

ACC

10000/142/165

10000/142/165

MAIL BAG THEFTS
JAN. 1944 - JULY 1945

File closed July 1945

4002 ✓

22A

HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

25 July 1945.

TO : Chief Legal Adviser, Legal Sub-Commission,
HQ., AC.

SUBJECT : Mail Theft Case.

File N) : RXII/LE/Reg/A/15.

(SA)

1. Reference ACC/4083/L of 2 February 1944, I have the following case of a mail theft to report to you.

Name of accused: Kobal Antonio.
Date of trial : 20 July 1945.
Place of trial : Padova. *Stewart*
Judge : Major G. *Stewart*.
Charges : (1) Improper possession of 140 cigarettes;
(2) Theft of 2 tins each of 50 cigarettes.
Sentences : 2 months imprisonment on 1st charge,
1 month imprisonment on 2nd charge.
Sentences to be concurrent.

2. It was admitted in evidence that all the above cigarettes had been extracted from Allied mail by the accused, who was employed in the A.P.O.

3. I have drawn the attention of the Judge to the ~~inadequacy~~ ^{inadequacy} of the sentence imposed. *12*

LEGAL SUB-COMMISSION

CLO	<i>W</i>
DCLO	
Chief Counsel	
CL	
Location	27 Jul 1945
CL RKS	

7

H. W. Linn
Colonel,
Regional Legal Officer,
Venezie Region.

4012

ALLIED CONTROL COMMISSION
SICILY REGION HQ.
APO 394

(21A)

File: RLE 013.163/HD

11 March 1944

SUBJECT: Theft of Allied Mail.

TO : C.L.O., A.C.C. HQ., (Salerno) APO 394.

④
1. In accordance with instructions contained in A.C.C. HQ letter Ref. 051/327 dated 1st February, the enclosed statement is submitted of the sentences imposed by Superior Court, Palermo on six persons found guilty of theft and unlawful possession of U. S. Army Mail.

2. The theft occurred in a warehouse in Palermo on or about 1st February and was investigated by the C.I.D. Branch of the Provost Marshal's office, who brought the case before the Allied Military Court. The trial took place on 9th and 10th March.

3. Report of proceedings on Form 8 will be forwarded at the expiration of 30 days.

For Lt. Col. HANCOCK:

H. M. Dickie
H. M. DICKIE,
Squadron Leader R.A.F.,
Regional Legal Officer.

jd

1 Incl.

MEMORANDUM

RE : MAIL CASE - LAZZARA et AL .

In above case duly tried 9 March 1944 the disposition of same was as follows :

LAZZARA Camillo Convicted of Theft and Unlawful possession of U.S. Mail
Sentence - 7 years imprisonment .

PALAZZO Giuseppe Convicted of Theft and Unlawful possession of U.S. Mail
Sentence - 6 years imprisonment .

PICONE Gaetano Convicted of Theft and Unlawful possession of U.S. Mail .
Sentence - 6 years imprisonment .

LAZZARA Casimiro Convicted of Unlawful possession of U.S. Mail
Sentence - 4 years imprisonment .

DE PAZIO Gaetano Convicted of Aiding and Abetting and Unlawful possession of U.S. Mail .
Sentence - 4 years imprisonment .

DOMILICI Maria Anna Convicted of Unlawful possession of U.S. Mail
(LAZZARA Maria Anna) Sentence - 2 years imprisonment .

NAVA Andrea Charged with Theft and Unlawful possession of U.S. Mail .
Disposition - Dismissed for insufficiency of evidence .

PICONE Antonino Charged with Theft and Unlawful possession of U.S. Mail
Disposition - Dismissed for insufficiency of evidence .

MINISTERO DI GRAZIA E GIUSTIZIA

Direzione Generale Affari Penali
Ufficio II

Protoc. N. 25005

Risp. al foglio N. ACC/4083/L

del TS/gmf

Salerno 11, 2 FEB 1944

OCCETTO: Theft of Allied Mail.

HEADQUARTERS

ALLIED CONTROL COMMISSION

Legal Subcommittee

A P O 394

A seguito della lettera/su citata di codesta Commissione di Controllo, si informa che questo Ministero non ha mancato di impartire agli uffici giudiziari delle Corti di Appello di Bari e Cagliari disposizioni per la sollecita ed accurata istruzione e definizione dei processi per furti, in ispecie di corrispondenza, commessi in danno delle Forze militari Alleate.

Si è peraltro sospesa l'emanazione di analoghe disposizioni agli uffici giudiziari delle altre Corti di Appello, inquantocché, avendo l'art. 3 del Regio Decreto Legge 11 febbraio 1944, n. 91, devoluto ai Tribunali Alleati la cognizione, fra l'altro, dei delitti contro il patrimonio commessi in danno delle Forze militari Alleate nei territori liberati, i detti uffici giudiziari italiani non sarebbero competenti a giudicare dei processi relativi ai furti in questione.

Cio posto, si prega codesta Commissione di Controllo di voler esaminare se sia il caso di lasciare immutata la disposizione dell'art. 3 del Regio Decreto Legge 11 febbraio 1944, nella quale ipotesi numerosi processi per furti, anche di lieve entità, dovrebbero essere giudicati dai Tribunali militari Alleati, o se sia invece il caso di attribuire alla Autorità giudiziaria italiana la cognizione dei delitti contro il patrimonio in danno delle Forze militari Alleate, anche se commessi nei territori liberati, nella quale ultima ipotesi, previa abrogazione dell'art. 3, si darebbero da questo Ministero tutte le opportune disposizioni per-ché, anche nei territori liberati, i colpevoli, assicurati alla giustizia con vigile opera degli organi di polizia giudiziaria, siano nel più breve termine possibile, giudicati dalle Autorità italiane.

Protoc. N. 21005

Risp. al foglio N. ACC/4063/L

del ES/gmf

Direzione Generale Affari Penali
Ufficio II

Salerno 11, 2 FEB 1944

OGGETTO: Theft of Allied Mail.-

HEADQUARTERS

ALLIED CONTROL COMMISSION

Legal Subcommittee

A P O 334

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I L M I N I S T R O

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ART/gmf

26 February 1944.

ACC/4083/L

SUBJECT: Mail Theft Cases.

TO : H.E. The Minister of Pardon and Justice.

Further to my letter of 15 February 1944 - ref ACC/4083/L I have the honour to inform you that instructions have now been issued to all Allied Military Judicial Officers that in mail theft cases no provisional liberty will be granted at all, except in the light of most unusual circumstances. In any such extraordinary situation the amount of caution money will be so large as to make it most unlikely that the arrested person will fail to be present at the trial.

In order to ensure that the measures necessary to deal with this situation shall be uniformly applied in both occupied and unoccupied territories, I would ask Your Excellency to be so good as to give instructions that the above or equivalent steps be taken by your services concerned, and would further suggest that this Subcommittee be kept informed of the results so that a maximum degree of cooperation may be secured.

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

18

JOINT HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
A.P.C. 394

17A

ACC/4083/L

22nd February 1944

SUBJECT: Mail Theft Cases.

TO : ALOs (thru HQ) Regions I, II, III, IV and V.
SLOs, AMG, 5th and 8th Army.

1. You have been previously advised that the theft of Allied mail by Italian civilians has been considered as presenting a very serious problem calling for drastic action.
2. It has just been learned by this sub-commission that certain Italian civilians who were arrested for mail thefts were released on bail and have since disappeared causing the postponement of the trials and causing additional and unnecessary work on the part of the Military Police and Italian police in an endeavor to recapture them.
3. In mail theft cases NO bail will be granted at all except in the light of most unusual circumstances. In any such extraordinary situation the bail will be so large as to make it most unlikely that the arrested person will fail to be present at his trial.
4. In unoccupied territory where mail theft suspects are held subject to trial later either by Italian Courts or Allied Military Courts the Italian authorities should be requested to act in accordance with the foregoing.
5. All personnel having to do with court matters should be advised immediately of the foregoing.

GERALD R. UPJOHN
Colonel,
Chief Legal Officer.

17

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION.
LEGAL SUB-COMMISSION.
ALC 394.

16A
16th February, 1944.

REFERENCE : ALC/4085/L.

TO : R.C., M.C. Section, H. ., Allied Control Commission.

SUBJECT : Theft of Allied Mail.

1. Reference your 272/9/G of 8 Feb 1944, attached is copy of my letter addressed to the Under Secretary of Justice on the above subject.

2. I shall keep you posted on further developments.

A. R. THACKERAY. 16
Major,
for Chief Legal Officer.

ES/vow.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394.

15 February 1944.

ACC/4083/L ✓

SUBJECT: Theft of Allied Mail.

TO : H.E. The Undersecretary of State
Ministry of Pardon and Justice.

My attention has been called by the Allied military authorities to the prevalence of thefts of Allied mail perpetrated at railway sidings of Bari and in other localities under control of the Italian Government. I am informed that the following Italian civilians have been arrested on 17 Dec. 1943 for theft of Allied parcel mail by Allied authorities and handed over to Italian civil authorities:

PALMIOTTO GIUSEPPE	Via Grossis No. 1 GIOVINAZZO
CINQUATTINI WALTER	Via Imbriani No. 15 BARI
TRINATTO VINCENZO	Via Martulli No. 4 MODUGNO
BARONI ENICO	Via Pisciani No. 21 BARI
VITUCCI GIUSEPPE	Via Ravenna No. 12 MODUGNO
GIORDANO VINCENZO	Via Carrulli No. 7 BARI

In order to establish an effective deterrent the above accused who have been released from arrest pending trial, should be re-consigned to prison, their trial expedited and heavy sentences imposed if charges are sustained. A report on the outcome of each case is requested.

In view of the serious consequences which are bound to follow such thefts I wish to solicit your assurance that rigorous means of both preventive and punitive character will be applied forthwith to forestall any recurrence of such offenses.

May I suggest that, following the practice adopted by you in the past in an analogous situation, a directive be issued by you on this subject to all R. Procuratori residing within the territory under Italian control. Such directive would emphasize the necessity of handling all similar offenses in the manner indicated in the above cases. Furthermore, the directive would instruct the Procuratori to proceed with utmost rigor and expediency and to report to you all cases of such thefts which have occurred or which may occur in the future within their districts, indicating the outcome of each proceeding. I shall then be able to obtain from you any information received in response to the above directive and route it to the interested military authorities.

Aug
A. R. THACKERAH
Major

for Chief Legal Officer

15 February 1944.

ACC/4083/L ✓

SUBJECT: Theft of Allied Mail.

TO : H.E. The Undersecretary of State
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- | | |
|--------------------|------------------------------|
| PALMIOTTO GIUSEPPE | Via Grossis No. 1 GIOVINAZZO |
| CIEBATTINI WALTER | Via Imbriani No. 15 BARI |
| TRINADUE VINCENTO | Via Mertulli No. 4 MONTUGNO |
| BARONI ENRICO | Via Pisacani No. 21 BARI |
| VITUCCI GIUSEPPE | Via Ravanas No. 12 MODUGNO |
| GIORDANO VINCENTO | Via Cerrulli No. 7 BARI |

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Aug
A. R. THACKER
Major
for Chief Legal Officer

U.S. CONFIDENTIAL Equals British CONFIDENTIAL
OUTGOING GRU/SK

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CONFIDENTIAL
ROUTINE
FATIMA
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14A

LT COL WILLIS AVAILABLE FOR LOAN TO YOU FOR SPECIAL PROSECUTION
WORK PD YOUR TWO TWO ZERO ONE SLANT FIVE SEVEN SLANT THREE
DATED FIVE FEBRUARY FOUR FOUR REFERS PD TO DISTWO FOR AMQ REGION
TWO FROM FATIMA FROM UPJOHN SIGNED MACFARLANE PD SIGNAL WHEN
AND WHERE YOU DESIRE HIM TO REPORT

AUTHENTICATED:

E. J. Chiocca
E. J. CHIOCCA
CWO, USA
ASST. ADJ. GEN.

DISTRIBUTION:

- 1 - AG
- 1 - D.S.G.
- 1 - LEGAL SUB-COMMISSION

14

U.S. CONFIDENTIAL Equals British CONFIDENTIAL

2014/2015

15 Feb 1944

G. M. SPENCER 1
Colonel
Chief Legal Officer.

13

~~8113~~

See (14)

Major Thackerah.

(17)

* Take up with Minister of Justice

- (a) They are the recommended opinion
- (b) Their trial is the expedited
- (c) Heavy sentence if found guilty should be imposed
- (d) The Minister is to report in writing the result of the case.
- (e) When Minister has been indicated please

G.P.H.

Draft reply to the
letter of Col Fiske. Likewise
any future information
on these cases should be conveyed to
Col. Fiske by letter. 12

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

8 February 1944.

Ref/279/9/CA.

SUBJECT: Theft of Allied Mail.

TO ✓: Legal Sub-Commission.

1. Attention is invited to letter of this office dated 31 Jan 1944, Ref/NMG/319.
2. Attached is copy of letter from A.F.H.Q. Adv. Adm. Echelon, C.M.F., 3047/A dated 5 Feb 1944 with enclosure.
3. It is requested that every effort be made to bring the accused to trial at a very early date and that this office be advised of the steps which have been and are being taken in the premises.

Norman E. Fiske
NORMAN E. FISKE.
Col., Cavalry,
D/Executive Commissioner.

Copies to: Lt.Col.Cripps.
Public Safety Sub-Commission.

C O P Y

SUBJECT: Theft and Violation of Mail.

AFHQ, Adv. Adm. Echelon,
CMF.
3047/A.
5 Feb 44.

The D.C.C.A.O.,
Headquarters Allied Military Government,
A.P.O. 394.

1. With reference to your letter Ref/OS1/327 of 1 Feb '44, the action taken is appreciated.
2. Particulars of a previous case which occurred in Dec '43 are attached. It is understood that owing to congestion in the Italian Courts there is liable to be some three months delay before trial and that the accused have been released from arrest pending trial.
3. It is most desirable, from the military point of view, that the individuals concerned should be dealt with as promptly as possible, and that if convicted, a serious view should be taken of their cases. Such action will then act as a deterrent.

(Signed) G.M. PALMER, Brig.
for Major-General,
D.C.C.A.O.

C O P Y

17 Dec 43. Theft of Canadian parcel mail
at BARI

PALMIOTTO GIUSEPPE
CIEBATTINI WALTER
TRENTADUE VINCENZO
BARONI ENRICO
VITUCCI GIUSEPPE
GIORDANO VINCENZO

Civilians arrested and handed over
to Italian Civil Authorities.

Via Grossis No.1 GIOVINAZZO.
Via Imbriani No.15 BARI.
Via Martulli No.4 MODUGNO.
Via Pisacani No.21 BARI.
Via Ravanis No.12 MODUGNO.
Via Carrulli No.7 BARI.



HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION IIAdmin Sec 15-28
3370
16 FEB 1944
5 Feb 44

Ref: 2201/57/6

Subject: Theft of Allied Mail

To : Special Prosecutions Branch

One arrest has already been made, and others are expected for theft by Italians of over one hundred mail bags belonging to the Allied Forces.

Investigation by the SIB and preparation of the Prosecution is likely to be intricate, it is requested that an officer of your branch may be sent to this headquarters as soon as possible.

It is appreciated that your branch is at present much occupied, but the importance already attached to the matter has this day been confirmed by a special letter from the DCGAO (LHD/AMG/med of 1-2-43) on it, and it is greatly hoped that you will assist.

Already advised see
41023/c to 28.14B.K. Cousins
D.F.S. COUSINS, Lt. Col.
RCLO

1171

4-083

COPY
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION II

Legal Sub. Com.
Correa
5 Feb 44
(7A)

Ref: 2201/57/3

Subject: Theft and Violation of Mail.

To : DCCAO AMG

1. Ref LVD/AMG/mrd of 1-2-44, the importance attaching to the thefts in question had already been appreciated, and one of the culprits is to be tried on Feb 8th by a General Court at Matera consisting of

Chief Judicial Officer AMG
RCAO Region II
RCLO Region II

2. Investigations by the SIB give hope that shortly others implicated may be brought to trial. But since those are in King's Italy, difficulty may arise as to the matter of jurisdiction. Since the investigations and preparation of the Prosecution will be intricate, application has been made for the loan of an officer from the special Prosecution branch to report to this HQ.

It was notified sometime ago that this branch is fully occupied for the present, but it would be greatly appreciated if in view of the seriousness of the matter one of its officers could be spared. When names of the persons implicated are known, a list will be forwarded.

(Signed)

G.H. McCaffrey
Lt. Col., Infantry,
R.C.A.O.

Ind signed

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

Administrative Section.

4083
✓

(GA)

ACC/000.5/AS

2 February 1944.

SUBJECT : Theft and Violation of Mail.

TO : Legal Sub-commission.
Public Safety Sub-commission.

4A

1. Reference D.C.C.A.O. letter to Regions I, II, III, IV,
dated 1 February 1944 (OSI/327), copies direct to you.

2. Will you please advise this office of any action taken
by you and of any information you may receive in the matter in the
future.

R. R. Cripps

R. R. CRIPPS
Lt. Colonel;

for Vice President Admin. Section.

Taken care of by letters
direct to RCLO. RAN
RCLO

6

See also files 22, 23, 24

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUBCOMMISSION

2 February 1944

ACC/A083/L

SUBJECT : Theft and Violating Mail

TO : RCLO's (through RCAG's) Region 1, 2, 3, and 4

1. Reference /OSI/327 from Col Grafton to RCAG's dated 1 February 1944.
2. Your monthly reports henceforth should contain details of any mail theft cases whether they are tried in Allied Military Courts or Italian Courts. Any case of particular importance should also be reported to the Legal Subcommission promptly and separately.

Richard H. Wilmer
RICHARD H. WILMER,
Lt. Col.,
Deputy Chief Legal Officer

See also files 22, 23, 25

See also file 4002/1
for appra further cont
by by above

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
APO 394

4377
74

Ref/051/327.

DVD/AM/AM
1 February 1944

SUBJECT : Theft and Violation of Mail

TO : R.C.A.O., Region I, II, III, IV.

1. A.P.H.Q., Adv. Adm. Echelon has reported that a number of thefts of Allied mail have occurred, apparently by Italian civilians. At Bari and Foggia railway sidings there were three notable cases reported during January. Certain Italian Civilians have been arrested in connection with these thefts.
2. In consideration of the effect on the morale of the troops caused by failures in the delivery of mails, and also of the security aspect, a serious view must be taken of such cases.
3. Accordingly, it is requested that special efforts be exerted to apprehend the perpetrators of such thefts, and also that, after their conviction, substantial sentences be meted out for this type of offense.
4. Reports of sentences imposed both by Allied and Italian Courts in this type of case will be submitted through the Legal Sub-Commission.

CHARLES M. SHOFFERD
Colonel, G.S.C.
D.C.C.A.O.

4

See also files 22,24025

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
APO 394

30

Ref/301/327.

INFORMED
1 February 1944

SUBJECT: Theft and Violation of Bail

To : A.P.H.Q., Adv. Adm. Section, C.M.F.

1. Attention is invited to letter of your office dated 30 January 1944, reference 3047/A.2.
2. A most serious view will be taken of cases of the nature mentioned; and action will be instituted through this office to assist in apprehending offenders and bringing them to justice.
3. Instructions will be issued so that your Headquarters will be informed of any sentences passed on civilians who are convicted in the Allied Military Courts and, as far as possible, also in the Italian Courts, of thefts of this nature.

CHARLES W. STOFFORD
Colonel, U.S.C.
D.C.C.A.O.

See also files 23, 24, 25

C O N F I D E N T I A LHEADQUARTERS
ALLIED MILITARY GOVERNMENT
APO 394LVD/AMG/mrd
31 January 1944

Ref/AMG/319.

SUBJECT: Theft and Violation of Mail

TO : Legal Subcommittee

1. Attached is copy of letter of 30 January 1944 on this subject from D.C.A.O., A.F.H.Q., Advance Administrative Echelon, C.M.F.

2. It is requested that appropriate action be taken in accordance with the suggestions made in the basic letter.

Charles M. Spofford
CHARLES M. SPOFFORD
Colonel, G.S.C.
D.C.C.A.O.

Encl. 1

2

C O N F I D E N T I A L

CONFIDENTIAL

SUBJECT:- Theft and Violation of Mail.

AFHQ, Adv. Adm. Echelon,
C.M.F.
3047/A.2
30 Jan '44.

The Deputy President,
Allied Control Commission.

1. The C in C is disturbed at the prevalence of thefts of mails, apparently by Italian civilians, especially at BARI and FOGGIA railway sidings, where three notable cases have occurred during Jan '44.
2. Certain Italian civilians have been arrested in connection with these thefts. In consideration of the effect on the morale of the Troops caused by failures in the delivery of mails, and also of the security aspect, I have to request that the serious view taken of these cases may be made known to those of your officers who are responsible for dealing with such matters, as a guide to them in regard to the action to be taken.
3. It would be appreciated if instructions could be issued so that this H.Q. is informed of the sentences passed on civilians who are convicted of thefts of this nature.

s/ C. M. Paton, Brig.?

Major General,
D.C.A.O.

CMP/AH.

