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

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COMMUNE OF PANTELLERIA, ADMINISTRATION
JUN. - AUG. 1945

MINUTE SHEET NO. 1

DATE	PAGE
7 Aug.	<p data-bbox="602 1951 684 2205">Legal S/c</p> <p data-bbox="541 1541 602 1626">①</p> <ol style="list-style-type: none"> <li data-bbox="623 989 705 1965">1. Please refer folios p.1, a, b, c. <li data-bbox="705 989 1175 2234">2. on the question of removal of the Sindao your advice will be to let the Harrison officer decide. He and the CAO have to live with the guy. If you think criminal proceedings should be commenced against the Sindao however, he'll have to be removed. <li data-bbox="1175 1060 1379 2219">3. The Harrison Officer wants your comments on the question of court proceedings. <p data-bbox="1338 975 1471 1456" style="text-align: right;">R. L. Sample, Major D.D. Dir. 1951</p> <p data-bbox="1533 1979 1604 2234">L.G. S/c.</p> <p data-bbox="1502 1654 1563 1739">②</p> <p data-bbox="1594 1003 2013 2248">The Sindao appears to be guilty of "persecution" under Art 314 I.P.C. This crime carries a minimum of 3 yrs imprisonment, subject to trial by a court. (Please, the Sindao will come before the Tribunal of the content of the</p>

have to be present.
3. The liaison officer wants your comments on the question of court proceedings.

R.R. Temple, Major
D/Dir. HQS/1

(2)

L.G. S/c.

The Sindaco appears to be guilty of "peculation" contrary to Art 314 I.P.C. This crime carries a minimum of 3 yrs imprisonment, subject to mitigating circumstances.

Further, the Sindaco will come before the Tribunal of Trapani (Italian District) and the content of the Ministry of the Interior (the prosecution is necessary).

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I myself think that he should be prosecuted. It should be decided that at the moment the crime is still not known, out of pocket and may not get it back!

[Signature]
C.P.

8 Aug.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AC/L/28/LG

Tel: 478706

SUBJECT: Misuse of Pantelleria Communal funds.

8 August 1945

TO : AC Liaison Officer, Palermo.

1. Reference is made to your letter of 18 July 1945, Reference 13065/P, with enclosure. The Chief Legal Adviser points out that the Sindaco appears to be guilty of "peculation" contrary to Article 314 I.P.C. This crime carries a minimum of 3 years imprisonment, subject to mitigating circumstances. If tried, the Sindaco's case would come before the Tribunal of Trapani (Italian Government Territory) and the consent of the Ministry of the Interior to the prosecution is necessary.

2. The Chief Legal Adviser believes that the Sindaco should be prosecuted and this Sub Commission concurs in this advice. If you agree, please inform this Hq so that necessary consent to the commencement of proceedings may be secured from the Ministry of the Interior.



R. R. CHIFFES
Colonel
Director
Local Government Sub Commission

RRT/pec

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HEADQUARTERS ALLIED COMMISSION
APO 394
Finance Sub-commission

BHLT/bjs

Tel: Ext 553

4th August 1945

Ref: 13065/F

5 AUG 1945

SUBJECT: Misuse of Pantelleria Communal Funds

TO: Vice President,
Civil Affairs Section. ✓

1. I attach a letter received from the A.C. Liaison Officer, Palermo, which was apparently routed to Finance Sub-commission in the first instance by the Message Centre.

2. I feel the problem presented in Lt. Colonel Morton's letter is one for the Legal and Local Government Sub-commissions. There is no doubt that the Prefect acted illegally in ordering the bank to effect a transfer from communal funds; however Captain Parker has taken prompt remedial action as described in his paras 4 and 5, and it is probable that the Commune experienced no loss of funds from this transaction. The chief question raised by Captain Parker is the replacement of the Sindaco, and it is not within the province of Finance Sub-commission to recommend action.

A. S. Gravestock
Joint Director
Finance Sub-commission

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OFFICE OF A.C. LIAISON OFFICER
C/o N.O.B. NAVY 157

FILE: Pant/22

18 July 1945

SUBJECT: Misuse of Pantelleria Communal Funds. 2-1-1945

TO : HQ Allied Commission, APO 394
(Attn: Civil Affairs Section)

1. I attach hereto a copy of a letter from the Civil Affairs Officer at Pantelleria informing me of an improper transfer of more than three million lire of Communal Funds. Due to lack of means of transportation of "Secret" communications, the letter has just reached me. In view of the time already elapsed since the wrongful act, there would seem to be no objection to a further delay in order to obtain any advice you may wish to give in the matter.

2. Your attention is invited to the following facts:

- (a) Other men qualified to be mayor are not easy to find on Pantelleria;
- (b) Captain Parker believes that a delay in drastic action will assure the entire sum being repaid.

3. The matter of the audit referred to in paragraph 11, and an investigation into the manner in which it was possible for the Sindaco to transfer to a private person, by a simple letter signed by himself, a public fund deposited in a bank will be dealt with by the Liaison Officer locally. What I ask is the view of Headquarters as to the wisdom of Captain Parker's apparently carefully considered action. I suggest that, since the question of court proceedings has been raised, comments of the Legal Sub-Commission might also be communicated to me.

1 Incl.

Edward Morton
EDWARD MORTON
Lt. Col. CE
Liaison Officer.

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COPIAALLIED MILITARY GOVERNMENT, Pantelleria

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June 29th 1945.

SECRET

To Colonel Morton,
Liaison Officer,
Alcom, Palermo.

From Captain G. Parker, M.M.
A.M.G., Pantelleria.

Enclosure #1Subject. Communal Funds

1. I have to report that the Sindaco here, has misused Communal Funds.
2. Last April, the Bank were reducing open credits, and a large sum was required. Angelo Fontana, one of the most important merchants here, in order to bring down his overdraft to the limit fixed.
3. The Sindaco transferred from the Commune's "Alimentation" Account, to the credit of the account of Fontana Lire 3,138,000. He did this on his own responsibility and authority, and the Bank effected the transfer on the basis of a letter signed by the Sindaco only, although knowing that operating the account required the signature of both the Secretary and the Sindaco on documents.
4. I became aware of the transaction some days ago, and have had Lire 2,050,000 repaid. The balance is promised shortly.
5. I have laid down regulations by which the Communal transactions with the Bank will be strictly controlled monthly and any payments made from Communal Funds must be covered by documents bearing the signatures of three persons, i.e., the Sindaco, the Secretary and the Chief of the particular service.
6. The question remains of what is to be done about the Sindaco. It is not easy to find an intelligent, honest man here. In spite of the above grave incident, the Sindaco is probably as honest as any, and excuses himself by stating it was intended to be a quite temporary book transaction to satisfy a Bank inspector who was here at the time.
I have not hurried to dismiss him, as I believe the repayment of the balance is more sure if I take no immediate action, and the same applies to Fontana.
7. If you disapprove, please wire me, and I shall take his resignation immediately.

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8. Apparently prices of all commodities have slumped, heavily, and prosperous businesses a few months ago are today feeling financial strain.
9. It seems to me that criminal proceedings could be taken against the Sindaco, Fontana, and the Bank manager. Whether it would be good practical policy is debatable.
10. It is an extremely grave matter and I am not rushing into punitive action, because I believe it would do more harm than good at this moment; and your orders or advise, which I highly value, can be awaited without risk of the situation deteriorating.
11. I am examining the whole of the payments since April, and it might be perhaps, a good move to have official State Auditors come here to make a thorough audit of all the Communal Accounts.

(Signed)

G. PARKER

Capt.

S.C.A.O., Pantelleria.

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