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COGENA INVESTIGATION  
MAR. 1945 - MAR. 1946

RISCHIOSTENTO LIBRARY 19-April 1946.

### "Consumption of a System"

A trial was held recently at the Allied Military Court in Naples, a trial ~~similar to~~ <sup>on</sup> many others <sup>in these times</sup> of this kind, but more clamorous ~~x~~ than <sup>a view of</sup> ~~others~~ the individual and the <sup>organizational</sup> concerned.

~~Director of the "Congo"~~ <sup>which</sup> was ~~located~~ <sup>was</sup> ~~the~~ <sup>one</sup> ~~of~~ <sup>for</sup> those who are ~~not~~ <sup>wanted</sup> in the ~~region~~

~~case~~ of abbreviations, "Comint Defense Navl (Ships Management Committee), a ministerial organization to control non-registered tonnage. The Allies have decided <sup>it</sup> necessary to ~~take action~~ <sup>action</sup>

~~directly involved~~ with the jurisdiction and under the American laws,  
~~the case~~ against the director of this organization, because it  
was believed that the <sup>desired</sup> employment of tonnage resulted, in effect, in  
~~interference~~ sabotage of ~~the~~ Allied activities in Italy. It <sup>will be useful</sup> ~~is considered~~  
to shortly review what the "Comand" was and what <sup>was its purpose.</sup> ~~its objectives were.~~



Committee), a ministerial organization to control non-requisitioned tonnage. The Allies have denied necessary to ~~prevent the Allies from~~ <sup>take action</sup> directing themselves with the jurisdiction and under the Armistice terms.

~~was believed~~ against the director of this organization, because it was believed that the ~~subversion~~ <sup>prevented</sup> of tonnage resulted, in effect, in ~~the Allies~~ <sup>the Allies</sup> subvoltage of ~~the Allies~~ <sup>the Allies</sup> activities in Italy. It ~~was~~ <sup>was</sup> ~~the purpose~~ <sup>the purpose</sup> to ~~subvert~~ <sup>subvert</sup> what the "Cogens" was and what ~~the purpose~~ <sup>the purpose</sup>.

Since the time of the German government the Allies had ~~the~~ <sup>the</sup> Ministry which had assumed ~~the responsibility for the~~ <sup>the responsibility for the</sup> of the Ministry of Marine ~~control~~ <sup>control</sup> the merchant fleet - of course ~~the Ministry of Marine~~ <sup>the Ministry of Marine</sup> - had to ~~deal~~ <sup>deal</sup> with the problem of how to ~~subvert~~ <sup>subvert</sup> the ~~German~~ <sup>German</sup> source tonnage which - under the Armistice clauses - ~~did not~~ <sup>was not</sup> directly requisitioned by the Allied motor-vessels under 300 tons). A shipping organization ~~and~~ <sup>and</sup> already, been formed, the Comitato Autoriale Gestione Navi (Shipping Committee for the Management of Ships) which aimed to unite all motor-vessels owners for ~~an~~ <sup>planned</sup> use of the source ~~available~~ <sup>available</sup> tonnage. The Ministry of Marine ~~for the time~~ <sup>for the time</sup> thought it necessary to take over the direct control

of this organization, ~~which~~ <sup>which</sup> whose name ~~was~~ <sup>was</sup> then became Comitato ~~Gestione Navi~~ <sup>Gestione Navi</sup> ~~(Shipping Committee)~~ <sup>(Shipping Committee)</sup>, ~~to~~ <sup>to</sup> put a reliable person at its ~~head~~ <sup>head</sup>. ~~The~~ <sup>The</sup> Cogens, therefore, became the sole and despotic organization ~~to~~ <sup>to</sup> control ~~the~~ <sup>the</sup> ~~very~~ <sup>very</sup> ~~remnants~~ <sup>remnants</sup> of what had once been the Italian merchant fleet, excluding only ships under 10 tons.

"Cogens" alone was the authorized middle man between the ~~higher and lower~~ <sup>higher and lower</sup> Allied "Comitè Control Board", to which the Allied supplying agencies referred for maritime transportation. ~~The~~ <sup>The</sup> Cogens fixed on the tonnage which ~~was~~ <sup>was</sup> ~~to~~ <sup>to</sup> be ~~fixed~~ <sup>fixed</sup> ~~at~~ <sup>at</sup> a fixed ~~price~~ <sup>price</sup> ~~list~~ <sup>list</sup>, which was naturally well below the prices of the free market, that is, ~~the~~ <sup>the</sup> clandestine market. It is therefore easy to imagine how the ship-owners were interested in escaping the control of Cogens or to obtain from the Cogens certain sea-liner and certain cargo.

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But the Serbellas are not guilty. The system is guilty. He who, just for the sake of a fine formula, put these men in the almost unavoidable temptation to sin, is guilty. ~~X~~ The economic regime based on a double meaning is guilty. Really, the Allied Court has <sup>not</sup> judged and acquitted a poor man confused by temptations stronger than his will, but judged a system. And has sentenced it. And this sentence is made more harsh by the acquittal of a man who, on account of the system, had to suffer the humiliation of a trial which involved his person only indirectly.

## HEADQUARTERS ALLIED COMMISSION

Office of the Chief Commissioner

APO 394

HSC/3635

22 September 1945.

SUBJECT: GUXENA Investigation.

TO : Allied Force Headquarters.

1. The meeting referred to in AFHQ letter G-1(Br)/5217/A-3 of 9 September 1945 was held at Headquarters, Allied Commission on 19 September 1945, at which time it was determined that further investigation of the case is required.

2. Accordingly it is requested that the Allied Commission be furnished with data upon which a reply to the Italian Ministry of Marine letter B.10534 of 28 August 1945 may be based, as soon as practicable.

/s/ Elery W. Stone

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

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SACRED CITE FEGAB

5711

20 Sept 45

PRIORITY

SECRET PD

PARA ONE PD REFERENCE OO-THA CASE PD

PARA TWO SACRED CITE FEGAB FROM HQ ALONG CITE ACLED PAREN

PARA TWO PD PRESIDENT OF COURT WILL BE CHIEF JUDGE JOHN E. WHELAN FORMER AMERICAN PAREN  
AND PROSECUTOR MR. HENRIAS F. LOPES FORMERLY ASSISTANT ATTORNEY GENERAL OF NEW  
YORK STATE PD PLEASE ARRANGE ATTENDANCE OF MEMBERS PD

PARA THREE PD IT IS CONSIDERED THAT COURT SHOULD HOLD ITS FIRST SESSION BEFORE  
THIRTY SEPTEMBER PD CASE IS THEREFORE BEING CONVENED NINE THIRTY HOURS TWENTY  
NINE SEPTEMBER AT THE TRIBUNAL IN NAPLES PD

PARA FOUR PD IT IS MOST PROBABLE THAT AN ADJOURNMENT WILL BE NECESSARY BUT IT  
IS HOPED SUCH ADJOURNMENT WILL BE SHORT

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N O T I C E

26 March 1945

As from this date file 5810/CG - "COGENA  
Investigation" - will be kept in US Army  
type field safe in Major Quayle's office.

HD

*Out to LSC of Col. Walker  
or Mr. Lopez*

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