

ACC

10000/142/151

REPORTS OF VISITS INVEST
INTERESTS
MAR. 1944; NOV., DEC. 1944

10000/142/151

REPORTS OF VISITS INVESTIGATING OFFENSES AGAINST ALLIED
INTERESTS
MAR. 1944; NOV., DEC. 1944

CONFIDENTIAL FILE :
CLOSED : 17 December 1944

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ALLIED FORCE HEADQUARTERS
 G-5 Section
 APO 512

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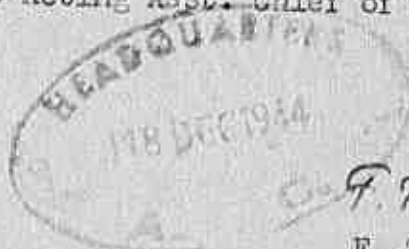
17 December 1944

SUBJECT: Illegal Disposition of U.S. Army Property.

TO : Headquarters, Allied Commission, APO 394.
 (Attention: Legal SubCommission).

Enclosed herewith for your information is copy of report dated 9 November 1944 from PBS to Commanding General, Mediterranean Theater of Operations United States Army, concerning gasoline thefts from Leghorn - Florence pipeline.

For the Acting Asst. Chief of Staff, G-5:



F. T. Hammond, Jr.
 F. T. HAMMOND, Jr.,
 Colonel, Ordnance,
 Legal Adviser.

Incl:
 as above.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
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18 DEC 1944

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20 Dec

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BATTERY A
630TH ANTIAIRCRAFT ARTILLERY AW BATTALION
APO #464, U S ARMY

9 November 1944

REPORT OF INCIDENT NO. 15

From 16 October 1944 to the present date several incidents have occurred affecting the operation of the gasoline pipeline leading from Leghorn to Santo Fioreantino. The pipeline roughly parallels Highway 67, crossing it at certain points, and running through many populated areas in such a manner that civilians have access to it. Because of this whenever leaks in the line have occurred, civilians have gathered to collect the gasoline either directly from the pipe or from the pools formed on the ground, in ditches and depressions. Civilian interest in the line creates two principal hazards: temptation to tamper with the line to cause or worsen leaks so that gasoline may be recovered; possibility of firing escaped gasoline in the vicinity of the line, or at pumping stations or loading racks.

Everything possible has been done to assist the engineers in discovering leaks by having the MP motor patrol and the local Carabinieri report leaks as soon as they are found. In addition certain direct steps have been taken to discourage civilians from collecting the gasoline, and additional measures are underway to prevent further interference from this source with the operation of the line.

A review of specific instances and the police action taken in each will give the pattern of this civilian interference.

1. On 16 October at 1400 hours the Carabinieri at San Romano reported to the MP motor patrol that liquid was gushing from the pipe line in the vicinity. Emergency repairs were initiated by the motor patrol who transported an engineer enlisted man from the bridge maintenance crew nearby. Shortly after this, men from the 703rd Eng. Pet. Dist. Co. arrived in response to the report and made permanent repairs. They notified us that a hole had been picked or drilled into the pipe, and an investigation was undertaken at once.

The Carabinieri was questioned and stated that at about 1000 hours that day the hole had been made and that at first only water had issued from the pipe, but that later gasoline began to flow. It was confirmed that the hole had been made by an Italian boy, who had been playing with Cal. 30 loaded cartridges, and had exploded one of them on the pipe itself.

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Report of Ident No. 15 Cont'd.

The boy was found at home in bed, with a wound in his thigh. The Carabinieri, Marocco, was contacted by us at Castelfranco, and was told that civilians must be kept away from the pipe line and all leaks must be reported at once to Allied Military personnel, preferable to the MPs or directly to the engineers, if possible. The time lapse in this case was due to the fact that the Carabinieri had reported the break to an unidentified Air Corps officer who had driven down to the line, looked at it, and driven off in the direction of Leghorn, but had made no report that we know of.

2. On 18 October in the vicinity of Empoli the 703rd Eng. repaired a leak and reported to us that the cause was a drilled hole in the pipe. This indicated tampering or sabotage, so the local Carabinieri were brought in to assist us in a search and questioning of all civilians living in the vicinity of the break. The search yielded no evidence leading to the discovery of the person who had broken the line so a Carabinieri post was established at this point to prevent further interference.

3. On 2 November another drilled hole was found by the 703rd Eng. upon notification by the Carabinieri one mile east of La Rotta, and this Hq, upon receiving the report, relayed the information to MP Hq in Pontedera, which is investigating the case.

4. On 3 November Pvt Glen J. Hill, 703rd Eng. Pet Dist. Co., caught a civilian, one Dullio Sordi, in the act of filling a bucket with gasoline escaping from a loosened coupling in the vicinity of S. Miniato Basso. The civilian started to run, the soldier caught him and found a wrench nearby which was adjusted to fit the coupling bolts, and various size containers filled with about thirty gallons of gasoline. The civilian, when brought to MP Hq in Empoli, admitted ownership of the wrench and possession of the gasoline. An A.M.G. arrest form was completed and the offender has been transported to Florence and is now awaiting trial in an Allied Military Court.

5. On 7 November a large pool of gasoline was formed by a leak due to a loosened coupling north of Highway 67 near Terrafino. An MP alert squad of ten men and 703rd Eng. personnel scoured the area and recovered about 600 gallons of gasoline which various civilians were carrying away in barrels and other containers. All the houses in the area were searched and wherever gasoline was found that could not be transported to the recovery point at pump station No. 5 it was dumped and burned.

This letter written
9 Nov.

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Report of Incident No. 15 Cont'd.

Eleven civilians were apprehended and are being held at the Carabinieri station in Empoli awaiting trial. It has not been determined that any of these persons who were found in possession of the gasoline had actually caused the leak.

Measures have been and are being taken to prevent civilian interference with the line. The policy which the Military Police are endeavouring to establish is to advertise the regulations against collecting and possessing the gasoline, and to deter civilians from such actions by apprehending violators and having the proper penalties exacted so that the civilians will not tamper with the line at any time, with the result that any leaks caused by human agency may reasonably be inferred to be sabotage. At the present time it is difficult to distinguish between those who have merely collected that gasoline which has escaped from natural leaks and those few who may maliciously be causing leaks.

The apprehension and pending punishment of those who are now in custody is well known in the communities affected, and police searches are being conducted regularly to discover and confiscate all gasoline which civilians have in their possession. These searches and patrol activities along the line are showing marked betterment in civilian conduct. The CIC officers at Montelupo and Ponte a Egola have offered their cooperation, and have agreed to have five hundred signs made stating: (1) tampering with the pipe line is punishable by the maximum penalty of death; (2) that collecting or possessing the gasoline is punishable by severe penalties of fine or imprisonment; and (3) that no civilians will loiter within ten metres of the pipeline, for any reason. At the loading rack one and one-half miles from Empoli signs prohibiting civilian entry to the area have been erected, and a Carabinieri post established.

The communes in the towns along the pipe line are being notified to advertise among the civilian population that possession of gasoline is a crime, and that all gasoline must be turned in immediately. The sindaco of Empoli is printing announcements to this effect: the Carabinieri in towns along the route are informed that they must enforce the regulations regarding the pipeline and the possession of gasoline. Investigation is continuing and civilians who do not comply with the measures outlined will be arrested and held for trial.

The name of the Italian boy, who had been playing with Cal. 30 loaded cartridges, and had exploded one of them on the pipe itself is Pie Vicenzo Baldacci, age 12, of San Romano.

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Report of Ident No. 15 Cont'd.

Listed below are the names of the civilians mentioned in the body of the report and who are being held at the Carabinieri station in Espoli.

Freschi Pietro
Montanelli Mario
Cantini Martini
Boldrini Anzo
Billeri Giov. Battista
Pagli Giuseppe
Rosselli Giulio
Maltinti Giuseppe
Corainevi Guido
Boldino Creste
Cantino Angelo

/s/ William Mann

/t/ WILLIAM MANN
1st Lt. CAC
Btry A 630th AAA AW Bn

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ART/gmf

ACC/4011/L

SUBJECT: Offences against Allies.

25 March 1944.

TO : RLO (thru RO) Region 2.

1. Further to this office letter Ref ACC/4011/L dated 12 March 44 Comm. Vite Giacomo will not visit Cosenza as stated in para 2 thereof.
2. A second official, Comm. Giuseppe FIERIMONTE, Consigliere di Cassezione, has now been appointed by the Minister of Justice, entrusted with the mission of visiting Potenza, Cosenza and Melfi. He will be furnished by this Office with a letter of introduction to Allied Officers concerned.

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A. R. THACKRAH, Major
for Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394.

ART/eng

ACC/4011/L

25 March 1944.

SUBJECT: Offences against Allies.

TO : All Officers of the ACC. concerned.

1. The bearer of this letter, Comm. Giuseppe FIERIMONTE, Consigliere di Cassazione, has been entrusted by the Italian Minister of Justice, at the instance of this Subcommittee, with the mission of facilitating the acceleration of trial and adequate punishment of offences committed to the detriment of the Allied Forces.

2. Comm. Fierimonte will inspect the machinery of the law and indoctrinate the Italian judiciary in the procedure to be now adopted in accordance with a directive from the Minister of Justice, and will visit the districts of Potenza, Cosenza and Melfi.

3. In order to ensure that this official's visit shall produce maximum results, it is requested that the legal liaison officers in the above mentioned districts give Comm. Fierimonte every possible assistance.

Reg.
A. R. THACKRAH, Major
for Chief Legal Officer.

Original delivered personally

H. 4
26 Mar 44

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

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ACC/4011/L.

12 March 1944.

SUBJECT: Offences against Allies.

TO : RLO (thru: RC) Region 2.

1. In connection with the implementation of the directive issued by the Minister of Justice at the instance of this Sub-commission and having for object the acceleration of trial and adequate punishment of offences committed to the detriment of the Allied Forces, etc., it has been decided to send an Italian judicial official on a tour of inspection.

2. The official entrusted with this mission of inspecting the machinery of the law and with the indoctrination of the Italian judiciary in the procedure to be now adopted is Comm. Vita Giacomo, Avv. Generale of the Section of the Court of Appeal at Lecce, who will visit the following Tribunali: Lecce, Taranto, Brindisi, Trani, Matera and Cosenza.

3. In order to ensure that this official's visit shall produce maximum results, it is requested that the legal liaison officers in the respective districts be instructed to give Comm. Vita every possible assistance, and to this end he is being furnished by this Office with letters of introduction to all Allied officers concerned.

/s/ ART
A. R. THACKERAY, Major
for Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

7 March 44

Ref. / /

Subject: Report on visit to Region 2

To : Chief Legal Officer, Legal Sub-Commission, ACC.

1. In accordance with your orders I visited MATERA from 27 Feb - 7 March 44.

2. I saw the CLO of Region II and Major Franklin. It was agreed that I should enquire into the state of crime against the Allied Forces at Bari, Brindisi, Taranto and Barletta, and that he would report on the Italian Court situation. There are SIS detachments at each place.

3. During my visits to Bari, I saw the Provincial Commissioner A/Q and DARM 6 Base Sub Area, APM 6 Port Base and the SIS. At appendix "A" I include a statement of cases outstanding at present. In general I found the position there regarding prosecutions to be largely exaggerated. This exaggeration I believe to be due to the SIS. I repeatedly asked the SIS if there were any further cases of mailbag robberies or other serious crimes for investigation. There was only the grenade throwing case. I was assured that this list was complete. My investigation into mailbag robberies would have been more complete but for the unfortunate absence in hospital of the NCO, who thoughtly understood the position. As it was, it was very difficult to get information at all.

4. At the port there is a large amount of crime, but it is pilferage and not organised theft. The position is complicated here because the majority of the dock labourers were, and a large number now are Italian soldiers. The APM commented on the difference between AMI Courts in Sicily and the slow speed with which Italian Courts are functioning.

5. The two main features of the crime situation in Bari are:-

- (a) Large scale pilferage from the docks. This is endemic in any dock area, but heightened by food shortage.
- (b) Employment of children from 11 yrs upwards to commit thefts particularly from trucks. These are organised by gangs of adults who act as receivers. For Under Italian Law persons under 14 cannot legally commit an offence. For those over 14 there is at present nowhere to detain them. There is a perfectly adequate section of the Bari gaol reserved for minors. Since the bombing early in Dec. last, the APM 6 Base Port resides there. I strongly recommend that he be removed, and that section be put to its proper use.

6. At Taranto I saw the Provincial Commissioner, A/Q 52 District and i/c 67 SIS. There has been a greater amount of crime of a serious nature here. A list of major offences still untried is included at appendix "B". It will be noticed that there has been considerable delay. Compared with Bari, there is approximately only 10% of less serious crimes, eg dock pilferage.

7. I visited Brindisi and saw the SIS. A list of outstanding cases of a major nature is included at appendix "C". Of these six cases, three concern Italian service personnel. I had previously seen the APM while at Bari, and he is much concerned over the manner in which the Red Cross parcel cases are being dealt with.

8. At Barletta I saw the officer i/c 63 SIS and DA and QMG 151 Sub Area. There

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8. At Barletta I saw the officer i/c 63 SIS and DA and AMF 151 Sub Area. There is very considerable delay in the trial of all cases, both Military and Civil, affecting Allied interests. A list of cases is annexed at appendix "D". It will be noted that this list is very long, in fact very much longer than in any other town. The greater part of these cases concern larceny of WD Petrol. This is due to the presence of a large petrol dump which extends many miles.

There is extreme slowness in dealing with cases of a serious nature, by the Italian authorities. The following examples were given to me:-

A. BARI. On 6 March, an official of the Procurator's office informed Capt. Cooper of the SIS that the evidence in the mail bag case would not be taken for another two months. Of petty crime about 100 cases had been dealt with in 10 days.

B. BARLETTA. Capt. Clarke of the SIS told me that only three cases had been tried in the last five months, and ~~three~~ only as a result of repeated personal applications.

C. TARANTO. Very few cases have been dealt with. This I think is largely due to the Procuratore del Re. In the last 10 days he has been replaced.

D. BRINDISI. Again there is great delay in hearing cases.

10. In my opinion there is considerable lack of liaison between ACC, the Allied Military authorities and the Italian Courts. I strongly recommend that a Legal Liaison Officer should be stationed at Bari to cover that town and Barletta, and another at Taranto to cover that town and Brindisi. These officers should be provided with lists of cases arising from the different sources and should keep constantly in touch with the local Procuratore del Re, to ensure prompt hearing and disposal of all cases affecting Allied interest.

/John Willis

JOHN WILLIS
Lt. Col., R.A.

*Copy to Regional Commissioner
Region II ACC.*

in 10 days.

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Region II ACC.*

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