

ACC

10000/141/286

MAGGIORE
FEB. - AUG

0000/141/286

MAGGIORE CESARE CAPONI, SINDACO OF LUCIGNANO (AREZZO)
FEB. - AUG. 1945

MINUTE SHEET NO. 2

DATE	⑥	PAGE
19th May 45	Ch. Vice Please make an appointment for me with Roll. Camera someday next week at the Ministry. I want to talk to him about Giuseppe CAPONI. RB	
19th May 45	Arranged appointment for Monday next 21 May in the morning, any hour, at the Ministry. To call him up first on the phone to make sure. Vice	
21 May	Called Camera on the phone. He said we should see him at 11.00 hrs. Vice	
21st May 45	Director:- ⑦ 1. Interviewed CAMERA at 11 a.m. today (Chie interpreting) and showed him Giuseppe CAPONI's statement # 6 B. 2. He said he was satisfied that the disciplinary action was taken before the War Ministry agreement with the Ministry of Interior had reached CAPONI's superior officers. He suggested a letter on the basis of # 7 and a receipt of it he will take the matter up with the War Ministry. 3. He stressed the desirability of not prejudicing CAPONI's career. 4. CAMERA said he thought it was all a misunderstanding and he was sure the War Ministry would agree to the request. ⑧ RB RR	6. B.
27 Aug 45	Director:- 1. Please see files 8 and 8c. If you want to go any further with this I think heavier guns will have to be brought to bear on the Ministry. 2. I doubt, however, if any coercion forced from the Ministry of War would do CAPONI's career any good. RB 4542	8 8c.
28 Aug	Director:- ⑨ 1. Please see minute ⑧ and pertinent folios. 2. I suggest that Lt. Col. Quinn-Smith see this file and advise whether we should press the matter any further. We have every right to do this but poor Maj. Caponi may suffer thereby. No action R. Phillips on RR Temple Maj	

MINUTE SHEET NO. 1

DATE		PAGE
Feb. 16.	① B.B. + Send copy of 1 to Ministry of Int. asking them to take the question up with necessary authority. We shall very much appreciate their help action in the interests of local Govt. Copy Ac/Mc.	
19 Apr 1945.	② Director: See Page 4 also page 1. With the exception of the 10 days house arrest the Ministry seem to have done exactly as the P.C. Ameygo requested! 2. I suggest that a copy of page 4 be sent to R.C. Torrance and P.C. Ameygo Hb. I agree. RRT	4 + 1.
11 Apr	③ Director - Please see minute ② and follow p. 4 and p. 1. I recommend action suggested.	
16 May	④ Director:- 1. Please see b.B. + b.c. and para. 4 of page 4 2. Ameygo has now been handed back to Italian Govt. 3. Ameygo CAPONI wants to be paid by the Army so that he could remain Sindaco (unpaid) of Lucignano. But above all he does not want his military career prejudiced. 4. If we put pressure on Ministry of Int. they will probably rescind the 10 days house arrest sentence but it might do CAPONI's career much more harm than good. I agree with above. However, CAPONI has resigned from SINDACO.	RRT D/Director b.B. cc. 4
17 May	⑤ N.F.A. CQS	

4/1/138

MINISTRY OF INTERIOR
Direz. Gen. Administration Civ.

File: 15906

Subject: Major Cesare Caponi.

Rome, 23 August 1945

Local Government Sub Commission

ROMA

1. Reference is made to your letter No.AC/4/1/138/LG. same subject.
2. In compliance with request contained by said letter, this Ministry has duly taken up the matter with the ministry of war for the annulment of the disciplinary measures taken against Major Caponi for having accepted the office of Mayor of Lucignano without asking prescribed authorisation.
3. The Ministry of war, with a letter of which a copy is hereto attached, points out that the said disciplinary measures cannot be revoked, in order not create dangerous precedents.

For the Minister.

4540



Ministero dell'Interno
DIR. GEN. AMM. NE CIVILE

Divisione I. G. II
Aut. V. 15905 Aleppo

OGGETTO Maggiore Cesare CAPONI

Local Govt 783
Roma 23 Agosto 1945

27 AUG 1945

Al Quartiere Generale
Commissione Alleata Got
to Commissione Governo
Locale ROMA

Proprietà del
In In N°

1) Si fa riferimento alla nota di codesta
CN. Commissione n. 40/4/1/38/L.G., relativa al-
l'oggetto.

2) In conformità a quanto richiesto con
la suddetta nota, questo Ministero non ha mancato
di svolgere il necessario interessamento presso
quello della Guerra, perchè fosse revocata la peni-
zione disciplinare inflitta al maggiore Caponi
per aver rivestito senza la prescritta autoriz-
zazione la carica di Sindaco di Lucignano

3) Il predetto Ministero, però, con la
lettera che si allega in copia, ha fatto pre-
sente di non poter revocare il provvedimento di
cui trattasi, anche per non creare pericolosi pre-
cedenti.

PER MINISTERO

[Signature]

6935

8C

4/1/38

The Ministry of War

File: No.112-7-5

Rome, 7 August 1945

Subject: Major Cesare Caponi

MINISTERO DELL'INTERNO-Dir.Gen.Arm/ne Civile

R O M A

(ref. f.N.25905 del 25-5-1945)

and for information :

ALLA DIREZIONE GENERALE PERSONALE UFFICIALI -Div.Movimento

(ref.f. 4/10190 del 16-5-945)

S E D E

ALLA DIR.GEN.PERSONALE UFFICIALI)div.Disciplina

(Rif.f.6218 del 2-6-1945)

P2

Notwithstanding every goodwill, the request of the Allied Commissioner Local Government Sub Commission letter AC/4/138/LG of the 16th February and 21st May 1945 cannot be satisfied because:

- the present laws do not allow officers on permanent service to hold the office of Sindaco.

- Major Cesare Caponi, ought to have asked authorisation to this military authority before accepting the appointment. Not having done so he is guilty of a fault for which it has been necessary to punish him.

In order to avoid creating dangerous precedents, which could be referred to in similar cases, it is not possible to revoke the disciplinary measures taken.

The Chief of the Cabinet
(Signature Illegible)

4538

8E

C O P I AMINISTERO DELLA GUERRA

-Gabinetto-

Prot.n. 118394
112-7-5

Roma 7 agosto 1945

OGGETTO - Maggiore Cesare Caponi

MINISTERO DELL'INTERNO - Dir. Gen. Amm./ne Civile
R O M A

(rif. f.n. 25905 del 25-5-1945)

e per conoscenza:

ALLA DIREZIONE GENERALE PERSONALE UFFICIALI - Div. Movimento

(rif. f. 4/10190 del 16-5-1945)

S. E. D. E.

ALLA DIR. GEN. PERSONALE UFFICIALI - Div. Disciplina

(Rif. f. 6246 del 2-6-1945)

Nonostante ogni migliore disposizione non è possibile accogliere la richiesta della Commissione Alleata - Sottocommissione per il governo locale - lettere n. AC/4/136/L.G. del 16 febbraio e 21 maggio c.e.) in quanto: - le disposizioni di legge in vigore non consentono agli ufficiali in S. P.R. di ricoprire l'ufficio di sindaco;

- il maggiore di ffr. s.p.e. CAFFAI Cesare, prima di accettare la carica avrebbe dovuto chiedere la preventiva autorizzazione all'autorità militare da cui di proveniva. Non avendo ottemperato a tale obbligo, egli ha commesso una mancanza, per la quale è stato necessario infliggergli la nota punizione

4533

ALLA DIREZIONE GENERALE PERSONALE UFFICIALI - DIV. PERSONALE
(Rif. d. 4/10190 del 16-5-1945)

S E S E

ALLA DIR. GEN. PERSONALE UFFICIALI - DIV. Disciplina

(Rif. f. 6218 del 3-5-1945)

Nonostante ogni migliore disposizione non è possibile accogliere la richiesta della Commissione Allata - Sottocommissione per il Governo Locale - lettere n. 20/4/138/5.6. del 16 febbraio e 21 maggio c.a.) in quanto:

- la disposizione di legge in vigore non consentono agli ufficiali in S. p.e. di ricoprire l'ufficio di sindaco;

- il maggiore di S. p.e. CAROTI Cesare, prima di accettare la carica avrebbe dovuto obbligarlo preventiva autorizzazione all'autorità militare da cui di andava. Non avendo ottemperato a tale obbligo, egli ha commesso una mancanza, per la quale è stato necessario infliggergli la nota punizione

Per ragioni di opportunità e per non creare pericolosi precedenti, che potrebbero facilmente essere invocati in casi analoghi già verificatisi non è possibile revocare il provvedimento disciplinare adottato.

IL CAPO D'ORDINE
V/te ILLUSTRISSIMO

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AG/4/1/134/LG.

Tel : 478190

SUBJECT : Maggiore Cesare CAPONI

21 May 1945

TO : His Excellency the Minister of the Interior.

Your Excellency :

1. Reference is made to the letter dated 16th Febr. 1945 from this Sub-Commission on the above subject & A to the interview (Capt. Cunningham, Dott. Casara) of this morning re. the attached statement by Maggiore CAPONI.
2. The Allied Commission is very anxious that Maggiore CAPONI should not be compromised in any way for carrying out the urgent requests of the Provincial Commissioner of Arezzo while that province was under Allied Military Government, and it is thought that the punishment of 10 days arrest was imposed on him by his superiors before they were aware of the negotiations between the Ministry of Interior and the Ministry of War to have Maggiore CAPONI made available for service as Sindaco of Lucignano. 4936
3. It is understood that Maggiore CAPONI has now resigned from the position of Sindaco and returned to his Military duties. As Arezzo is now in Italian Government territory the question of his retention or replacement as Sindaco is now one for the Italian Government.
4. It would be appreciated if the Ministry would take the matter with the proper authorities to have the punishment rescinded so that the military career of Maggiore CAPONI may not be prejudiced by his assistance to the Allied Military Government in a most difficult situation.

FOR THE DIRECTOR

RET
RALPH R. TEMPLE,
Major,
Deputy Director,
Local Government Sub Commission.

WIC/ em.

Encls. as in N. (1) above.

4173

HEADQUARTERS
TOSCANA REGION
ALLIED MILITARY GOVERNMENT

4/1/138

Local Govt s/c
6

RVIII/68/1A/348.

14 May 45.

SUBJECT : Italian Officials.

16 MAY 1945

TO : HQ, AC. ✓

1. Reference your AC/4/1/138/LG dated 11 Apr 45.
2. The attached statement by Maggiore CAPONI and copy of letter AR/HQ/126-2 dated 12 Apr 45, from PC, AREZZO are forwarded.

For the Regional Commissioner.

GM/cb.

D.M. FIDLAY
D.M. FIDLAY, *14 H*
Junior Comdr, A.T.S.,
Adjutant.

4535
5809

6A

AL SIG. COMMISSARIO PROVINCIALE

A. M. G.

A R E Z Z O

In risposta alla sua richiesta formale in data 4 corrente, comunico:

Per la nomina a Sindaco di Lucignano, sono stati presi a mio carico i seguenti provvedimenti:

- a) - 10 giorni di arresti di rigore perchè assumevo la carica di sindaco senza la preventiva autorizzazione del Ministero della Guerra.

L'art. 14 della Legge sullo Stato degli Ufficiali proibisce infatti agli ufficiali di carriera di assumere tale carica. Ma il sottoscritto credeva tale disposizione superata:

- dalle particolari ed eccezionali condizioni del momento;
- dal fatto che ero stato comandato a tale incarico dal Governo Militare Alleato.

- b) - Invito a dare le dimissioni da Sindaco.

- c) - Ordine di collocarmi in licenza di g.30 rinnovabile ~~5534~~ ⁵⁵³⁴ senza di dare le dimissioni.

Tutti i suddetti provvedimenti sono stati presi da S.E. il Ministro della Guerra e a me sono stati comunicati dal Comando Militare Territoriale di Firenze, tramite il Comando Presidio Militare di Arezzo in data 4 aprile u.s.

Poichè lei mi ha espresso il suo desiderio che io faccia ancora il Sindaco di Lucignano, prego voler interessare le Superiori Autorità affinchè il Ministero della Guerra ^{mi} autorizzi ad esercitare le funzioni di Sindaco rimanendo contemporaneamente in servizio presso il Comando Distretto Militare di Arezzo.

Ogni altra soluzione diversa danneggerebbe la mia posizione militare
Distinti ossequi.

Arezzo 5 maggio 1945

IL MAGGIORE

M. M. M.

5809

Chap. 1.

Letter of report

Product number

Chap. 2.

PROVINCIAL COMMISSIONER -A.M.G.

A R E Z Z O

In reply to your formal request dated 4th May, I communicate: 63
6533
For the appointment of Sindaco of Lucignano the following provisions have been imposed on me:

- a) 10 days of rigorous arrest because I carried on the charge of Sindaco without previous authority of the Ministero della Guerra.

- Para 14 of the Law about the Service of Officers, prohibits in fact career officers to carry on such charge. But the undersigned believed such conditions have been abrogated:
 - by the particular and exceptional conditions of the moment.
 - by the fact that I was commanded to such appointment by A.M.G.
- b) Commanded to give up the position of Sindaco.
- c) Order to place himself on 30 days leave, awaiting dismissal.

All the said provisions have been taken by H.E. the Secretary of War, and those orders have been communicated to me by the Comando Militare Territoriale of Florence through the Comando Presidio Militare of Arezzo on 4th April 1945.

Seeing that you have expressed your wish that I continue to be the Sindaco of Lucignano, I ask you to inform the Superior Authorities so that the Ministero della Guerra may authorise me to carry on the

0490

fact career officers to carry on such charge. But the undersigned

believed such conditions have been abrogated:

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- by the fact that I was commanded to such appointment by A.M.G.
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Seeing that you have expressed your wish that I continue to be the Sindaco of Lucignano, I ask you to inform the Superior Authorities so that the Ministero della Guerra may authorise me to carry on the charges of Sindaco remaining at the same time in the service of the Comando Distretto Militare of Arezzo.

Every other solution would damage my military position.

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Every other solution would damage my military position.

HEADQUARTERS
ARMED MILITARY GOVERNMENT
Office of the Provincial Commissioner AREZZO

60

File : AR/HQ/126-2

SUBJECT : Italian Officials

Date 12 April 1945.

TO: HQ., Toscana Region.

Reference your RVIII/68A/191 dated 20 February 1945.

Major Cesare Caponi, in consequence of his having acted as Sindaco of Lucignano without the express permission of the Ministry of War, was placed under arrest in quarters for ten days, and his C.O. was ordered to place him on a 30 day renewable leave thereafter. In an attempt to avoid this, Major Caponi tendered his resignation as Sindaco which has been most reluctantly accepted.

In your 68A/1A/70 dated 12 February to HQ AG you asked for his retention "seconded" to the Provincial Administration. This was later recommended by Local Govt S/C to Minister of the Interior.

Apparently no action has been taken by the Minister or else the Ministry of War has refused to consider the matter. The result is that an excellent Sindaco is being disciplined for a matter which has been taken up properly through AMG.

Further, he asked this office to release him immediately or he would get into further trouble. His resignation was therefore tendered and accepted, tho there is grave doubt that another Sindaco for this difficult comune can be found.

The matter was discussed with Col. Spicer's successor in Rome on my visit a few days ago. Col. Crings promised to see that a stern representation would be made to the Ital. Govt.

In the meantime, as the matter may be referred to your office these notes are passed for information and any further written action you may consider necessary.

There is just the possibility that "release from his military obligations" as mentioned in Col. Spicer's letter to the Ministry has been taken to mean retirement. This was NOT intended as he is a serving regular officer who is temporarily acting as Sindaco (unpaid) and requires to be seconded as such and not retired.

/s/ C.W. Quin Smith.
/t/ C.W. QUIN SMITH,
Lt. Colonel

Provincial Commissioner 4532

QS/en

HEADQUARTERS ALLIED COMMISSION
AP C 394
LOCAL GOVERNMENT SUB COMMISSION

A C/L/1/138/1G.

Tel : 478190

SUBJECT : Maggiore Cesare CAPONI - Sindaco of
Lucignano - Arezzo -

11 April 1945

TO : RC TOSCANA Region (with copy for PC Arezzo)

1. I refer to your letter RVIII/68/1A/178 dated 12th February 1945 and to the recent visit of PC Arezzo to this HQ, when he stated that disciplinary action was being taken against Maggiore CAPONI by his superior officers for acting as Sindaco of Lucignano.
2. An officer of this Sub Commission has had an interview with the Italian Ministry of Interior on the subject. They were surprised that any such action had been taken as the Ministry of War had agreed with them to make Maggiore CAPONI available to AME by giving him 30 days leave to be renewed from time to time so long as his services were required. By this action they had ratified the appointment and therefore the Ministry of Interior did not think that Ministry of War had authorized any disciplinary action.
3. In order that I may take the matter further will you please get a statement from Maggiore CAPONI showing exactly what action has been taken against him and what orders he has been given, with the relevant dates and names etc of the officers who gave the orders, especially the order which caused him to resign from the position of Sindaco of Lucignano. A statement from PC Arezzo would also be helpful.
4. I appreciate that Maggiore CAPONI is a regular army officer, ^{and} such is anxious not to jeopardize his military career.

FOR THE DIRECTOR :

RAT
RALPH E. TROTT
Major
Deputy Director
Local Government S/C

4531

WIC/og.

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SUBJECT : Maggiore Cesare CAPONI - Sindaco of Lucignano (Arezzo)
 Note of interview with Dott. CAMERA - Ministry of Interior
 INTERVIEWED BY : Capt. W.I. Cunningham
 DATE : 10th April 1945 - 10.05 hours
 Lt. Dario Modiano interpreting

PIET

1. I drew Dott. Camera's attention to the letter dated 16th February from this Sub Commission to the Ministry (page 2 on this file) forwarding a copy of letter from PC. Toscana Region of 12th February asking for Maggiore CAPONI to be put at the disposal of AMG Arezzo "in carica civile". I then told Dott. CAMERA the contents of the note from PC Arezzo (page 3 on this file) and said that the putting of CAPONI under house 10 days arrest and on 30 days renewable leave for acting as Sindaco at the request of AMG, did not appear to be tactful or co-operative on the part of the Ministry of War.
2. Dott. Camera seemed surprised and said that the 30 days renewable leave was an exceptional action taken by the Ministry of War at the request of the Ministry of Interior in order to co-operate with AMG and to make Maggiore CAPONI available for as long as his services were required. They were prepared to renew this leave for succeeding 30 days periods until AMG no longer required the services of Maggiore CAPONI, after which his leave would expire and he would return to duty.
3. I referred to the 10 days house arrest and said that we were very anxious that Maggiore CAPONI's army career should not be prejudiced in any way by his service to AMG as Sindaco of Lucignano.
4. Dott. CAMERA said that he could not see that Maggiore CAPONI could be prejudiced in any way as the Ministry of War has expressly authorized him to act as Sindaco by giving him this renewable leave. He thought it would be better for Maggiore CAPONI to take up the matter of his 10 days house arrest with his superior officers through Italian Army channels as he did not think that this punishment came from the Ministry of War and any action by the Ministry of Interior on such a high level might only cause more harm than good to CAPONI.
5. I said I would pass this point of view on to the Provincial Commissioner concerned and again stressed our wish that Maggiore CAPONI's career should not be prejudiced.
6. Dott. Camera said that he thought possibly Maggiore CAPONI was getting worried about promotion, or even retention in the Italian Army after the war. Of course an officer who was working in a civilian job did not stand as good a chance of promotion as an official actually in a fighting unit. As to retention in the Army after the war, no one could give any guarantee that any regular officer would be kept on in the Army as no one knew what reduction would have to be made in the regular army when the war was over.
7. I said I appreciated this and thanked Dott. Camera for the interview.

W.I. Cunningham Capt.

W. I. Cunningham Capt.
 Assistant Executive Officer
 Local Government Sub Commission

WIC/cg.

Major CAPONI's name was given to the Ispettore per la TOSCANA Ministero della Guerra by Col. Bonfigli when Col. B. was asked for the name of an O. to be sent to Orvieto. After that a letter was written to the Toscana HQ. stating that Major CAPONI couldn't go to Orvieto because he was S. of Lucignano.

About 15 March Major CAPONI received a letter from the War Ministry telling him he could be released from the Army and be a S. Major CAPONI then answered stating that this could not be done because he was a career officer, and that the law quoted for his release applied only to officers with temporary commissions.

Subsequent to this last letter, Col. Bonfigli received from the Ministry of War, orders to place Major CAPONI under house arrest for ten days, and that Major CAPONI should be sent on a 30 days renewable leave, i.e. out of the Army. The reason for the punishment is that the Major acted as S. without the knowledge or consent of his C.O. This, he states, is not true - Col. Bonfigli did know he was acting as Sindaco, but the Col. apparently forgot to mention it to the Ministry of War.

Major CAPONI would like to continue as Sindaco, but only if doing so would not jeopardize his military career.

If the Ministry of War authorize the dual role, they should write to the Comando Distretto Militare di Arezzo annulling the previous order.

OS. Has now been forced to sign his resignation in a panic to save him from further action.

Could have at least referred ^{it} to AME HQ.

Major Caponi's name was given to the Direttore per la Piacenza Ministero della Guerra by Col Bonfigli when Col B was asked for the name of an O to be sent to Orvieto. After that a letter was written to the Piacenza Hq stating that Major Caponi couldn't go to Orvieto because he was S. of Luignano.

About 15 March Major C received a letter from the War Ministry telling him he could be released from the army and be a S. Maj C then answered stating that this could not be done because he was a career officer, and that the law quoted for his release applied only to officers with temporary commissions.

Subsequent to this last letter ~~Major C~~ Col Bonfigli received from the Ministry of War orders to place Maj C under house arrest for ten days, and that Maj C should be sent on a 30 day renewable leave. This means that the Major would be on permanent leave, i.e., out of the army. The reason for the punishment is that the Major acted as S.

without the knowledge or consent of his C.O. This, he states, is not true - Col Bonfigli did know he was acting as Sindaco, but the Col apparently forgot to mention it to the Ministry of War.

Major Caponi would like to continue as Sindaco, but only if doing so would not jeopardize his military career.

If the Ministry of War authorizes the deal sale, they should write to the Comando Distretto Militare of Arezzo, annulling the previous order.

93 You are being forced to sign his receipt - a promise to
I am sure from the Army's side.
It could have at least said it to the Army, I.O.

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

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HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AC/4/1/138/16.

Tel. : 478190

SUBJECT : Maggiore Cesare CARPI.

16 Febr. 1945

TO : His Excellency the Minister of the Interior.

Your Excellency :

1. I enclose herewith a copy of a letter dated 12 February from the Regional Commissioner of Toscana Region requesting that Major Cesare CARPI the Sindaco of Lucignano be released from his military obligations.
2. I would very much appreciate your help and action taking this matter up with the proper authorities as I am convinced that the application is made in the best interest of Local Government.

R. R. Temple
Major

for R. G. B. SPICER,
Colonel,
Director,
Local Government S/C.

4527

/
VIC/cn.

Copies for information to :

RC. Toscana (RVIII/68/14/176)
RC. Aresso (AR/RS/126-2)

HEADQUARTERS
TOSCANA REGION
ALLIED MILITARY GOVERNMENT

4/1/138

Local Govt

RVIII/68/14/178

12 Feb 45.

SUBJECT : Italian Officials.

✓ 12 FEB 1945

TO : HQ, AC.

1. The following text of a letter AR/HQ/126-2 dated 9 Feb 45, received from PC, AREZZO is forwarded :

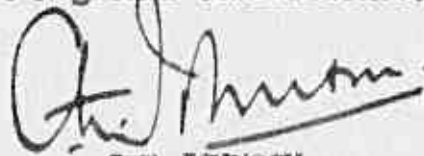
Maggiore Cesare CAIONI.

" The above officer has been called to the colours by the Ispettore per la Toscana del ministero della Guerra at Florence through the Comando Presidio of Arezzo. He is however the newly appointed Sindaco of the Comune of Lucignano and was selected after much difficulty after the previous Sindaco had been dismissed.

In view of this he is considered indispensable. It is requested that an application be made to HQ, AC for his temporary release from his military obligations and his posting by the Ministry of War to the disposition of A.M.G., Arezzo, "in carica civile".

2. This request is concurred in by this HQ and it would be appreciated if steps could be taken to have it granted, if not permanently, at least temporarily.

For the Regional Commissioner:



G.T. JOHNSON,
Colonel,
Executive Officer.

GM.

Copy to:- PC, AREZZO - Your AR/HQ/126-2 dated 12 Feb 45, refers.

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