjohn returns soonest.

There will be no communication of documents to Italian Government until you receive further instructions.

DISTRIBUTION:

- 2 - AS Milos
- 1 - Diary
- 1 - Gen Taylor - ACTION

5026

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17908
 SECRET
 Confidential

22 Dec

combined fruit of 22 locs.

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 三、
 四、
 五、
 六、

U.S. STEEL
Signals, Building Breaks
VOLUME 4

draft terms for Restoration of Territory to Italian Government.

WHEREAS, in the course of their conduct of the war against the Axis powers, the Allied Forces have occupied certain Italian territory and WHEREAS, an Armistice has been concluded with the Italian Government pursuant to which the United Nations may take such measures within and in regard to such territory as they may deem necessary for the protection of the Allied Forces and for the successful prosecution of the war and to occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations and

WHEREAS, the Italian Government has requested that certain areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war and

THIRD, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

Y. HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C.,

occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations and

WHEREAS, the Italian Government has requested that certain areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces, NOW, THEREFORE, I, HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., K.C.B., D.S.O., A.E.C., Commander in Chief of the Allied Forces, hereby terminate Allied Military Government ~~in Italy~~ territory described below. The Italian Government will resume the ~~government~~ of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of the mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza and Bari, and Sicily and adjacent Islands (but not Pantelleria or Lampedusa and Linosa).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the ~~restoration~~ terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the

0 5 5 4

14

22-2c

become a co-belligerent with the United Nations and

WHEREAS, the Italian Government has requested that certain areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, HAROLD R. L. ALEXANDER, G.C.B., C.S.I., V.S.O., M.C., General, Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., V.S.O., A.D.C., Commander in Chief of the Allied Forces, hereby terminate Allied Military Government in ~~Italy~~ ^{Italy} territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of the mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza and Bari, and Sicily and adjacent islands (but not Pantelleria or Lampedusa and Linosa).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the

United Nations and to the Commander in Chief of the Allied Forces and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian government, hereinafter referred to as "the Unoccupied Territory":

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such disposition, use or operation as may be determined.
2. To maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.
3. To hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.
4. To declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.
5. To convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof, and to inflict such punishment upon such person as such

2. To maintain and quarter troops in such territory as they may see fit.
3. To hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.
4. To declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.
5. To convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof, and to inflict such punishment upon such person as such Tribunals may direct.
6. To conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.
7. To requisition private and public property and services.
8. To reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.
9. To import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge, or duty of any

U. S. SECRET
EONALS 8-3 - SECRET

kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies.

10. To engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

11. Any official or other representative or agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Allied Powers.

13. All expenses and costs arising from the maintenance of Allied Troops or other personnel within the said territory will be chargeable to the Italian Government as a part of the costs of occupation.

14. Proclamations and Decrees in the form annexed hereto and made a part of these terms and conditions will be issued by the Italian Government at the time of transfer of the territory.

agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Allied Powers.

13. All expenses and costs arising from the maintenance of Allied Troops or other personnel within the said territory will be chargeable to the Italian Government as a part of the costs of occupation.

14. Proclamations and Decrees in the form annexed hereto and made a part of these terms and conditions will be issued by the Italian Government at the time of transfer of the territory.

General,
Military Governor.

King
Rome

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U.S. SECRET
 Final Draft of 22 Dec.

U.S. SECRET
 Final Draft of 22 Dec.

U.S. SECRET
 Final Draft of 22 Dec.

Draft Proclamation for Military Governor

WHEREAS I assumed all powers of government and jurisdiction in the territory of Italy and Sicily occupied by my troops and over its inhabitants and established military government to exercise these powers in such territory under my direction, and

WHEREAS in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territories, and

WHEREAS an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, therefore, I, HAROLD H. L. G. ALEXANDER, G.C.B., G.B.I., D.S.O., M.C., General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., K.C.B., D.S.O., I.O.C., Commander in Chief of the Allied Forces, hereby Proclaim as follows:-

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and

WHEREAS an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, therefore, I, HAROLD P.L.G. ALEXANDER, G.C.B., G.S.I., D.S.O., M.C., General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., K.C.B., D.S.O., M.C., Commander in Chief of the Allied Forces, hereby Proclaim as follows:-

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa) are hereby terminated as of 0001 hours on ____ day of _____. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

40002

General,
Military Governor.

Confidential

Revised 1st of 22 Dec.

U. S. SECRET
Signals Division (SMD) 24111

DOCUMENT 0

Draft Proclamation by the Italian Government to be signed by Marshal Badoglio

To the Italian People:

WHEREAS, the United Nations have agreed to the request of the Italian Government that certain territories heretofore occupied by the Allied Forces be relinquished and restored to the Italian Government upon such terms and conditions as are necessary for the proper prosecution of the war,

NOW, THEREFORE, I, Marshal Pietro Badoglio, Chief of the Italian Government, hereby proclaim ~~and decree~~ as follows:

1. Military Government in the territory restored having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals

the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding, except that any person so appointed may be removed at any time by the Italian Government with the consent of the Allied Commander in Chief.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

5. The Allied Forces are fighting our common enemy against whom Italy

Document 1
"C"
→
Confidential

-2-

has declared war, for the purpose of driving the German Invaders from Italian territory and restoring Italy as a free nation, liberated from Nazi domination and from the abuses of Fascism. I call upon all Italians in every walk of life to aid in this fight upon the successful outcome of which the future of Italy depends.

6. In prosecuting the war it will be necessary for troops to be maintained and quartered, for military zones to be established, and for members of the Allied Forces and officials and other representatives and agents of the United Nations to circulate freely within the restored territory. It is the duty of every Italian to cooperate fully with all members of the Allied Forces and all such officials and representatives and agents, and to obey all orders and regulations which may from time to time be issued by the Allied Forces in the military zones. All persons within such zones will be subject to the jurisdiction of the Allied Military Forces and of Allied Military Tribunals.

7. Only by the most whole-hearted cooperation can the war be won. Any person doing any act hostile to the Allied or Italian Forces or any member thereof or doing any act which in any way impedes the war effort or aids the enemies of Italy, will be subject to punishment by an appropriate Allied Military Tribunal or Italian Court.

such officials and representatives and agents, and to obey all orders and regulations which may from time to time be issued by the Allied Forces in the military zones. All persons within such zones will be subject to the jurisdiction of the Allied Military Forces and of Allied Military Tribunals.

7. Only by the most whole-hearted cooperation can the war be won. Any person doing any act hostile to the Allied or Italian Forces or any member thereof or doing any act which in any way impedes the war effort or aids the enemies of Italy, will be subject to punishment by an appropriate Allied Military Tribunal or Italian Court.

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DOCUMENT A

Clause 1. - Rights and powers under 1. are specified as follows

in article 21 paragraph (b) of the armistice:

" The Italian authorities will make available on
 " non-occupied Italian territory all transport
 " facilities required by the United Nations including
 " free transit for their war material and supplies,
 " and will comply with instructions issued by the
 " Allied Commander in Chief regarding the use and
 " control of airfields, ports, shippings, inland
 " transport systems and vehicles, intercommunication
 " system, power stations and public utility services,
 " oil refineries, stocks and such other fuel and power
 " supplies and means of producing same, as United
 " Nations may specify, together with connected repair
 " and construction facilities. "

Considering that, since the armistice, Italy has become
 a co-belligerent with the United Nations and has given
 full evidence of its firm determination to cooperate
 fully in the war against Germany it cannot be the
 intention of the United Nations to impose more stringent
 conditions than those specified in the armistice.-
 It is therefore requested that this clause be omitted.

Clause 2. - It is quite clear that it is not in the interest of
 the Italian Government that essential commodities (such

6023

" transport systems and public utility services;
 " system, power stations and such other fuel and power
 " oil refineries, stocks and such other fuel and power
 " supplies and means of producing same, as United
 " Nations may specify, together with connected repair
 " and construction facilities. "

Considering that, since the armistice, Italy has become
 a co-belligerent with the United Nations and has given
 full evidence of its firm determination to cooperate
 fully in the war against Germany it cannot be the
 intention of the United Nations to impose more strin-
 gent conditions than those specified in the armistice.-
 It is therefore requested that this clause be omitted.

6023
 Clause 2. - It is quite clear that it is not in the interest of
 the Italian Government that essential commodities (such
 as flour, wheat, cereals, meat, fats, vegetable oil etc.
 etc.) may be distributed to the civilian population
 free of any impost, tax of change or duty. It is equally
 clear that the exemption from custom duties or other
 taxation of such commodities as sugar, petrol, tobacco,
 etc. etc. would deprive the Italian budget of essen-
 tial incomes which under present conditions could not
 be replaced by the yield of other revenues or of new
 taxation.-

(13)

-2-

it is therefore requested that clause 9 should read as follows:

"The right to import and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without payment, as long as such supplies are and remain in Allied hands, of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies. From time to time the United Nations and the Italian Government will consider whether and to what extent civilian supplies for distribution to the civilian population should, when transferred to distributors, pay any impost, tax or charge or duty having in mind that sale prices to the civilian population should be fixed on a basis consistent with the general economic financial policy and situation."

Clause 11 - Rights and powers under this clause are specified as follows in article 21 paragraph X (A) of the armistice:

"Members of the Land, Sea or Air Forces and officials of the United Nations will have the right of passage in, or over non-occupied Italian territory and will be afforded

"of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies. From time to time the United Nations and the Italian Government will consider whether and to what extent civilian supplies for distribution to the civilian population should, when transferred to distributors, pay any impost, tax or charge or duty having in mind that sale prices to the civilian population should be fixed on a basis consistent with the general economic financial policy and situation.-"

Clause 11 - Rights and powers under this clause are specified as follows in article 21 paragraph X (A) of the armistice:

"Members of the Land, Sea or Air Forces and officials of the United Nations will have the right of passage in or over non-occupied Italian territory and will be afforded all the necessary facilities and assistance in performing their functions.-"

For the reasons mentioned under "clause 11" it is requested that clause 11 be omitted.-

Clause 13 - It is requested that the words "engaged in occupational activities" be added after the words "or other personnel".-

The beginning of clause 13 would thus read as follows:

"All expenses and costs arising from the maintenance of Allied troops or other personnel engaged in occupational activities within the unoccupied territory....."

602.3

DISCUSSION

In the opinion of the Italian Government it would be advisable to omit clause 6 owing to its psychological repercussions on the Italian population in both the liberated provinces and the territory occupied by the Germans and to the possibility it would offer to German propaganda for attacks and exploitation against the Italian Government and the United Nations.

The Italian Government is ready to enact legislation to cover the declarations in clause 7 of the proclamation by Marshal Badoglio.

-3-

paragraph might be as follows: "Maintaining in force all measures taken by any member of the Allied forces in pursuance of Paragraph a) and b) of art. 11° of Proclamation 1.10 and providing that, subject to the terms prescribed by the Minister of Finance, property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly report to the Minister of Finance showing any dealings in these accounts".

5 - (c) - In the opinion of the Italian Government payments of all syndicate contributions could only be prohibited after the basic question as to the existence of one or several syndicates for every individual trade has been solved. Any decision prior to the above mentioned solution and at a time when it is impossible to decide which current of thought is actually dominant in the country, on this subject, could only result in serious damage of the actual and vital interests of the working classes.

The solution of this problem is of fundamental importance with regard to the organization of labour and it affects the very basis of the future economic structure of the country. In the opinion of the Italian Government a decision on this subject can only be taken by Parliament. For the above reasons

"semi-monthly report to the Minister of Finance showing any dealings in these accounts".

- 5 - (c) - In the opinion of the Italian Government payments of all syndicate contributions could only be prohibited after the basic question as to the existence of one or several syndicates for every individual trade has been solved. Any decision prior to the above mentioned solution and at a time when it is impossible to decide which current of thought is actually dominant in the country, on this subject, could only result in serious damage of the actual and vital interests of the working classes.

The solution of this problem is of fundamental importance with regard to the organization of labour and it affects the very basis of the future economic structure of the country. In the opinion of the Italian Government a decision on this subject can only be taken by Parliament. For the above reasons the Italian Government requests that this paragraph be
~~omitted.~~ **7815**

- 5 - (d) - Property of enemy nations or nationals in southern Italy is quite irrelevant. Any action taken against this property may cause immediate and serious retaliation against Italian property in Germany and against property located in the territory in German hands and belonging to Italian refugees now in the liberated provinces. It must also be mentioned that very large Italian property of all sort and kind exists in Germany. Consequently the Italian Government requests that this paragraph should read as follows:

" transferring to the administration of the Allied Direc-

3 - (b) (3) - Attached a list of the provisions already existing in Italian legislation with regard to the control of transactions in foreign exchange, import or export of coins, currency, acquisition of gold or silver bullion.

Attached also a list of the provisions with regard to the control of exports.

It is the opinion of the Italian Government that paragraph 3 (b) (3) could be omitted. Nevertheless if the United States is insistent in having it maintained the Italian Government would request that it be worded as follows:

"If necessary and in so far as not already provided for in the existing legislation bearing, except as permitted or licensed by the Minister of Finance, all transac-

tions

3 (b) (4) - The first part of this paragraph "and arising the Minister of Finance as to prohibit the entering into or carrying on of any type of business except upon such terms or in such areas as he may prescribe and to require property to be delivered to any agency designated by him to be blocked or to become subject to some other form of control"; recites paragraph a) and b) of article 110 of Proclamation N. 10. The Italian Government is of the opinion that such provisions, which are within the powers and the scope of a Commander in Chief of Military Forces of occupation could not be exercised by any national

Factor of Property Control the property of any of the United Nations or of any national of the United Nations."

The Italian Government agree to that at the end of Document D the following clause be added.

"Above conditions and obligations will remain in force

as long as hostilities continue in Italian territory.

"When hostilities in Italian territory have ceased these

conditions and obligations will be terminated."

Some persons have been known to
"bother" the public in various ways.
The public should be informed of the
conditions and obligations of the
public.

2913

31 DEC 1943 217

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CONTROL COMMISSION

OUTGOING

KAJ/ria

SECRET

URGENT

FATIMA

FREEDOM FOR HOLMES

DEC

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211035A

IN THE EVENT THAT PARAGRAPH STATING THAT THE ITALIAN GOVERNMENT ^{quote} HAVING
 REQUESTED THE RETURN OF TERRITORY ^{etcetera end quote} IS STILL IN PREAMBLE OF TRANSFER DOCUMENT
 I RECOMMEND IT BE ELIMINATED PD PARA PAREN TO FREEDOM FOR HOLMES FROM FATIMA
SIGNED JOYCE PAREN BADOGLIO IN HIS LETTER OF NOVEMBER TWENTY SIXTH SIMPLY
 STATED THAT THE GOVERNMENT WOULD BE READY TO RECEIVE THE TERRITORY BETWEEN
 DECEMBER TENTH AND FIFTEENTH BUT BY STRICT INTERPRETATION HE HAS NEVER
 REQUESTED THAT IT BE TURNED OVER PD THE INITIATIVE IN THIS PROPOSAL ORIGINATED
 WITH ALLIES

AUTHENTICATED:

ROBERT E. DOE
 Major, AGD
 Secretary of Commission

DISTRIBUTION:

2 - AG Files
 1 - Diary

512

1956 U. S. SECRET
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21 Dec.

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Signal Station D. 0031

INCOMING

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4/19

SECRET

15894

PRIORITY

DEC 18 1845a

FREEDOM SIGNED EISENHOWER CITE PHMGS

DEC 19 510a

PATIMA FOR JOYCE RPTD FILPOT FOR AMG 15 ARMY OR RPTD FARGO FOR AMG

Further on basis of transfer of territory to Italian Administration.

See message 15429 of 17 December. Message received today indicates CCS wish direct transfer of administration be upon basis involving no change from occupied to non-occupied territory within meaning of article 21 of Long Terms. Directive expected within 2 days, setting out approved system for transfer of responsibility for administration.

Send a senior Legal Officer each from ACC and AMG here soonest to participate in preparation of documents.

- 2 - AG
- 1 - Diary
- 1 - Gen. Taylor ACTION

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18 Dec

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ROUTINE

FREEDOM SIGNED EISENHOWER CITY PHOIV

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Advisory Council decided at its meeting December 15 to recommend that General Eisenhower transfer promptly to Italian administration all Italian territories occupied by the Allies south of the Salerno - Bari line including Bardonia and Sicily subject to the Allied Control Commission's guidance and instructions. It was stipulated that the transfer also be subject to the conditions that the central and local administration will be carried out by officials of proven Allied sympathy and good faith and that no commitment to Badoglio Government after the capture of Rome is involved. It was also recommended by the Council that the Commander in Chief issue a specific directive to General Joyce that he should be guided so far as permitted by military necessity by the terms of the Moscow Conference Declaration regarding Italy with reference especially to that measure concerning restoration to the Italian people of freedom of speech, worship, press, political belief and public meeting in exercising his control functions. The substance of these decisions is expected to be announced to the press later this week but is confidential for the time being.

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- 2 - AG
- 1 - Diary
- 1 - General Taylor - INFO
- 1 - Mr. Caccia - INFO
- 1 - Colonel Spjohn - INFO

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 18 Dec

Dec 18

Italian Advisory Council has recommended that all occupied territory below northern boundaries, provinces of Salerno, Potenza, Bari, and including Sicily and Sardinia should be transferred promptly to Italian administration. Italian administration would be subject to guidance and instructions of Allied Control Commission for Italy in accordance with terms of Armistice. Council's recommendation is addressed to General Eisenhower as President of Control Commission. Council's recommendation was made after third meeting held December 15 under Chairmanship of United States Minister Resident North Africa, Robert Murphy, at which were present Commissioner of Foreign Affairs in French Committee of National Liberation; Massigli, Soviet Representative in Algiers and member of Allied Advisory Council of Italy, and Vishinski; and Roger Makins; Deputy of Ministry of State, Harold MacMillan, acting in MacMillan's absence. It was made with understanding that transfer to Italians would be subject to two conditions: Firstly, that administration central and local will be carried on by officials of proven good faith and allied sympathies. Secondly, that transfer involves no commitment of Pietro Badoglio's Government after capture of Rome. Council further recommended to General Eisenhower that specific directive should be issued to Deputy President of Allied Control Commission, General Kenyon Joyce, that in exercising functions of control he should be guided in so far as military necessity permits by terms of Moscow Conference Declaration regarding Italy, especially second measure of that Declaration. Second measure provides that freedom of speech, religious worship, political belief, press and public meetings shall be restored in full measures to Italians who shall be entitled to form antifascist political groups. Eisenhower has not yet indicated his intentions on this recommendation with which was doubtless made officially after consultation with Allied Governments. While, technically, General Eisenhower as President of Control Commission would be able to block action, there is virtually no likelihood of this happening since members of Advisory Council are fully authorized representatives of Allied Governments concerned. Moreover Council's deliberation leading to this recommendation resulted from inquiry addressed to it by General Eisenhower himself.

(10)

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DEC 172139a

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FREEDOM SIGNED DISSEMINATE CITE FETIV

FATIMA

Advisory Council released its recommendation concerning transfer to
 Italian Administration. to press for Saturday morning December 13
 papers.

DISTRIBUTION:

- 2 - AG
- 1 - Diary
- 1 - Gen. Taylor INFO
- 1 - Mr. Caccia INFO

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Equals British RESTRICTED

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 17 Dec

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18 DEC 1943

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Doc 171932a.

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PRIORITY

ALIGNED DISSEMINATION CITE ITEMS

FATIMA FOR JOYCE REPEAT FILMOT FOR AND 15 ARMY GROUP
REPEAT FARGO FOR AND

Recommendation of Advisory Council is that transfer of territory to Italian Administration be carried out, subject to 2 conditions. Administration to be carried on by officials of proved good faith and Allied sympathies, and that transfer involves no commitment to Badoglio Government after capture of Rome.

CCS disapproved draft document A and required certain changes in other respects. Have directed that no action be taken here until further directive after examination of documents. McCloy took with him drafts revised to meet some of objections.

Texts involved in above are being sent by fast air.

Recall that CGS do not yet approve plans, and therefore no publicity should be given to contemplated transfer.

DISTINCTION:

- 2 - AG Files
1 - Diary
1 - General Teylor - ACTION

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PRIORITY

SEARS FOR FARGO FROM SPOFFORD

PATIMA FOR JOYCE CITE FARGO 1171

25/12

S-4155

Dec 121410A

Dec 121645A

Advised by Poletti that at recent meeting Prefects Region 1, all incumbents except 1 career Prefect expressed view that they would be unable to continue in office after turn over if oath to the King was required. Similar attitude said to be taken by considerable number Sindacos and other officials appointed by AMG. This general reaction items from fact that King associated with Fascism in minds these officials. Poletti believes feeling sincere and for most part not dominated by partisan considerations.

Paragraph three Document C seems enough to permit Prefects and other officials appointed by AMG to continue without oath. However feel you should be advised of present attitude here and concur in this interpretation.

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Col Wyshen info. ←

1171

S-4155

12 Rec

602.3 (1171)

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R 631/12

SECRET

PRIORITY

SEARS FOR FARGO FROM SPOFFORD

FATIMA FOR JOYCE CITE FARGO 1171

25/12

S-4155

Dec 121410A

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DISTRIBUTION:

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Col Upjohn info. ←

1171

S-4155-

12 Rec

602.31 (initials)

Mr. Caccia

14/12/43

Please draft a note to Purnas ^{Mr}
reporting the alleged attitude of
certain Italian officials in Sicily.

General Taylor

↑ Action taken with Purnas, who
is going to make further enquiries (Real
is in Sicily) & let us know

16/12

[Signature]

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PROVEDOM

FATIMA

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Murphy from Cairo sends report on Brindisi meeting of advisory council on 3 December, which is summarized herewith: (TO FATIMA FOR JOYCE SIGNED EISENHOWER CITY FRANKS.

Transfer of territory to Italian Administration. Proposal agreed in principle, subject to confirmation at next meeting probably Palermo Wednesday. Understanding of council that transfer will be subject to two conditions: (a) Local and central administration to be carried on by officials of proved good faith and Allied sympathies, and (b) No commitment involved as to Badoglio Government after capture of Rome. Vyshinsky felt obliged to consult Government prior to definitive answer; apparently will seek prior approval on most questions.

Vyshinsky continues to insist that under article 37 Soviet Union entitled to appoint representatives to ACC, and that this was understood at Moscow by American and British Governments. Massigli took similar view as to French representative. It was explained that present procedure requires approval of CCS to appointment to ACC. Agreed to inform General Eisenhower of foregoing and that individual members of council refer question to their governments. End of summary. Substance of para two is being communicated to CCS.

DISTRIBUTION

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7 Dec

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OUTGOING

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BRANCH

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PRIORITY

THE PRESIDENT FOR MEMPHIS

DRO

DRO

DOCUMENTS RELATING TO THE GRANTING OF TERRITORY OF ITALIAN GOVERNMENT NOT YET
 RECEIVED NOT STRONGLY REQUESTED THAT PARA SEVEN OF DOCUMENT PAGES A PART BE
 REVERTED TO READ AS FOLLOWS CLERK TO PRESIDENT FOR MEMPHIS FROM PRIORITY SIGNED JOHN
 PAGES PARA SEVEN PD TO REPEL THE RIGHT TO REGISTRATION PRIVATE OR PUBLIC
 PROPERTY IN THE UNOCCUPIED TERRITORY PD PARA THIS IS TO BECOME SPECIFICALLY
 THAT THE ALLIED HAVE SAME RIGHT TO REGISTRATION IN SUCH PROVINCES NOW UNDER
 JURISDICTION OF ITALIAN GOVERNMENT AS IN THE TERRITORY TO BE RETURNED PD THIS
 RIGHT IS DURING AS I CONSIDER PARA SEVEN AS IT STANDS AT PRESENT

AUTHENTICATED:

ROBERT E. LEE
 Major, A.G.D.
 Secretary of Commission

DISTRIBUTION:

- 2 - AG Files
- 1 - Diary
- 1 - Col. Upjohn

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7 Dec

TRANSLATION

HEAD OF THE GOVERNMENT
No. 1082 of Prot.

7 December 1943

TO: General Kenyon A. Joyce
Chief of the Allied Control Commission
Headquarters

Dear General Joyce:

In my communication No. 1085 of Protocol, dated 26 November, I informed you of my intention to return into the hands of the civilian authorities the administration of those provinces under the direct control of the Italian Government, leaving the military authorities free to dedicate themselves exclusively to their ordinary duties.

I begged you at the time, and I beg you now, to give me your opinion on this matter.

Very cordially,

BANDOLIO

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7 Dec

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ALLIED FORCE HEADQUARTERS

Military Government Section

ATM/CF/jm

6 December 1943

SUBJECT: Copies of Documents for Restoration of Territory

TO : Acting Deputy President, A.C.C.

(2)

1. Your message 1278 of 4 December requested copies of documents A, B and C for restoration of territory to the Italian government. Before these papers could be sent to you for action it was decided to ask the opinion of the Advisory Council on the subject of the turnover of territory to Italian administration, and in the meantime it was directed that the matter be held in suspense.

2. For your information only draft copies of documents A, B and C as they now stand were taken by General Holmes this morning with a view to supplying them to you in person.

*A. T. Maxwell*A. T. MAXWELL
Colonel

Military Government Section

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D.D.

FREEDOM MOS RPTD SEARS FOR FARGO

DOCUMENTS PAREN A PAREN CMA PAREN B PAREN CMA PAREN G PAREN FOR
 RESTORATION OF TERRITORY TO ITALIAN GOVERNMENT NOT RPT NOT RECEIVED
 HERE YET PD ~~SEARS~~ TO FREEDOM MOS REPEATED SEARS FOR FARGO FROM
FATIMA SIGNED JOYCE PD PLEASE FORWARD AS SOON AS POSSIBLE AS
 OTHERWISE MUCH DELAY INEVITABLE

AUTHENTICATED:

ROBERT E. DOE
 Major A. C. D.
 Secretary of the Commission

DISTRIBUTION:

- 2 - AG
 1 - Diary
 1 - Col. UpJohn

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TRANSLATION

THE CHIEF OF GOVERNMENT
No. 1154 of Prot.

26 November 1943

Dear General Joyce:

The subject of this letter is the work of the Sections of the Inter-allied Commission in conjunction with the separate Ministries.

I would consider it necessary to establish some policies so that administration matters may not be delayed.

I believe without doubt that except for the conditions outlined in Article 31 of the adjunct conditions of the Armistice we should follow the Italian legislation, otherwise our unfortunate country will suffer from the ensuing chaos.

It also seems to me that intervention on the part of the Sections should be limited to questions of general interest, and not to supervise the daily and current routine. If in order to transfer a clerk or to pay a salary or admonish a lazy employee we are to be under the control of the Section, I believe utter confusion will result.

On the more important questions, in which the Sections must intervene, a divergence of opinion between these and the respective Ministries might occur.

There should be a higher board to whom these matters could be referred and those persons making up this board should be named.

This and other considerations arise spontaneously, since it is evident that it is not the intention of the Allies to abrogate the functions of the Italian Government, in which case no government could honorably subsist.

I would visualize, furthermore, the advisability of your issuance of directives on the subject, under which both your delegates and the representatives of the Italian Government would conform, in order to avoid divergent systems of the individual administrations and also to reduce to a minimum any possible differences.

BADOLIO

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28 Nov

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