

ACC

10000/142/182
(VOL. I)

CORRESPONDENCE ON MATTER
SUB-COMMISSION
DEC. 1943 - JULY 1945

10000/142/182
(VOL. I)

CORRESPONDENCE ON MATTERS CONCERNING TRANSPORTATION
SUB-COMMISSION
DEC. 1943 - JULY 1945

1217

FILE CLOSED: 20 July 1945 -

SEE VOLUME II

152

1218

Declassified E.O. 12356 Section 3.3/NND No. 785016



PARTITO FASCISTA REPUBBLICANO
FEDERAZIONE DELL'URBE

IL COMMISSARIO FEDERALE

1114

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4014/4/L.

20 July 1945.

SUBJECT : Hiring Contract.

TO : Transportation Sub-Commission.

Reference your letter AC/16/7/TN5 dated 18 July 1945, we
return herewith Hiring Agreement with suggested changes noted in red pencil.

ANTHONY P. NUGENT,
Major, AUS,
Chief Counsel,
for Chief Legal Advisor.

Incl. Hiring Agreement.

10/5/4
✓
file

JSB/gbl
110A

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

EXT :- 566 18 JULY 1945
REF :- AC/16/7/Tn5
SUBJECT :- Hiring Contract
TO :- Legal Sub-Commission *K*

Reference attached letter G-5/13/9.1 dated 14 July '45 and proposed agreement for hiring, will you please screen from a legal aspect and return to this Sub-Commission at your earliest .

150

For the DIRECTOR

J. S. Billinghamurst
J.S. BILLINGHURST
Capt. R.A.S.C.

| | |
|----------------------|---------------|
| LEGAL SUB-COMMISSION | |
| CLO | |
| DCLO | |
| Chief Counsel | <i>W.M.</i> ← |
| CJO | |
| Training Section | <i>W</i> ← |
| C. P.S. | |
| 19 JUL 1945 | |

109A

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION
RBD/ep

Ref: AG/349/Tn5

30 June 1945.

SUBJECT: Italian Military Vehicles.

TO : See Distribution.

1. Reference our AG/349/1/Tn5 dated 31 May 1945 and AG/349/Tn5 dated 27 June 1945, regarding Italian Military vehicles, the following applies. Commencing Wednesday morning at 0900 hours you will report Italian Military vehicles under your control to Dr. Bruno Marsano at Italian Military Motor Park No. 1, Reparto Riparazione Via Guido Reni, Rome. Dr. Marsano will receive duplicate receipts from MIA, this Headquarters, one of which will be retained by Roads Division, Transportation Sub-Commission, AG and one will be handed over to the firm operating the vehicles.

2. The above orders must be strictly complied with. Any reason for delay of any sort whatsoever will be reported to these Headquarters immediately.

By Command of Rear Admiral STONE:

H. H. Downer 149
H. H. DOWNER
Major, Ord. Dept.

cc: Legal Sub-Commission
Director, Transportation Sub-Commission
Col. Salten, Economic Section

DISTRIBUTION:

- W.M.I.A. - Hq Allied Commission
- C.I.T.A.M. - Via dei Pontefici No. 5
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- S.A.F.R.A. - Via Veneto No. 6
- Vianini - Via della Ferratella No. 5
- Comune di Subiaco (Sindaco del)
- Segna Alcaste - Via di Porta Maggiore No. 3
- S.A.I.T.A.R. di Luigi Felixiani - Via Nomentana 233
- A.G.I.C.A. - Via Principe Amedeo No. 114

| |
|----------------------|
| LEGAL SUB-COMMISSION |
| DIG |
| DGLO |
| Chief Counsel |
| |
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| |

1222

copy

108A

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

Tel: 220

MHT/hl

AC/348/IN 5

My dear Mr. Minister: **107A**

30 June 1945

Reference is made to my letter to you,
AC/348/IN 5, 27 June 1945.

The next to the last paragraph of this
letter is withdrawn and the following is substituted:

"These above enumerated vehicles will be
transferred to the Italian Government on the understanding that
the United States and United Kingdom Governments will raise a
charge therefor in dollars and sterling against the Italian
Government. It is also with the understanding that any lifts
required by AC will be given first priority for transport by
the Italian Government or such other agency or person who may
control the operation of these vehicles."

Yours very truly,

Merritt H. Taylor
MERRITT H. TAYLOR,
Director.

His Excellency La Malfa
Minister of Transport
ROME

DISTRIBUTION:

- All Regional Commissioners
- Provincial Commissioner - Ancona
- " " - Leghorn
- Senior Transportation Officer - Foggia
- " " - Bari
- " " - Florence
- Finance Sub-Commission
- Legal Sub-Commission
- Special Truck Operating Group
- Road Division - Tn. S/C
- Road - Movements Division - Tn. S/C
- Deputy Director - Tn. S/C
- Economic Section
- Supply Division - Economic Section

148

107A
4014/4 ✓

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

Tel: 220

mht/hl

His Excellency La Malfa,
Minister of Transport,
Rome.

AC/348/TN 5

27 June 1945

Dear Mr. Minister:

Confirming our conversation of 25 June 1945, the Allies placed an order for 2,000 trucks of 2½ tons capacity - giving a total lift of 5,000 tons for use by the Italian Government. This order was later changed to 260 trucks of 10 ton and 1600 trucks of 1½ ton capacity, giving a lift of 5,000 tons.

These trucks are being transferred to the Italian Government which is assigning them to ISR for operation. To date 500 of these trucks have been delivered to the Italian Government. Delivery can be increased if the ISR can accept them more rapidly.

There are now approximately 650 Allied trucks operating in Truck Pools in the Southern and Abruzzi-Marche Regions. These trucks have been used since the inception of the Truck Pools to carry civil supplies only.

On 16 June 1945, an officer of the Allied Commission, accompanied by a representative of the Ministry of Transport and the Ministry of the Treasury left for Campobasso on initial stage of transferring all of the trucks in these Truck Pools to the Italian Government. The transfer of the trucks in Campobasso and Foggia have already been completed. The transfer of the balance of these 650 trucks should be effected by 1 August.

The Allied Commission have been operating approximately 2,000 captured trucks in Sicily, 600 of which are runners. This organization has been operating under the name of INT - AC, Sicily. All of the property of the INT - Sicily was transferred from the Allied Commission to the Italian Government on 25 June 1945.

In addition, there are approximately 2,244 trucks in AC Special Truck Operating Group, composed of the 1700 - 1½ ton trucks, most of which have been delivered and approximately 500 - 2½ to 3 ton trucks supplied from military sources. It is proposed

Minister of Transport

- 2 -

27 JUNE 1945

to transfer title to these trucks to the Italian Government and deliver them to the locations specified below for operation by local truck pools on the dates set forth:

| | | | | |
|--------------------|-----------|------------|--------|-------------|
| 1. Forli-Cesena | July 1 | 132 | trucks | |
| 2. Bari | " | 50 | " | |
| 3. Foggia | " | 50 | " | |
| 4. Leghorn | " | 32 | " | |
| 5. Ancona-Macerata | " | <u>400</u> | " | 664 |
| 6. Leghorn | July 15 | 140 | " | |
| 7. Florence | " | 140 | " | |
| 8. Venezia | " | 150 | " | |
| 9. Genoa | " | <u>150</u> | " | 580 |
| 10. Genoa * | *August 1 | 200 | " | |
| 11. Milan * | " | 200 | " | |
| 12. Turin * | " | 200 | " | |
| 13. Venezia * | " | 200 | " | |
| 14. Venezia-Giulia | " | <u>200</u> | " | <u>1000</u> |
| | | | | <u>2244</u> |

* - Tentative allocation and date subject to review in consultation with 15th Army Group and Regional Commissioners.

These above enumerated vehicles will be transferred to the Italian Government with the understanding that the U.S.A. and U.K. Governments reserve the right to raise a charge in dollars and sterling against the Italian Government. It is also with the understanding that any lifts required by AC will be given first priority for transport by the Italian Government or such other agency or person who may control the operation of these vehicles.

Your acceptance of this tentative program and the conditions of transfer will be greatly appreciated.

Yours very truly,

Merritt H. Taylor
MERRITT H. TAYLOR,
Director.

1225

Minister of Transport - 3 -

27 JUNE 1945

DISTRIBUTION:

- All Regional Commissioners
- Provincial Commissioner - Ancona
- " " - Leghorn
- Senior Transportation Officer - Foggia
- " " - Bari
- " " - Florence
- Finance Sub-Commission
- Legal Sub-Commission
- Special Truck Operating Group
- Road Division - Th. S/C
- Road - Movements Division - Th. S/C
- Deputy Director, Th. S/C
- Economic Section
- Supply Division, Economic Section

| | |
|----------------------|----|
| LEGAL SUB-COMMISSION | |
| CIO | lu |
| DCIO | |
| Chief Counsel | |
| CIO | |
| Director | |
| Secretary | |
| Director | |

146

106A

DEPARTMENT OF DEFENSE
 AND
 LEGAL COUNSEL

1/mt.
 12 June 1945.

AC/4014/1/1.

MEMORANDUM : Raw and manufactured hemp.
 TO : Economic Sec.

1. I have considered the letter from the Ministry of Foreign Affairs dated 20 May 1945 on the subject of Raw and Manufactured Hemp.
2. It is perfectly true that the Armistice Terms do not expressly mention the question of the price to be paid by the Allies for any supplies taken by them or work done on their behalf. The reason for this, however, is that under Art. 23 of the terms the Italian Government has undertaken to make available to the United Nations such Italian currency as the United Nations require and to redeem and hand over free of cost to the United Nations any occupation currency issued by the United Nations.
3. The effect of this Article is that the ultimate cost of all sums expended by the Allies falls upon the Italian Government.
4. It follows therefore that if, under the Armistice Terms, the Allies may require the delivery of raw or manufactured hemp, the question of payment does not legally arise. It cannot seriously be disputed, and indeed the Ministry does not seriously attempt to dispute that the Allies have such a right under both clauses 13 and 25 (A) of the Armistice Terms.
5. I do not, as a matter of fact, fully understand the distinction which is apparently made by the Allies in paying cash for the manufacture and not for the raw materials. It is clear that a private citizen who supplies goods or services to the Allies should be paid, since otherwise there will be illegal confiscation. It is convenient in many cases that such payments should be made by the Allies, even though ultimately they will fall on the Italian Government. It would also appear that where the cash for such goods or services has to be paid to the Italian Government, there is no objection in making such payment. As I understand the present practice, the Consorzio pays both for the original hemp and the cost of manufacture, while the Allies refund in cash the latter but not the former. This practice may of course be based upon some directive prepared for accountancy purposes, but it has no relation to the legal construction of the Armistice Terms.
6. It will be appreciated that the United Nations have in fact granted

= 2 =

certain concessions from the strict interpretation of Clause 23, and it is apparent from letter of 5 June, reference 18.22/ES that they are receiving concessions in respect of this particular question. Nevertheless, so far as I know, there is no binding agreement varying the Armistice Terms in this respect, and the true effect of the financial provisions of the Armistice Terms is as set out in paras. 3 and 4 above.

Copy to: Finance S/C.

W. R. BENTON,
Colonel,
~~Major~~ Chief Legal Advisor.

146

HEADQUARTERS
ALLIED COMMISSION
TRANSPORTATION SUB-COMMISSION
(Advanced Echelon)
AFO 394

160/1/TW2/ADV.

29th May 1945

TO : REGIONAL COMMISSIONERS
LOMBARDIA
PIEMONTE
LIGURIA
VENEZIA

SUBJECT: - ROAD TRAFFIC CONTROL FORCE.
Transportation Sub-Commission A.C. letter refers. No. 155/1/Tn.2 dated 4th May 1945.

1. (a). The force will in future be known as 'Polizia Controllo Economico'.
(b). All members will wear, when on duty, Italian Field Grey or Khaki, service dress, with Sam Browne belt. Maroon patches with star are worn on the collars of the tunics. When however special investigations are being made, civilian clothes may be worn by members of the force.
- (c). Each member of the force will carry on his person a blue identity card as per attached copy.
- (d). Motor cars: Motor cycles etc. used by members of the force when on duty, will have prominently displayed on the windcreens of the cars and in front of the motorcycles, a white card on which will be printed in black, the title of the force. At the backs of the vehicles will be also a card bearing the title of the force. On the reverse side of the cards on the fronts of vehicles will be shown:-
Number of car.
Signature of person in charge of car or driver.
Signature of O.C. Force. (~~Commissioner~~).
Strip of the Force.

2. The work to be carried out by the Force is as laid down in the attached letter of the Transportation Sub-Commission, AC, numbered 155/1/Tn.2 para 2 sub paras (a) (b) (c) (d) and (e).
To sub-para (e) should be added the word 'CIVIL' before the word 'TRANSPORTATION'.

3. The Force will at the earliest possible moment be brought up to an agreed establishment of 53 Ufficiali 220 Sottufficiali 975 Agenti. As suggested by the Chief of Police, Rome, vide that Officers' letter numbered CG/1r d/ 4/5/45, copy attached; and agreed to by the ~~Committee of Liberation of the North of Italy~~, vide that Officers' letter numbered Prot. No 7/1 mobilisation, copy attached.
Recruits from the ranks of the Partisans and Security agents will be enrolled with qualifications in accordance with the written views by the same two Officers quoted previously in this para.

4. The Force will be split up amongst the 4 Northern Regions as follows:-
Milan. Headquarters of Force 5 Ufficiali 5 Sottufficiali 25 Agenti.

| | | | |
|-------------------|--------------|------------------|------------|
| Lombardia Region. | 16 Ufficiali | 55 Sottufficiali | 275 Agenti |
| Liguria Region. | 6 do | 25 do | 125 do |
| Piemonte Region. | 9 do | 40 do | 200 do |
| Veneto Region. | 16 do | 75 do | 350 do |

(105 A)

HAS/L.

SUBJECT: - ROAD TRAFFIC CONTROL FORCE.
Transportation Sub-Commission A.C. letter refers. No. 155/1/Tn.2 dated 4th May 1945.

- 1. (a). The force will in future be known as 'Polizia Controllo Economico'.
- (b). All members will wear, when on duty, Italian Field Grey or Khaki, 143 service dress, with San Browne belt, broon patches with stars worn on the collars of the tunics. Then however special investigations are being made, civilian clothes may be worn by members of the force.
- (c). Each member of the force will carry on his person a blue identity card as per attached copy.
- (d). Motor cars: Motor cycles etc. used by members of the force when on duty, will have prominently displayed on the windcreens of the cars and in front of the motorcycles, a white card on which will be printed in black, the title of the force. At the backs of the vehicles will be also a card bearing the title of the force. On the reverse side of the cards on the fronts of vehicles will be shown:-
 Number of car.
 Signature of person in charge of car or driver.
 Signature of C.C.Force. ().
 Stamp of the Force.

2. The work to be carried out by the Force is as laid down in the attached letter of the Transportation Sub-Commission, AC, numbered 155/1/Tn.2 para 2 sub paras (a) (b) (c) (d) and (e).
To sub-para (e) should be added the word 'CIVIL' before the word 'TRANSFORMATION'.

3. The Force will at the earliest possible moment be brought up to an agreed establishment of 53 Ufficiali 220 Sottufficiali 975 Agenti. As suggested by the Chief of Police, Rome, vide that Officers' letter numbered OG/1r d/ 4/5/45, copy attached; and agreed to by the Committee of Liberation of the North of Italy, vide that Officers' letter numbered Prot. No 7/1) mobilisation, copy attached.
Recruits from the ranks of the Partisans and Security agents will be enrolled with qualifications in accordance with the written views by the said two Officers quoted previously in this para.

4. The Force will be split up amongst the 4 Northern Regions as follows:-

| | | | | |
|-------------------|-----------------------|------------------|-----------------|------------|
| Milan. | Headquarters of Force | 5 Ufficiali | 5 Sottufficiali | 25 Agenti. |
| Lombardia Region. | 16 Ufficiali | 55 Sottufficiali | 275 Agenti | |
| Liguria Region. | 6 do | 25 do | 125 do | |
| Piemonte Region. | 9 do | 40 do | 200 do | |
| Veneto Region. | 16 do | 75 do | 350 do | |

The distribution of the forces within the different Regions will later be decided upon according to needs etc.
Notification of such distribution and any subsequent changes will be notified to the appropriate Allied Military Police Authorities.

5. The Force will establish and maintain the closest touch with the Allied Military Police Authorities so that mutual aid can be given to ensure the control of all forms of 'trafficking' within the terms of reference of the Force.

6. The Lombardia Region Force will commence their duties on the 1st of June 1945 and it is expected that the forces for the other four Regions will be ready to do likewise at an early date.
7. In accordance with instructions issued by the O.C. Polizia Controllo Economico, Capt. Eucelli Tullio O.Cs; ~~of~~ the respective Regional Forces will make all necessary arrangements for accommodation, rationing etc. etc. of their Units.
8. All letters etc. intended for the Polizia Controllo Economico should be addressed to Major H.A. Symons; Intelligence Corps; attd. A/E/Transportation; Montecatini Building, Milan. Telephone number 12407 extension 3033. X45

For the Deputy Director :

H.A. Symons

H.A. SYMONS
Major, I.C.

Attachments.

1. Copy of letter of Transportation Sub-Commission, A.C. numbered 155/4/Tn.2 dated 4th May 1945.
2. Copy (translation-) of letter of the Chief of Police, Rome; numbered CG/lr dated 4th May 45.
3. Copy (translation) of letter of Chief of General Staff of the Committee of Liberation; numbered Prot.No7/Denobilization; unnumbered but which was issued on the 22nd May 45.
4. Extracts (translation) of letter from Comando Polizia per il Controllo del Traffico e dei Trasporti (to which attachment 3 refers) numbered Prot.D/4 dated 21st May 1945.
5. Copy of special identity card carried by each member of the Force.

Transportation Sub Commission A.C.

COPY TO: Public Safety Allied Commission
Economic Section Allied Commission
Legal Sub-Commission
Roads Division of Transportation S/C
Road Section Movements Allied Commission
G-5
15th. Army Group
AFHQ
4th. Corps
5th. and 8th. Army
2 District
Provost Marshall 4th. Corps (12 copies)
A.P.V. 2 District (8 copies)

addressed to Major H.A. Symons; Intelligence Corps; attl. A/E/Transportation; Montecatini Building, Milan. Telephone number 12407 extension 3033. 3045

H.A. Symons

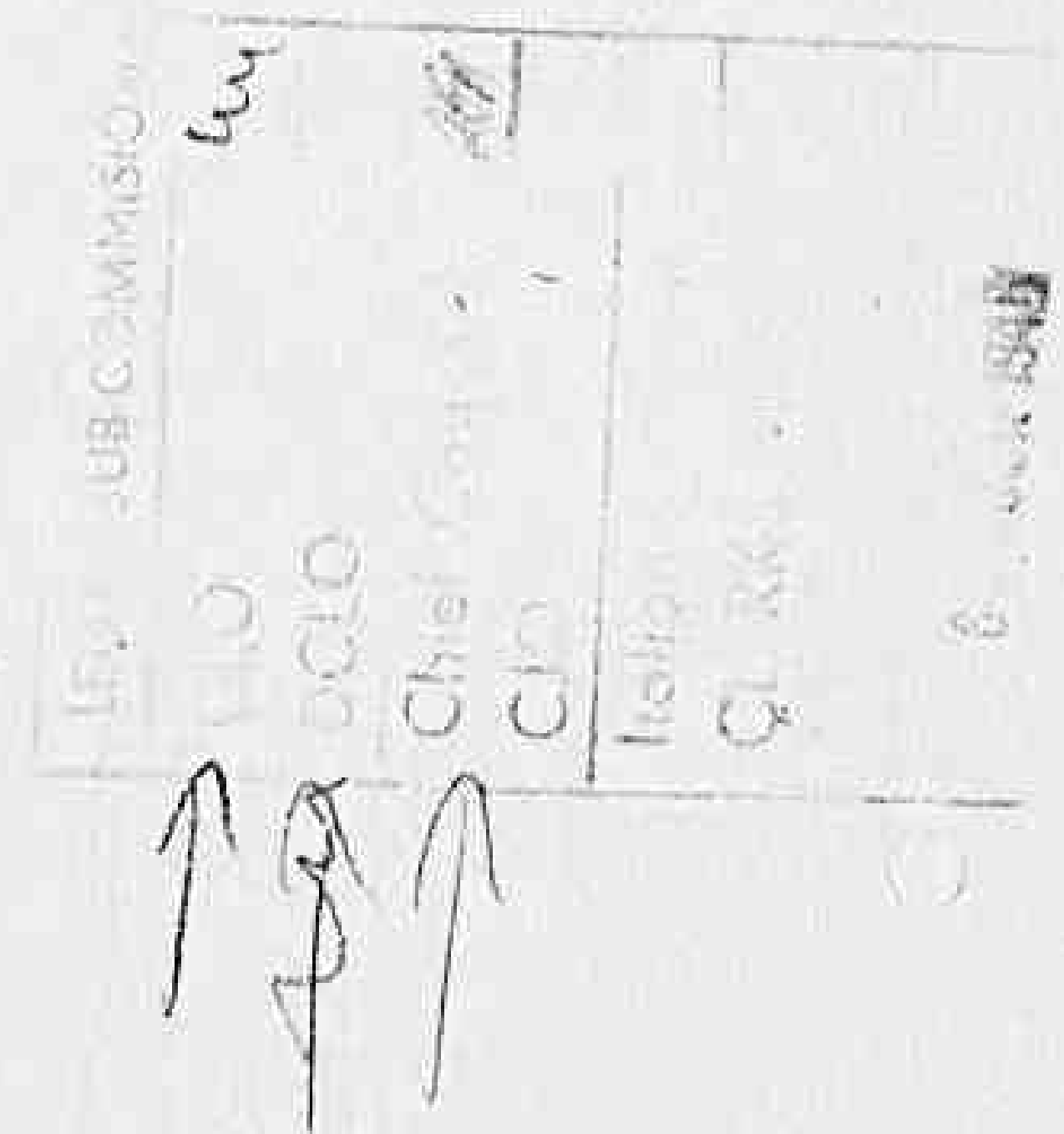
H.A. SIMONS
Major, I.C.

For the Deputy Director :

Attachments.

1. Copy of letter of Transportation Sub-Commission, A.C. number 155/A/In.2 dated 4th May 1945.
2. Copy (translation-) of letter of the Chief of Police, Rome; numbered CG/1r dated 4th May 45.
3. Copy (translation) of letter of Chief of General Staff of the Committee of Liberation; numbered Prot.No7/Demobilization; unnumbered but which was issued on the 22nd May 45.
4. Extracts (translation) of letter from Comando Polizia per il Controllo del Traffico e dei Trasporti (to which attachment 3 refers) numbered Prot.D/4 dated 21st May 1945.
5. Copy of special identity card carried by each member of the Force.
Transportation Sub Commission A.C.

COPY TO: Public Safety Allied Commission
 Economic Section Allied Commission
 Legal Sub-Commission
 Roads Division of Transportation S/C
 Road Section Movements Allied Commission
 G-5
 15th. Army Group
 AFHQ
 4th. Corps
 5th. and 8th. Army
 2 District
 Provost Marshall 4th. Corps (12 copies)
 A.P.M. 2 District (3 copies)



ATTACHMENT No. 1

10526

HEADQUARTERS ALLIED COMMISSION
APO 394
Transportation Sub-Commission
WAS/1r

Tele. : 220
155/N/Tn.2
4 May 1945

TO : Regional Commissioners
(Attn. Transportation Officers)
Liguria
Piemonte
Lombardia
Venezia

SUBJECT : Road Traffic Control Force.

1. A special road traffic control force has been organized by the Ministry of the Interior for work in the four Northern Regions.
2. The force is an Italian one and has been specially selected and is composed of appropriate specialists; it has its own legal branch. The force mounted - self contained - self provisioned - uniformed - armed - makes its own provisions for lodging. At present the force is not up to establishment, but will be brought to establishment by recruiting locally from P. S. agents.
The work of the force will be :
 - (a) Checking of permits, trip tickets ect.
 - (b) Investigation of fraud and illegal operation of trucks.
 - (c) All other problems of civil transportation control.
 - (d) Mobile road blocks.
 - (e) Other police work having to do with transportation control.

3. The force will report to and be under the jurisdiction of A.A.O.S.

4. The Area Commander is Capt. Buscelli Tullio and each of the four Northern Regions will have a section of this force operating in their respective region.

Regional Commanders are the following :

| | |
|-----------|--------------------------|
| Liguria | Capt. SAMPI, Guido |
| Piemonte | Capt. MARCESI, Valentino |
| Lombardia | Capt. DI VERBIO, Adolfo |
| Venezia | Capt. GIRARDI, Bruto |

5. Major E. A. Symons (B), Intelligence Corps, attached to Transportation Sub-Commission, Advance Echelon is the Liaison Officer.

SUBJECT : Road Traffic Control Force.

1. A special road traffic control force has been organized by the Ministry of the Interior for work in the four Northern Regions.
2. The force is an Italian one and has been specially selected and is composed of appropriate specialists; it has its own legal branch. The force mounted - self contained - self provisioned - uniformed - armed - makes its own provisions for lodging. At present the force is not up to establishment, but will be brought to establishment by recruiting locally from F. S. agents.
The work of the force will be :
 - (a) Checking of permits, trip tickets ect.
 - (b) Investigation of fraud and illegal operation of trucks.
 - (c) All other problems of civil transportation control.
 - (d) Mobile road blocks.
 - (e) Other police work having to do with transportation control.

3. The force will report to and be under the jurisdiction of R.C.O.S.

4. The Area Commander is Capt. Suscelli Tullio and each of the four Northern Regions will have a section of this force operating in their respective region.

Regional Commanders are the following :

| | |
|-----------|---------------------------|
| Liguria | Capt. SARPI, Guido |
| Piemonte | Capt. MARCHESI, Valentino |
| Lombardia | Capt. DI VERBIO, Adolfo |
| Venezia | Capt. GIRARDI, Bruto |

5. Major E. A. Symons (D), Intelligence Corps, attached to Transportation Sub-Commission, Advance Echelon is the Liaison Officer.

By Command of Rear Admiral STONE :

E. B. THOMAS, Colonel
Deputy Director.

Copy to : Public Safety
Economic Section
Legal Sub-Commission
Roads Division of Transportation S/C.
Road Section Movements
G-5

A.S.P.

ATTACHMENT No. 2

COPIE OF LETTER FROM CHIEF OF POLICE ROMEGENERAL DIRECTOR OF TRAFFIC
PUBLIC SECURITY

CG/Lr

Rome 4 May 1945

TO : The Compartmental Chiefs of the Regions of :
LIGURIA, PIEMONTE, LOMBARDIA and VENEZIA.
Their Headquarters

SUBJECT : Engagement of personnel for Headquarters Traffic and
Transport Police attached to the A.M.G. 141

So that it may be brought to the Attention of the Questori of Genoa, Turin, Milan and Venice I forward the orders issued by H.E. Ferrari, Chief of the Police.

- this General Direction of P.S. by request and in agreement with the Allied Command has organized a Police service for the control of traffic and transport at the direct dependence of the Transportation Division of the A.M.G. in the Province of Liguria, Piemonte, Lombardia and Venezia. The command of said service has been granted to the Capt. of P.S. BUCELLI Tullio, attached to Motor Transportation A.M.G.

For the creation and functioning of the said organization, this General Direction has put at the disposal of the Allied Command 150 men composed of officers, N.C.O.'s and Agents, which have been drawn from the Rome Police force and has given to Capt. BUCELLI the authority to engage, on the spot, the strictly necessary personnel, on the basis of the organization which has been approved by this Direction and the Allied Command engaging them from : -

- a) the public security personnel which have the necessary requisites, in agreement with the competent Questure and Committee of Liberation;
- b) patriots which have the proscribed requisites, the necessary degrees, in agreement with the competent Committee of Liberation and the Allied Command.

Capt. BUCELLI will communicate the particulars of the persons engaged to this Direction which will engage to all effects the personnel indicated by the Nucleo Autonomo Ministero Interno.

The competent Questure will see that the personnel of their respective province be quartered, fed, equipped and armed as requested by the commander of the Regional Service.

Sgd. The Chief of Police
FERRARI

The General Director of Traffic P.S.
Capt. Bucelli Tullio

Attachment n. 3

HEADQUARTERS
ALLIED COMMISSION
TRANSPORTATION SUB-COMMISSION
(Advanced Echelon)
APO 394

COPY OF LETTER FROM COMMITTEE OF LIBERATION
COMMITTEE OF NATIONAL LIBERATION NORTHERN ITALY C.V.L.
HEADQUARTERS
DEMobilIZATION OFFICE

Ref. 7/Demob.

TO : The Regional Headquarters of Piemonte
Liguria
Lombardia
N. Italy
S. Emilia
Veneto
TURIN
GENOA
MILAN
PARMA
BOLOGNA
PADOVA

Headquarters Garrison of MILAN.

SUBJECT : Road Traffic Control Force.

1. We forward copy of letter n.D.4/Pers. of 21st. May 1945, from the Road Traffic Control Force for the execution of the requests therein and we prescribe :
 - a) To carry out with the utmost urgency what is requested in para. 6.
 - b) To examine carefully the moral and physical requisites of the staff to be assigned as by para. 7-8.
 - c) When recruiting operation is finished, please forward, to this Command a detailed report indicating the names of the selected officers and the place where they were previously employed.
 - d) The number of the personnel assigned to Lombardia must be divided into: 50, for the City of Milan, and the remainder for the Provinces.

CHIEF DEMOBILIZATION OFFICE
Sgd. Col. G. PATTI

CHIEF OF THE GENERAL STAFF
Sgd. Lt. Col. BIANCHI

Lombardia
N. Italy
S. Emilia
Veneto
PARMA
BOLOGNA
PADOVA

Headquarters Garrison of MILAN.

SUBJECT : Road Traffic Control Force.

1. We forward copy of letter n.D.4/Pers. of 21st. May 1945, from the Road Traffic Control Force for the execution of the requests therein and we prescribe :
 - a) To carry out with the utmost urgency what is requested in para. 6.
 - b) To examine carefully the moral and physical requisites of the staff to be assigned as by ~~para.~~ ^{para.} 7-8.
 - c) When remaining operation is finished, please forward, to this Command a detailed report indicating the names of the selected officers and the place where they were previously employed.
 - d) The number of the personnel assigned to Lombardia must be divided into: 50 for the City of Milan, and the remainder for the Provinces.

CHIEF DEMOBILIZATION OFFICE
Sgd. Col. G. RATTI

CHIEF OF THE GENERAL STAFF
Sgd. Lt. Col. BIANCHI

Allegato n. 4

Extracts of letter (paras 5, 7, and 8) from Direzione Polizia per il Controllo del Traffico e dei Trasporti.

Addressed to
IL COMITATO NAZIONALE DI LINGUAZIONALE A. I. JOVANDO GENOVALE C.V.L.

No. Prot. D. 4. / Pers.

Milan 21st May 1945.

Subject: - Road Traffic Control Force.
Para.

6. Reference the forgoing. In view of the fact that Officers Commanding the different Regional Forces of the Polizia Controllo Economico have already arrived at their appointed destinations viz. Liguria; Piemonte; Lombardia and Veneto, and that they are contacting all interested local officials (Military and Civil). It is requested that your command issue orders to the appropriate civil authorities of those Regions to assist them in:-

- (a) Facilitating their approach to interested civil officials.
- (b) Arranging to have placed at the disposal of the Officers Commanding Regions; Volunteers for enrolment in the Polizia Controllo Economico; in order to have brought up to establishment the respective Regional Forces.

(c) And to issue instructions that those to be enrolled bring with them, on enrolment, any vehicles they may be in possession of.

7. Below, please find the detail of the numbers required for each Region and the qualifications required of the volunteers:-

| | | | | | | |
|------------------|----------|----|----------|----|--------|-----|
| <u>LIGURIA</u> | OFFICERS | 4 | F.C.O.'s | 19 | AGENTS | 105 |
| <u>PIEMONTE</u> | do | 7 | do | 35 | do | 176 |
| <u>LOMBARDIA</u> | do | 8 | do | 42 | do | 225 |
| <u>VENETO</u> | do | 13 | do | 70 | do | 325 |

Qualifications are as follows:-

OFFICERS , Irreproachable, civil and political behaviour, high School degree, strong and healthy

constitution, minimum height 1,65

F.C.O.'s Irreproachable, civil and political behaviour, elementary school diploma, and a good general education, minimum height 1,65 strong and healthy constitution.

Agents. Irreproachable, civil and political behaviour, elementary school-diploma, strong and healthy constitution, minimum height 1,65.

8. In conformity with the orders which this Headquarters will issue to the Regional and Provincial Commanders of this Service, in full agreement with the local Committees of National Liberation C.N.L. the Regional supervisors will see to the recruiting of the personnel in each Region and Province. The service is a delicate one, but notwithstanding, the competent authority of the Allied Command has full confidence in its developments to counter black market operations thereby minimizing the possibilities of inflation in the four Regions of Northern Italy. It is therefore suggested that the greatest care be exercised in the selection of recruits.

- (a) facilitating their approach to interested civil servants;
 (b) Arranging to have placed at the disposal of the Officers Commanding Regions; Volunteers for enrolment in the Polizia Controllo Economico; in order to have brought up to establishment the respective Regional Forces.
 (c) and to issue instructions that those to be enrolled bring with them, on enrolment, any vehicles they may be in possession of.

7. Below, please find the detail of the numbers required for each Region and the qualifications required of the volunteers:-

| <u>LIGURIA</u> | <u>OFFICERS</u> | <u>4</u> | <u>M.C.O.'s</u> | <u>19</u> | <u>AGENTS</u> | <u>105</u> |
|------------------|-----------------|----------|-----------------|-----------|---------------|------------|
| <u>PILIONTE</u> | do | 7 | do | 35 | do | 176 |
| <u>LOMBARDIA</u> | do | 8 | do | 42 | do | 225 |
| <u>VALENTO</u> | do | 13 | do | 70 | do | 525 |

Qualifications are as follows:-

OFFICERS , Irreproachable, civil and political behaviour, high School degree, strong and healthy

constitution, minimum height 1,65

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M.C.O.'s Irreproachable, civil and political behaviour, elementary school diploma, and a good general education, minimum height 1,65 strong and healthy constitution.

Agents. Irreproachable, civil and political behaviour, elementary school-diploma, strong and healthy constitution, minimum height 1,65.

8. In conformity with the orders which this Headquarters will issue to the Regional and Provincial Commanders of this Service, in fulfillment with the local Committees of National Liberation C.N.L. the Regional supervisors will see to the recruiting of the personnel in each Region and Province. The service is a delicate one, but notwithstanding, the competent authority of the Allied Command has full confidence in its developments to counter black market operations thereby minimizing the possibilities of inflation in the four Regions of Northern Italy. It is therefore suggested that the greatest care be exercised in the selection of recruits.

The Inter-Regional Director
 Sgd. Cap Bucelli Dr Tullio.

4014/4

OK
104A

CONSUMATION OF PRESENT VERBAL AGREEMENT
BETWEEN

ALLIED COMMISSION THRU MOTOR TRANSPORT GROUP, AND "AZIENDA
DELLA TRAMVIA ED AUTOBUS DI ROMA" (ENTERPRISE OF TRAMWAYS
AND BUSES - ROME)

This agreement entered into this 21st day of May
1945 by and between Allied Commission, Motor Transport Group,
represented by Colonel James J. BARNES, whose business address
is 991 Via Rosentana, Rome, Italy, and "Azienda delle Tramvie
ed autobus di Roma" herein designated A.T.A.C., represented
by its legal representative Commissioner Doctor, Ing. Mario
ROBBIANI, whose business address is 80 Piazza dei Cinquecento,
Rome, Italy.

ART. I

The Allied Commission thru its Motor Transport Group
will deliver to A.T.A.C. at its plant No. 43 Via Arenostina,
Rome, Italy, crated and unassembled Ford Trucks, and A.T.A.C.
agrees to do all work necessary to place such trucks in
proper operating condition, which trucks, parts thereof
and accessories thereto, shall remain the property of the
Allied Commission.

If any equipment is received damaged and it is necessary
to repair such equipment, A.T.A.C. shall be reimbursed for
any labor or material expended as directed by Allied Commis-
sion.

- 2 -

Art. II

For the work so performed by A.T.A.C. the Allied Commission agrees to pay A.T.A.C., on the basis of the wage rates contained in Article III hereof and subject always to Article V hereof, the sum of 12,600 (Twelve Thousand Six Hundred Lire) for each truck assembled and delivered to the Motor Transport Group in operating condition.

Art. III

The said sum is determined by the following factors:

| | | |
|--|--------|----|
| Laborers per day | 700 | |
| Hours worked per day | 8 | |
| Total man-hours | 5,600 | |
| Trucks assembled per day (average) | 40 | |
| Man hours per truck | 140 | |
| Skilled laborers, 4/5 of total men working, | | |
| Unskilled laborers, 1/5 of total men working, | | |
| Skilled laborers wages and overhead (per hour) | 76 | L. |
| Unskilled laborers wages and overhead (per hour) | 56 | L. |
| Wage scale and overhead for skilled laborers for assembling trucks (4/5 of 140 = 112 x 76 L.) = | 8,512 | L. |
| Wage scale and overhead for unskilled laborers assembling trucks (1/5 of 140 = 28 x 56 L.) = | 1,568 | L. |
| Cost per truck (Labor and Overhead) | 10,080 | L. |
| 25 % Profit (Added) by A.T.A.C. | 2,520 | L. |
| TOTAL ASSEMBLED COST PER TRUCK | 12,600 | L. |

- 3 -

Art. IV

The amount of 76 L. and 36 L. per hour charge for labor as shown in said schedule, includes wages, insurance, compensation and all overhead expenses.

Art. V

Any increase or decrease in wage rates introduced by order of National or Local Government shall be taken into account in determining the price to be paid by Allied Commission under this contract.

If any such order shall be retrospective in effect then any difference in price will apply in respect to any jobs completed from effective date of such increase or decrease. The work of assembly of trucks will not be interrupted during any period of wage adjustment or negotiation.

Art. VI

The present contract is exempt from any taxes whatever, according to Circular No. 82, dated 13 February 1944 of the Italian Ministry of Finance.

Art. VII

A.I.A.C. agrees to save and protect Allied Commission from claims and demands of all persons for damages for death, personal injuries, wages, materials and liens therefor.

Art. VIII

This contract has been drawn up in English and in Italian, and in six duplicate original copies, of which

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one is intended for the Office of the Register.

In the event of conflict between the English and Italian text, the English text will be controlling.

Art. IX

This agreement shall remain in force until cancelled by Allied Commission through its Motor Transport Group.

A.T.A.C. shall be reimbursed for any trucks in its plant not completely assembled at termination date.

James J. Lane

Allied Commission
Motor Transport Group
Col. J. J.

Mario Scindelli

Azienda Tramvie ed Autobus
Rome.

CONTRATTO DI LOCAZIONE DI OPERE

TRA LA

COMMISSIONE ALLEATA A MEZZO DEL MOTOR TRANSPORT GROUP

E LA

AZIENDA DELLE TRAMVIE ED AUTOBUS DEL COMUNE DI ROMA

Con la presente privata scrittura ha valore quale pubblico atto per ogni effetto di legge tra la Commissione Alleata, a mezzo del Motor Transport Group, rappresentato dal Colonnello James J. GARNES, domiciliato per la carica in Roma, in Via Nomentana No. 991, e la Azienda delle Tramvie ed Autobus del Comune di Roma (A.T.A.C.), in persona del suo legale rappresentante, Commissario P.f. di Direttore, Dott. Ing. Mario CINIEMI, domiciliato per la carica in Roma, Piazza dei Cinquecento No. 20.

In data 21 May dell'anno 1945, si è convenuto e si stipula quanto appresso.

Art. I

La Commissione Alleata, a mezzo del Motor Transport Group consegnerà all'A.T.A.C., nella sua officina sita in Via Tronestina No. 43, in Roma, dei Camion Ford smontati ed imballati, che l'A.T.A.C. si obbliga di montare eseguendo i necessari lavori onde porli in efficiente capacità di lavoro.

Detti automezzi, come ogni parte di essi o loro ¹⁹⁴accessorio, rimarranno di proprietà della Commissione Alleata.

Nel caso in cui parti di camion giungano danneggiate e

- 2 -

sia necessario provvedere alle loro riparazione, l'A.T.A.C. verrà rimborsata per tale lavoro, sempre che sia autorizzata dalla Commissione Alleata.

Art. II

Per l'esecuzione di tale lavoro la Commissione Alleata conviene di pagare all'Azienda delle Tramvie ed Autobus del Comune di Roma la somma di lire italiane dodicimilaseicento (L. 12.600) per ogni camion montato e consegnato in perfetta efficienza al Motor Transport Group, sulla base delle tariffe salariali contenute nell'Art.3 del presente contratto e salvo sempre le condizioni previste all'Art.3, in appresso indicate.

Art. III

La somma di lire italiane dodicimilaseicento viene così stabilita:

| | |
|--|-------|
| Lavoratori impiegati giornalmente per il montaggio dei camion | 700 |
| Ore lavorative giornaliere per lavoratore | 8 |
| Ore complessive di lavoro giornaliero della mano d'opera impiegata | 5.600 |
| Media giornaliera di camion montati | 40 |
| Comporto complessivo di lavoro per il montaggio di un camion Ore | 140 |
| Numero complessivo dei lavoratori specializzati in rapporto alla massa operaia impiegata | 4/5 |
| Numero complessivo dei lavoratori non specializzati in rapporto alla massa operaia impiegata | |

133⁵

| | | |
|---|---|--------------|
| Rea per operai specializzati, comprensiva delle spese generali e di ammortamento (per ora) | £ | 75 |
| Rea per operai non specializzati, comprensiva delle spese generali e di ammortamento (per ora) | £ | 56 |
| Totale spese salariali per operai specializzati, ammortamento e spese generali, per il montaggio di un camion (4/5 di 140 = 112 x 75) | | |
| | £ | 5.512 |
| Totale spese salariali per operai non specializzati, ammortamento e spese generali, per il montaggio di un camion (1/5 di 140 = 28 x 56) | | |
| | £ | <u>1.568</u> |
| Costo per camion (Salari, Spese Generali, ammortamento) 10.080 | | |
| 25 % di Utile alla azienda delle Tramvie ed Autobus del Comune di Roma | | |
| | £ | <u>2.520</u> |
| Spese complessiva per il montaggio di un camion . . . £ 12.600 | | |

Art. IV

La somma in lire italiane settantasei (£ 76) e cinquanta-
sei (£ 56) per ora lavorativa, di cui al precedente Art. 3,
deve intendersi e ritenersi al lordo delle ritenute di pre-
videnza, assistenza e assicurazioni sociali, come pure delle
spese generali e di ammortamento.

Art. V

La somma di £ 12.600 sarà suscettiva di aumento o di
diminuzione nel caso in cui disposizioni normative dell'Au-
torità competente Italiana apportino modifiche alla tariffa
salariale in vigore. Il nuovo prezzo da concordarsi verrà
corrisposto dalla Commissione Alleata per ogni autorizzo
completato dall'A.T.A.C. a partire dalla data dell'entrata

[Handwritten signature]

[Handwritten signature]

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- 4 -

in vigore della nuova tariffa salariale. Il lavoro di montaggio dei camion non dovrà subire interruzioni di sorta durante il periodo di determinazione del nuovo salario.

Art. VI

Il presente contratto viene stipulato in carta semplice ed è esente da ogni tassa, in conformità della Circolare No. 82, in data 13 febbraio 1944, del Ministero delle Finanze, Direzione Generale delle Tasse.

Art. VII

B.A.T.A.C. è l'unica direttamente responsabile in sede civile o penale per gli infortuni sul lavoro (morte, invalidità assoluta, transitoria, ecc.) dei dipendenti tutti, nessuno escluso ed eccettuato, come per eventuali reclami o pretese, riguardanti salari o materiali, o di creditori ipotecari.

Art. VIII

Il presente contratto viene stipulato in duplice testo, Inglese ed Italiano, ed in sei copie, di cui una per l'Ufficio del Registro.

In caso di dubbia interpretazione tra il testo Inglese e quello redatto in Italiano, il contratto redatto in lingua Inglese avrà carattere ufficiale.

Art. IX

Il presente accordo rimarrà in vigore fino a che non venga annullato dalla Commissione Alleata, a mezzo del Motor Transport Group.

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- 5 -

L'A.T.A.C. verrà adeguatamente retribuita per ogni camion non completamente montato alla data della scadenza del presente contratto.

James F. Carnes

Commissione Alleata
Motor Transport Group

Col. G. F.

Mario Pinelli

Azienda delle Tramvie ed Autobus
del Comune di Roma.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

103A

4 May 45. /lc.

AC/ 4014/4/L.

SUBJECT : AMG Truck Pool Accident.
TO : Transportation Sub-Commission (Attn: Lt. Col. FERNYHOUGH).

1. Reference is made to your memorandum AC/206/TN.5 of 29 April 1945.

2. The question raised in paragraph 3 of your memorandum is principally one of policy. We have taken the matter up with our Italian Counsel, and it appears that the most expedient solution for the future would be to require all hirers to procure insurance holding the Truck Pool and the driver harmless against all claims. We understand that such insurance is readily obtainable. If, in addition, the hirer wishes to ensure his interest in the goods he may do so. In this way, any damage due to the fault or negligence of the Truck Pool or the driver is covered by insurance. Any damage unrelated to such fault or negligence would come within such additional insurance as the hirer might wish to procure.

E. L. PALMERI,
Major,
For Chief Legal Advisor.

101A

Wp 3/4 ✓ 401419

HEADQUARTERS ALLIED COMMISSION H.S./IR
APO 394
Transportation Sub-Commission

Tele. : 220 4 May 1945

155/M/Tn.2
TO : Regional Commissioners
(Attn. Transportation Officers)
Liguria
Piemonte
Lombardia
Venezia

SUBJECT : Road Traffic Control Force.

1. A special road traffic control force has been organized by the Ministry of the Interior for work in the four Northern Regions.
2. The force is an Italian one and has been specially selected and is composed of appropriate specialists; it has its own legal branch.
The force is mounted - self contained - self-provisioned - uniformed - armed - makes its own provisions for lodging. At present the force is not up to establishment, but will be brought to establishment by recruiting locally from P.C. agents.
The work of the force will be :
(a) Checking of permits, trip tickets etc.
(b) Investigation of fraud and illegal operation of trucks.
(c) All other problems of civil transportation control.
(d) Mobile road blocks.
(e) Other police work having to do with transportation control.

3. The force will report to and be under the jurisdiction of R.T.O.

4. The Area Commander is Capt. Buscelli Tullio and each of the four Northern Regions will have a section of this force operating in their respective region.
Regional Commanders are the following :
Liguria - Capt. SARNI, Guido
Piemonte - Capt. MARCHESI, Valentino
Lombardia - Capt. DI VERBIO, Adolfo

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155/W/Tn.2

TO : Regional Commissioners
(Attn. Transportation Officers)
Liguria
Piemonte
Lombardia
Venezia

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Regional Commanders are the following :

| | | |
|-----------|---|---------------------------|
| Liguria | - | Capt. SARNI, Guido |
| Piemonte | - | Capt. MARCHESI, Valentino |
| Lombardia | - | Capt. DI VERBIO, Adolfo |
| Venezia | - | Capt. GIRARDI, Bruto |

5. Major H.A. Symons (B), Intelligence Corps, attached to Transportation Sub-Commission, Advance Echelon is the Liaison Officer.

By Command of Rear Admiral STONE :

[Signature]
W.F.B. THOMAS, Colonel
Deputy Director.

MAY 1945

Copy to : Public safety
 Economic section
 Legal Sub-Commission
 Road Division of Transportation S/C.
 Road section Movement
 G-5
 A.P.H.C.
 1st Army Group
 4th Corps
 5th and 8th Army.

copy

File

100A

HEADQUARTERS ALLIED COMMISSION CSB/gg
APO 394
Transportation Sub-Commission

Tele :- 478303

Our Ref:- AC/31/2/Tn.3.

27 April 1945

SUBJECT:- Request for Road Transport

1. Reference is made to Movements Division (Roads) Memorandum No. 1 issued 5 April '45 under Ref. AC/31/1/Tn.3.
2. Bid Forms (Appendix B) are being despatched to you for use as directed in paras 3 and 4 of above Memorandum.
3. Acknowledgement of receipt of Bid Forms is requested.

For the Chief Commissioner.

M/Siff
S.J. STEFF
Colonel

Bid forms returned, No stock returned

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1 Copy for information to G4 (Mov & Tn) AFHQ) with one copy of bid
G5 AFHQ) form.

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29 APR 1945

Legal Section
400 2/4 *76* *0* **99A**

HEADQUARTERS ALLIED COMMISSION GSC/33
APO 394
Transportation Sub-Commission

Tels :- 478393
Our Ref :- AC/31/3/En.3. 27 April 1945

SUBJECT :- Request for Road Transport.

1. Requests for Road Transport are frequently submitted direct to Roads Division. This procedure is incorrect and results in unnecessary delay.
2. Attention is invited to Movements Division (Roads) Memorandum No. 1 para 3 (b) issued under Ref. AC/31/1/En.3. on 6 April '45, in which the correct bidding procedure is set out.

For the Director:

H. J. SIEFF
H. J. SIEFF
Colonel

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ALLIED MILITARY COMMISSION
APC 394
LEGAL SUB-COMMISSION

98A
WES/ps.
26 Apr 45.

AC/1011/1/L.

SUBJECT : Contract between EMA Tripolitania and AC.
TO : Executive Commissioner. (Through CA Sec).

1. Reference your 5818/20 of 23 April 1945 the Allied Commission may, under the Armistice Terms, authorize the importation into Italy of the 50 heavy vehicles from Tripolitania, and may permit their employment in Italian Government territory if such course is desired.
2. The contract as disclosed in para 3 of the letter from EMA dated 18 Apr 45 is too vague in certain respects to be capable of legal interpretation. Reference is made in particular to the following points :-
 - (a) "Surplus profits" are to be remitted to Tripolitania
 - (b) "All funds obtained" are to be returned to Tripolitania
 - (c) "The vehicles in effect remain under Tripolitania control"
 - (d) There is no legal - as opposed to factual - obligation to leave the vehicles in Italy for any specific time.
3. If the contract comes into effect it will be necessary for these points, among others, to be clearly defined in order to avoid possible trouble in the future.
4. It is further pointed out that as the intention of the proposed contract is that the vehicles will operate in Italian Government territory, the approval of the Italian Government should be obtained. The Italian Government will presumably insist that the vehicles are subject to EMAC which would considerably limit any possibility of Tripolitania control. In any event AC cannot grant an exemption from this provision in the case of privately owned vehicles operating in Italian Government territory.

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W. E. BERRIN,
Colonel,
Deputy Chief Legal Advisor.

Copy to : VP Economic Section.

File 4014/9

2 APR 1945

(978)

Ref: 5818/C.

23 April 1945.

930/124

SUBJECT: Transfer of Heavy Vehicles in Tripolitania
to Italy: purchase of Spare Parts in Italy
for B.M.A.

TO : VP Economic Section.

1. Letter from HQ, SMA, Tripolitania, 45/8/30, dated 18 April 45, is forwarded to you for your information and appropriate action.

2. This unique agreement as stated: delivering 50 heavy civilian vehicles to Italy for permission to purchase a limited amount of spare parts over a period of twelve months, is quite unusual, and has evidently been brought about in view of the acute transport shortage in Italy and serious spare parts situation in Tripolitania.

3. Your special attention is directed to circumstances brought out in paragraphs 3 and 5 and it is requested that an early reply be prepared for the signature of the Executive Commissioner.

JCR
4 Chief Staff Officer,
To the Executive Commissioner.

Incl.

Copy to: CA Section, for
Legal Sub-Commission.

(For comments, if any, on paragraph 3 of letter enclosed).

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| |
|-------------|
| |
| |
| |
| |
| 25 APR 1945 |
| |

(1292)

OFF

978

SUBJECT: Transfer of Heavy Vehicles,
Purchase of Spare Parts
for A. S. Tripolitania.

Headquarters,
Int. Mil. Aff.,
Rome, Italy,
Tel. No. 2774

4/14/50

10 pp., 14c

Chief of Staff,
Allied Commission,
Rome, Italy

Recently, Major Bell, Road Transport Controller for this Administration, paid a visit to AG, R. for the purpose of discussing the a/c subject.

AG, R. has accepted this Administration's offer to transfer 90 heavy civilian vehicles and now we only await confirmation also information as to when shipping can be arranged. The vehicles are now ready for shipment to Italy.

The 90 vehicles are owned by a local concern - the Societa' Tripolitina Autotrasporti - which proposes to operate as a unit through an agent, Mr. Giovanni Antonucci of Rome. It is assumed that there will be no difficulty in allowing the Societa' to send surplus profits to this territory and in the event of the vehicles later being sold in Italy to repatriate the capital realized. As this appears to be the first instance of a post occupation Tripolitanian concern entering into business in Italy, it seems advisable to establish the principle that all funds obtained - either income or capital - should be returned to this territory. Under normal circumstances the export of these vehicles would not have been permitted except against full value received in Tripolitania. In view of the acute transport shortage in Italy it has been decided to waive this requirement in this instance on the understanding that the vehicles, in effect, remain under Tripolitanian control. It would seem that the simplest method of repatriating such profits or capital as are realized would be to follow the method outlined in the correspondence with C-5 Section, AG, under reference N6 and treat the transaction as an export by Tripolitania to Italy. I should be grateful if you would consider this matter and let us have your views.

Major Bell has informed us that in the light of this offer you are in agreement (subject to approval by your Economic Advisory Committee) that we should be allowed to purchase spare parts, providing we do not buy more than L. 500 (four thousand pounds) worth over a period of 12 months.

Major Bell discussed this matter at length with Capt. Kay, O 1/c Spare Parts, both are of the opinion that it will be necessary to send a representative from this Administration to make the initial purchase. If this meets with your approval, we will send a Liaison who is on Major Bell's staff and speaks Italian fluently. The procedure outlined above differs from that established recently

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128

/ by correspondence ...

- 2 -

by correspondence with G-5 Section, AFM (reference G-5 letters #6 of 15 Sept., 29 Dec., addressed to this Administration, and #6 of 8 Feb., addressed to your HQ). The purchase of spurs is not a normal trading transaction as visualized in the correspondence under reference, but a direct military purchase on behalf of this Administration. The procedure seems simpler and more appropriate to the circumstances.

6. Major Dell also discussed the method of payment with your Chief Accountant, Col. Crewson, and the following would seem to be the simplest method:-

- (a) B.M.A. Tripolitania pays X amount to A.C.P.O. Tripoli.
- (b) A.C.P.O. Tripoli informs 8th C., here that this amount has now been paid, and, that it is in order for A.C. H.C. to draw up to this amount.
- (c) Our representative buys spare parts (having first obtained Capt. Hay's consent to every transaction).
- (d) Bills are submitted to Capt. Hay who will pay the account in exactly the same way as he is now doing for A.C. H.C., viz. through H.C. Camp Commandant.

7. It would be greatly appreciated if an early reply could be given to this letter, because the spare parts situation in this Territory is very serious.

/s/ E. Haroon,
Lt. Colonel,
Acting CHIEF SECRETARY.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(90A)

AC/4014/L/L.

22 April 1945.

SUBJECT : Transfer of Assets and Management of IRT,
Sicily to Italian Government.

TO : Economic Section - Mr. A.G. ANTOLINI, Acting V.P.

1. Reference is made to your 15.54/LS of 17 April 1945.
2. With respect to the question contained in paragraph 4 of your memorandum I have to advise you that the documents attached do not constitute a binding and valid acceptance on the part of the Italian officials concerned. They can hardly be considered more than an indication of acceptance.
3. You should insist on one of the two following procedures whichever may be more expedient:-
 - (a) The agreement should be submitted to the Council of Ministers for its approval, by the Minister of Transport, and the approval should be communicated to you or to the Minister of Transport, by the Prime Minister.
 - (b) The acceptance of the agreement must be countersigned by the Prime Minister, the Minister of the Treasury and the Minister of Transport. In accepting, the reference to your letter submitting the terms of the agreement must be explicit. It is not sufficient to refer to the subject matter (as the Chief of Cabinet has done in the attached letter of 12 April 1945). Moreover, the Ministers themselves must sign, and not their Chiefs of Cabinet.

E. L. Palmieri

E. L. PALMIERI, Major,
Acting Chief Counsel,
for Chief Legal Advisor.

44011/4
✓

UNITED STATES ALLIED COMMISSION
700 334
ECONOMIC SECTION

ADA/10/es

(95A)

15.54/TS

17 April 1945

SUBJECT: Transfer of assets and management of IHT, Sicily to Italian Government.

TO : Civil Affairs -action ✓
From: Legal Sub-Commission.

1. Reference is made to letter 15.54/TS, Vice President, Economic Section, dated 15 March 1945 to E. E. Carabona, Minister of Transport, Italian Government, copy attached.

2. Attached is original letter and translation 7.XII.43.2008/3561 from Minister of Transport, dated 12 April 1945, subject: Istituto Nazionale Trasporti - Sicilia, together with copy of a letter from the Prime Minister to the Minister of Transport N. 20786/20206.2.3.1.10, dated 3 March 1945, in connection with the same subject.

3. It would appear that reference letter of 12 April from Minister of Transport to Allied Commission is in reply to Economic Section's letter 15.54/TS, March 15. However, no reference is made.

4. Do you consider that the communication from the Minister of Transport attaching mimeographed copy of letter from the Prime Minister is sufficient indication of acceptance to justify turning over the assets and management of IHT to the Italian Government?

119

Incl - per para →

cc: Finance S/O
Transportation S/O

| |
|----------------------|
| LEGAL SUB-COMMISSION |
| CIO |
| DCIO |
| Chief Counsel |
| CJO |
| Italia |
| 19 APR 1945 |

Antolini
G. ANTOLINI
Acting Vice President
Economic Section

SECRET

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

MBT/eh

Phone 489081

211/3/Tn 1

10 April 1945

Transportation Sub-Commission Officers - Northern Italy

1. When AC/AMG take over in N.W. Italy, it is proposed to establish an Advanced Echelon of the Transportation Sub-Commission. Its duties will be as follows:

a. To coordinate, on behalf of the Director of the Transportation Sub-Commission, movements and transportation work in the regions of Piemonte, Liguria, Lombardia, and such other provinces as may be considered as "N.W. Italy" from time to time.

b. To coordinate movements and transportation work with the military authorities.

c. To control the general distribution of AC and civilian transport in N.W. Italy.

d. To see that movements programs are carried out in accordance with established priorities, particularly programs affecting more than one region.

2. a. Regional Transportation Officers will arrange all local movement within N.W. Italy as far as possible from their own local resources; they will contact each other as necessary; and they will also work closely with military movement officers.

b. Demands for local movement within the N.W. area that cannot be met as outlined in (a) above and movement to or from places outside N.W. Italy will be referred to the Advanced Echelon of the Transportation Sub-Commission, who will try to meet such demands (1) by adjustment of AC controlled capacity, (2) by further contact with military movement headquarters in N.W. Italy, and (3) by reference to Transportation Sub-Commission, Rome.

3. The following officers are nominated for the Advanced Echelon of Transportation Sub-Commission:

Lt. Col. M. Harris (A) (i/c)
Major H. C. Talbot (B)

One other officer with railway operating experience will be nominated later.

SECRET

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-2-

4. The Advanced Echelon of the Transportation Sub-Commission will be located near HQ, 2 District.

5. AC railway engineering work will continue as at present to be dealt with by Transportation Sub-Commission at HQ, and not by Regional Transportation Officers; the following HQ officers are nominated for detachment to Northern Italy:

- Railway Civil Engineering - Major P. G. Buckley (B)
- Railway Mechanical Engineering - Major E.N.B. Jeffrey (B)

They will keep in touch with Lt. Col. Harris as necessary, but will report direct to their respective branches in the Rail Division of Transportation Sub-Commission, Rome.

By command of Rear Admiral STONE:

M. E. Thomas

M. E. THOMAS, Colonel
Deputy Director

DISTRIBUTION:

- List "A", plus
- HQ 2 District
- Q(M) c/o HQ 2 District
- D.M.R.S.
- HQ Fourth Corps



SECRET

Go file

93A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4014/4/L.

11 April 1945

SUBJECT : Transportation Tariffs.

TO : Transportation Sub-Commission.

1. Reference your 191/6/Tn 1 of 10 April 1945.
2. There is no legal problem attached to the translation of this decree, but one of correct interpretation of technicalities.
3. The legal translator of this Sub-Commission is not qualified in that respect and it is suggested that the translation be revised by a transportation expert versed in both languages.
4. It is agreed that the translation submitted by you does not read English.

Incls.

117
G. G. HANNAFORD,
Lieutenant-Colonel,
Officer i/s Italian Branch,
for Chief Legal Advisor.

4014/4

92A
VES/14

HEADQUARTERS UNITED COMMISSION
AEC 394
Transportation Sub-Commission

Our ref.: 191/5/Tn 1

10 April 1945

MEMORANDUM

TO : Director, Legal Sub-Commission
HQ. AC.

1. This Sub-Commission desires to have the attached booklet "Vespina Unica per i Trasporti Di Cose Su Strada Con Automobili" published in English.

2. The attached draft shows the translation accomplished by our translator and due to the legal phraseology, of which he is not familiar, it would be appreciated if your translator would check the draft for its correctness prior to our having the booklets printed.

For the Director:

Walter Hoog
Lt. Colonel, G.S.C.,
Chief, Admin. Div.

- Incl.:
- 1 Booklet
 - 1 Copy of English translation

10 APR 1945

file
A. B. G. P. L.
CNC/ifa
911A

HEADQUARTERS ALLIED COMMISSION
APO 394
Transportation Sub-Commission

Ref: AC/31/1/Tn 3

6 April 1945

MOVEMENTS DIVISION - ROAD - MEMORANDUM No. 1

Instructions for the Reception, Screening and Movement of AC and Civilian Freight by Road

1. INTRODUCTION

The object of this Memorandum is to clarify and lay down a system for the submission of applications for transport by road of AC and Civilian traffic, and to bring to the notice of all concerned some of the difficulties and the background which led up to the establishment of such a system, so that those concerned will observe the system laid down. See Appendix 'A' General Outline.

2. Broadly the traffic can be divided into the following categories:-

- (a) Civilian traffic for movement within Italian Government Territory.
Note:- Movement may not take place outside Italian Government Territory without permission of AC/AMG.
- (b) Civilian traffic for movement from, to or within that part of liberated Italy north of Italian Government Territory and south of Army Rear Boundary.
- (c) AC sponsored traffic, that is traffic specially arranged by one of the AC sub-Commission.
- (d) Traffic moving in Army Areas.

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3. BIDDING PROCEDURE AND MOVEMENT

- (a) Civilian Traffic
Bids must be made to the Provincial Commissioner of ENAC on Form ENAC 3 (Appendix 'B'). Further particulars of ENAC organisation are given at App. 'A', 'B', 'C' & 'D'.
- (b) Civilian Traffic
Application for movement by road within that part of Liberated Italy, North of Italian Government Territory and south of Army Rear Boundary will be made to the Provincial Commissioner of the Province wherein the

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Note:- Movement may not take place outside Italian Government Territory without permission of AC/AMG.

(b) Civilian traffic for movement from, to or within that part of liberated Italy north of Italian Government Territory and south of Army Rear Boundary.

(c) AC sponsored traffic, that is traffic specially arranged by one of the AC Sub-Commission.

(d) Traffic moving in Army Areas.

3. BIDDING PROCEDURE AND MOVEMENT

(a) Civilian Traffic

Bids must be made to the Provincial Commissioner of ENAC on Form ENAC 3 (Appendix 'B'). Further particulars of ENAC organisation are given at App. 'A', 'B', 'C' & 'D'.

(b) Civilian Traffic

Application for movement by road within that part of liberated Italy, North of Italian Government Territory and south of Army Rear Boundary will be made to the AMG Provincial Commissioner of the Province wherein the loading point is situated.

The Provincial Commissioner will be responsible for deciding the priority, if it can be executed within the limits of transport at his disposal.

If the Provincial Commissioner concerned is unable to execute, but feels that the traffic is of such importance as to warrant special consideration, he will submit the application to Regional HQ. If Regional Commissioner considers movement necessary but cannot arrange, he will submit application to the appropriate Sub-Commission (Commerce, Food, etc.) of HQ. AC. for consideration. That Sub-Commission will either:

- (i) reject, in which event Regional Commissioner will be notified or
- (ii) submit to Transportation Sub-Commission, Movements Division, Road Branch, on Road Transport Bid Form as per specimen attached at Appendix 'E' (in quadruplicate).

(c) AC (sponsored) Traffic

Bid Form as per specimen attached at Appendix 'E' will be completed by AC Sub-Commission concerned in respect of any application for Road Transport. Programmes are prepared for 10 day periods i.e. 1st 10th, 11th -20th and 21st.- 31st. (30) of each month.

Bids must be lodged with Movements Division - Roads Branch of Transportation Sub-Commission by the first day of the period prior to the one during which movement is required.

In the case of movements involving 100 tons or more from one loading point as much warning as possible should be given.

(d) Army Areas

Application for movement in Army Areas will be submitted to CCAO, AIG 5 Army or 8 Army, whichever refers.

If movement is accented it will be effected by the transport at the disposal of AIG - Army concerned.

(e) Traffic of all categories where other forms of transport are involved.

(i) RAIL

Before any traffic can be carried by Rail a Bid Request for Rail Transportation - Form TSC/3 must be completed. This form includes a declaration that transport and labour has already been arranged for the loading and unloading of the rail wagon. Any firm, person or Sub-Commission requiring the assistance of road transport for the commencement or completion of a railway haul must therefore

- (i) reject, in which event Regional Commissioner will be notified or
- (ii) submit to Transportation Sub-Commission, Movements Division, Road Branch, on Road Transport Bid Form as per specimen attached at Appendix 'E' (in quadruplicate).

(c) AC (sponsored) Traffic

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Bids must be lodged with Movements Division - Roads Branch of Transportation Sub-Commission by the first day of the period prior to the one during which movement is required.

In the case of movements involving 100 tons or more from one loading point as much warning as possible should be given.

(d) Army Areas

Application for movement in Army Areas will be submitted to COMO, AMG S Army or 8 Army, whichever refers.

If movement is accepted it will be effected by the transport at the disposal of AMG - Army concerned.

(e) Traffic of all categories where other forms of transport are involved.

(1) RAIL

Before any traffic can be carried by Rail a Bid - Request for Rail Transportation - Form TSC/3 must be completed. This form includes a declaration that transport and labour has already been arranged for the loading and unloading of the rail wagons. Any firm, person or sub-Commission requiring the assistance of road transport for the commencement or completion of a railway haul must therefore make preliminary arrangements with the relative authority according to location as laid down in (a), (b), (c), (d) of this paragraph.

(11) SEA

Movements from ships side to local Warehouse will be effected under the normal conditions appertaining at the Port of Discharge of Ship. Movement by Road required from ships side to a destination outside the Port Area will be requested from the relative authority as laid down in (a), (b), (c), (d) of this Paragraph.

4. DOCUMENTATION

Bid Form (Appendix 'E') must always be lodged with Movements Division - Road Branch in quadruplicate. If bid is accepted the four copies will be disposed of as follows:-

- 1 Copy returned to Sub-Commission which submitted bid notifying them of acceptance and the instructions passed to Roads Division.
- 2 Copies to Roads Division. One to be passed by them to Operator and one to be retained for file.
- 1 Copy retained by Mov - Roads for file.

If bid is rejected 3 copies of form will be returned to Sub-Commission which submitted the bid and one copy retained by Mov - Roads for file.

5. CHARGES

All charges for Road Transport will be based on ENAC tariff (see Appendix 'D').

By Command of Rear Admiral STONE:

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M. B. Thomas
for M.B. THOMAS, Colonel
Deputy Director
(absent on duty)

Summary of Appendices:-

- Appendix 'A' General Outline
- " 'B' ENAC Form 3
- " 'C' Addresses of ENAC Provincial and Compartmental Offices
- " 'D' Tariffa Unica Per i Trasporti di case su strada con Automezzi.

(d) of this Paragraph:

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By Command of Rear Admiral STONE:

M. J. Kelly
for M. B. THOMAS, Colonel
Deputy Director
(absent on duty)

Summary of Appendices:-

- Appendix 'A' General Outline
- " 'B' ENAC Form 3
- " 'C' Addresses of ENAC Provincial and Compartmental Offices
- " 'D' Tariffa Unica Per i Trasporti di case su strada con Automezzi.
- " 'E' Bid Form - Request for Road Transportation.
- " 'F' English translation of ENAC Tariff (App. 'D') to follow.

LEGAL SUB-COMMISSIONS

CLO

DCLO ← *lw*

Chief Counsel ← *lw*

CJO

Secretary

QC file

10 APR 1945

DISTRIBUTION:-

LIST 'B' (Less Serial Nos. 38, 39, 40, 42, 43, 44, 45, 46, 47, 48).
(1 Copy only to Serial 36.)

A.P.H.Q. G-4 (Mov & Tn)

| | | | |
|------------------|-------------------------|------------|----------------------|
| A.C. Tn. Officer | Capt. A.H. Irvine Lynch | c/o AC | Palermo. |
| " " | " B.W. Dobby. | " " | Reggio. |
| " " | Maj. F.R. Bowers. | " " | Naples. |
| " " | Capt. F.R. Price. | " " | Umbria Marche Reg. |
| " " | Maj. C.W.G. Taylor. | " " | Movements E. Italy. |
| " " | Capt. E.W. Dean. | " " | ISR Capo- |
| " " | " | " | Compartimento ROME. |
| " " | Capt. J.N. Bowes | ALCOM Port | Liaison Officer |
| " " | " | " | Civitavecchia. |
| " " | Capt. R.E. Cook. | c/o AC | Reggio. |
| " " | Maj. R.C. Marks. | ALCOM Port | Liaison Officer, |
| " " | " | " | Naples c/o Depot 876 |
| " " | Maj. W.T. Martin. | c/o AC | Naples. |
| " " | Lt. A.H. Clark. | " " | " |
| " " | " I. Friedman | " | Maj. C.W.G. Taylor |
| " " | " | " | HQ Mov E. Italy. |
| " " | Capt. J.O. Dadds. |) | |
| " " | " G.S. Billingham. |) | |
| " " | " S.S. Hall. |) | c/o HQ Mov E. Italy. |
| " " | " R.J. Woodcock. |) | |
| " " | " D.L. Colman. |) | |
| " " | Lt. A.H. P. Webb. | c/o AC | Toscana Region. |

Transportation Sub-Commission:- Administration Division,
 Planning Staff. 113
 Movements Division.
 Rail Branch.
 Shipping Branch.
 Rail Division.
 Operations Branch.
 Supply Branch.
 Roads Division.
 Operations Branch.
 Maintenance Branch.
 Supply Branch.
 Port & Warehouse Division.

M.M.I.A. for Movements Liaison Officer.
 ISTITUTO per il Commercio Estero (I.C.E.)
 E.N.A.C.

A P P E N D I X "A"

General Outline.ENAC.

1. The Italian Government through its Ministry of Communications set up a Corporation to investigate the problem of Road Transport in Dec. 1943. Following upon these investigations Italian Law created the Corporation entitled :- ENTE NAZIONALE AUTOTRASPORTI COSE (National Agency Motor Transportation of Goods), which will be referred to here after as ENAC. It was sanctioned by Lieutenantcy Decree Law No. 188 dated 17 August 1944 and commenced to function 1 Feb 45. It is a non-profit organisation designed on commercial lines.
2. Under the Decree Law owners of vehicles are compelled to register with ENAC and are only permitted to trade through ENAC. It is prohibited to transport goods by road excepting with ENAC authority, and subject to ENAC terms, conditions and rates of freight. Plans are in hand for Italian Government Control of the issue of Tyres, Petrol and Spares whereby only those Commercial (Goods) vehicles operating for ENAC will be able to procure such supplies.
3. At the present time ENAC control all civilian road transport in Italian Government Territory, which territory includes all Provinces on the Mainland of Italy, south of (excluding) the Provinces of ASCOLI, PERUGIA, TERNI and GROSSETO and in addition the Island of SARDINIA. Road Transport in SICILY is at present operated by I.N.T. (National Transport Institute). It is anticipated that SICILY will be brought into the ENAC scheme in the very near future.
4. Transport within one Province or two adjoining Provinces is arranged by Provincial Directorate.
Transport outside one Province or two adjoining Provinces is arranged by Compartment Directorate, so long as it is confined to two adjoining Compartments.
Transport beyond two adjoining Compartments is arranged by H.Q. in ROME.
5. Scale of ENAC charges is given at Appendix "D".

W.D.VEHICLES.

6. Italian G.T. Coys. There are four of these Coys equipped with 120 x 3 ton Br. lorries/trucks and driven by Italian Army drivers under the control of Italian Army Officers (for discipline and administration). Each Coy is under command of a British Major with a cadre of British Officers and ORs

COSE (National Agency Motor Transportation of Goods), which will be referred to here after as ENAC. It was sanctioned by Lieutenantcy Decree Law No. 188 dated 17 August 1944 and commenced to function 1 Feb 45. It is a non-profit organisation designed on commercial lines.

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- W.D. VEHICLES.
6. Italian C.T. Coys. There are four of these Coys equipped with 120 x 3 ton Br. lorries/trucks and driven by Italian Army drivers under the control of Italian Army Officers (for discipline and administration). Each Coy is under command of a British Major with a cadre of British Officers and ORs.
 7. Q.M. Truck Coys. These Coys are each composed of 52 x 2½ tons GMC 6 x 6 trucks. Coys are organised and operated in accordance with American Army requirements. Vehicles are driven by Italian Army drivers under the control of Italian Army Officers (for discipline and administration). Each Coy is under the command of an American Army Officer with a cadre of American Personnel.

6. Truck Pools. From November 1943 onwards W.D. vehicles were allotted to A.C. for the formation of A.C. Civilian Supply Truck Pools. There are at present approx 550 such vehicles, in operation in liberated Italy. In addition, suitable civilian vehicles have been organised into Pools known as UFFICI TRASPORTI COSE. These pools have operated under the supervision of Regional Transportation Officers. They are run on the lines of the ENAC organisation and operate on the same tariff. In Southern Italy and SARDINIA the control of these pools is vested in ENAC. Negotiations are in hand for ENAC to take over the control of pools and other non-pool vehicles in SICILY. Vehicles are driven by civilians living under their own arrangements and in consequence, are not mobile.

9. Future Increases in M.T.

According to present shipping programmes, 3174 Cased Vehicles are due to arrive in Italy by the end of June 1945. It is expected that all will be in operation by the beginning of August 1945.

It is intended that all Q.M. Coys and G.I. Coys will be under Command Motor Transport Group A.C. (Italian Army Personnel).

APPENDIX "C"ADDRESSES OF THE PROVINCIAL AND COMPARTIMENTAL OFFICES OF "E.N.A.C."

| | <u>Telefono</u> |
|---|-----------------|
| DIREZIONE COMPARTIMENTALE DI ROMA | |
| - Via Regina Giovanna di Bulgaria, 7 | 40796 |
| DIREZIONE PROVINCIALE DI ROMA | |
| - Piazza Sallustio, 16 | 484444 |
| DIREZIONE COMPARTIMENTALE E DIREZIONE PROVINCIALE DI NAPOLI | |
| - Piazza della Borsa - Via S. Aspreno | 53360 |
| DIREZIONE PROVINCIALE DI AVELLINO | |
| - Piazza Duomo - Palazzo Camera di Commercio | 1045 / 1070 |
| DIREZIONE PROVINCIALE DI BENEVENTO | |
| - presso Ufficio Comunale | |
| DIREZIONE PROVINCIALE DI CASERTA | |
| - presso Palazzo R. Prefettura | 220 |
| DIREZIONE PROVINCIALE DI POTENZA | |
| - presso Camera di Commercio | 111 |
| DIREZIONE PROVINCIALE DI SALERNO | |
| - traversa Carlo Pisacane, 5 | |
| DIREZIONE COMPARTIMENTALE DI BARI | |
| - Palazzo della Questura - Via Orisani | 12260 |
| DIREZIONE PROVINCIALE DI BARI | |
| - Via Gimma, 7 | |
| DIREZIONE PROVINCIALE DI LECCE | |
| - Viale Stazione, Palazzo Franco | 1118 |
| DIREZIONE PROVINCIALE DI MATERA | |
| - Via Caprelluti, Palazzo Centro Prov. Gioventù Ital. | 170 |
| DIREZIONE PROVINCIALE DI BRINDISI | |
| - Corso Umberto, 18-20 | |
| DIREZIONE PROVINCIALE DI FOGGIA | |
| - presso Prefettura | |
| DIREZIONE PROVINCIALE DI TARANTO | |
| - Via Cavour, 23 | 2446 |
| DIREZIONE PROVINCIALE DI CATANZARO | |
| - Palazzo I.N.A. | |
| DIREZIONE PROVINCIALE DI COSENZA | |
| - presso Camera di Commercio | |

- Piazza Sallustio, 16 484444
- DIREZIONE COMPARTIMENTALE E DIREZIONE PROVINCIALE DI NAPOLI 53360
- Piazza della Borsa - Via S. Aspreno
- DIREZIONE PROVINCIALE DI AVELLINO 1045 / 1070
- Piazza Duomo - Palazzo Camere di Commercio
- DIREZIONE PROVINCIALE DI BENEVENTO
- presso Ufficio Comunale 220
- DIREZIONE PROVINCIALE DI CAMPOBASSO
- presso Palazzo R. Prefettura
- DIREZIONE PROVINCIALE DI POTENZA
- presso Camera di Commercio
- DIREZIONE PROVINCIALE DI SALERNO
- traversa Carlo Pisacane, 5
- DIREZIONE COMPARTIMENTALE DI BARI 12260
- Palazzo delle Questure - Vi. Oriani
- DIREZIONE PROVINCIALE DI BARI
- Via Gimma, 7
- DIREZIONE PROVINCIALE DI LECCE
- Viale Stazione, Palazzo Franco 1118
- DIREZIONE PROVINCIALE DI MATERA
- Via Caprelluti, Palazzo Centro Prov. Gioventù Ital. 170
- DIREZIONE PROVINCIALE DI FROSINONE
- Corso Umberto, 18-20
- DIREZIONE PROVINCIALE DI FOGGIA
- presso Prefettura 2446
- DIREZIONE PROVINCIALE DI TARANTO
- Via Cavour, 23
- DIREZIONE PROVINCIALE DI CATANZARO
- Palazzo I.N.A.
- DIREZIONE PROVINCIALE DI Cosenza
- presso Camera di Commercio
- DIREZIONE PROVINCIALE DI REGGIO CALABRIA
- Via S. Francesco, 56

111

ctd/

/ Appendice "C" etc

DIREZIONE PROVINCIALE DI FROSINONE

- Piazza Osteria De Matteis

DIREZIONE PROVINCIALE DI TERNANO

- Corso Mario Capuani

DIREZIONE PROVINCIALE DI CHIETI

- Corso Marrucini, 138

DIREZIONE PROVINCIALE DI RIETI

- Via Garibaldi 255/257

E. N. A. C.
ENTE NAZIONALE AUTOTRASPORTI COSE

**TARIFFA UNICA PER I TRASPORTI
DI COSE SU STRADA CON AUTOMEZZI**

(DECRETO MINISTERIALE 30 GENNAIO 1945, PUBBLICATO NELLA
"GAZZETTA UFFICIALE", DELL'8 FEBBRAIO 1945, N. 17)



ISTITUTO POLIGRAFICO DELLO STATO

ROMA - 1945

1279

Declassified E.O. 12356 Section 3.3/NND No. 783016

E. N. A. C.
ENTE NAZIONALE AUTOTRASPORTI COSE

**TARIFFA UNICA PER I TRASPORTI
DI COSE SU STRADA CON AUTOMEZZI**

(DECRETO MINISTERIALE 30 GENNAIO 1945, PUBBLICATO NELLA
"GAZZETTA UFFICIALE", DELL'8 FEBBRAIO 1945, N. 17)



ISTITUTO POLIGRAFICO DELLO STATO
ROMA - 1945

DECRETO MINISTERIALE 30 gennaio 1945.

Tariffa unica per i trasporti di cose su strada con automezzi.

IL MINISTRO PER L'INDUSTRIA, COMMERCIO
E LAVORO
DI CONCERTO CON
IL MINISTRO PER I TRASPORTI

Visto il decreto Ministeriale 31 maggio 1944 che fissa i corrispettivi per i trasporti di cose su strada con automezzi;

Visto il decreto legislativo Luogotenenziale 17 agosto 1944, n. 188, che stabilisce l'istituzione dell'Ente Nazionale Autotrasporti Cose (E.N.A.C.);

Ritenuta la necessità di adeguare i corrispettivi stessi alla situazione contingente;

Sentito il Comitato interministeriale dei prezzi;

Decreta:

Articolo unico.

I corrispettivi per i trasporti di cose con automezzi non potranno superare quelli indicati nelle unite tabelle e norme di applicazione.

Il presente decreto ha effetto dal 1° febbraio 1945.

Roma, addì 30 gennaio 1945

Il Ministro per i trasporti

CIRABONA

*Il Ministro per l'industria
commercio e lavoro*

GRONCHI

ALLEGATO A

TABELLA
QUOTE DI INGAGGIO E QUOTE CHILOMETRICHE

601

| Portate degli automezzi | Quota fissa di ingaggio Lire | Quota chilometrica Lire per q. le-km. indivisibile |
|-------------------------|------------------------------------|--|
| Fino a 5 q.li. | 210 | 2,150 |
| 6 " | 234 | 2,107 |
| 7 " | 258 | 2,064 |
| 8 " | 282 | 2,021 |
| 9 " | 306 | 1,979 |
| 10 " | 330 | 1,937 |
| 11 " | 356 | 1,900 |
| 12 " | 382 | 1,862 |
| 13 " | 408 | 1,824 |
| 14 " | 434 | 1,787 |
| 15 " | 460 | 1,750 |
| 16 " | 486 | 1,714 |
| 17 " | 512 | 1,679 |
| 18 " | 538 | 1,645 |
| 19 " | 564 | 1,612 |
| 20 " | 590 | 1,580 |
| 21 " | 614 | 1,550 |
| 22 " | 638 | 1,520 |
| 23 " | 662 | 1,491 |
| 24 " | 686 | 1,462 |
| 25 " | 710 | 1,434 |
| 26 " | 734 | 1,407 |
| 27 " | 758 | 1,381 |
| 28 " | 782 | 1,356 |
| 29 " | 806 | 1,332 |

| Portate degli automezzi | Quota fissa di noleggio Lire | Quota chilometrica Lire per q.le-km. indivisibile |
|---------------------------|---------------------------------|--|
| 30 q.li | 830 | 1,309 |
| 31 " | 854 | 1,287 |
| 32 " | 878 | 1,265 |
| 33 " | 902 | 1,244 |
| 34 " | 926 | 1,225 |
| 35 " | 950 | 1,207 |
| 36 " | 974 | 1,189 |
| 37 " | 998 | 1,172 |
| 38 " | 1.022 | 1,156 |
| 39 " | 1.046 | 1,141 |
| 40 " | 1.070 | 1,126 |
| 41 " | 1.094 | 1,112 |
| 42 " | 1.118 | 1,099 |
| 43 " | 1.142 | 1,086 |
| 44 " | 1.166 | 1,074 |
| 45 " | 1.190 | 1,062 |
| 46 " | 1.214 | 1,051 |
| 47 " | 1.238 | 1,040 |
| 48 " | 1.262 | 1,030 |
| 49 " | 1.286 | 1,021 |
| 50 " | 1.310 | 1,012 |
| Da 51 a 52 q.li | 1.333 | 1,004 |
| " 53 " 54 " | 1.379 | 0,988 |
| " 55 " 56 " | 1.425 | 0,974 |
| " 57 " 58 " | 1.471 | 0,960 |
| " 59 " 60 " | 1.517 | 0,948 |
| " 61 " 62 " | 1.561 | 0,937 |

6

| Portate degli automezzi | Quota fissa di noleggio | Quota chilometrica |
|---------------------------|----------------------------|--------------------------------------|
| | Lire | Lire per q.le-km. Indivisibile |
| Da 63 a 64 q.li | 1.603 | 0,927 |
| " 65 " 66 " | 1.645 | 0,917 |
| " 67 " 68 " | 1.687 | 0,909 |
| " 69 " 70 " | 1.729 | 0,901 |
| " 71 " 73 " | 1.769 | 0,893 |
| " 74 " 76 " | 1.826 | 0,883 |
| " 77 " 79 " | 1.883 | 0,874 |
| " 80 " 82 " | 1.940 | 0,865 |
| " 83 " 85 " | 1.991 | 0,856 |
| " 86 " 88 " | 2.042 | 0,848 |
| " 89 " 91 " | 2.093 | 0,842 |
| " 92 " 94 " | 2.144 | 0,836 |
| " 95 " 97 " | 2.195 | 0,832 |
| " 98 " 99 " | 2.246 | 0,829 |
| " 100 " 109 " | 2.280 | 0,827 |
| " 110 " 119 " | 2.430 | 0,820 |
| " 120 " 129 " | 2.570 | 0,815 |
| " 130 " 139 " | 2.700 | 0,812 |
| " 140 " 149 " | 2.800 | 0,809 |
| " 150 " 159 " | 2.900 | 0,806 |
| " 160 " 169 " | 2.990 | 0,804 |
| " 170 " 179 " | 3.070 | 0,802 |
| " 180 ed oltre | 3.150 | 0,800 |

011

ALLEGATO B.

NORME PER L'APPLICAZIONE

I. — NORME GENERALI.

Agli effetti dell'applicazione delle tariffe di cui al presente decreto, s'intende:

- a) per *autotreno* un autoveicolo atto al trasporto di cose composto congiuntamente di motrice e di rimorchio;
- b) per *autocarro* un veicolo atto al trasporto di cose costituito dalla sola motrice;
- c) per *motocarro* un autoveicolo a tre ruote, atto al trasporto di cose, avente portata utile compresa fra 350 e 1000 kg. e gli analoghi tipi di portata superiore, ancora eccezionalmente in circolazione;
- d) per *motofurgone* un autoveicolo a tre ruote, atto al trasporto di cose, avente portata utile inferiore o eguale a 350 kg.;
- e) per *automezzo* indistintamente l'autotreno, l'autocarro, il motocarro ed il motofurgone;
- f) per *portata utile* quella indicata nella licenza di circolazione e solo ad essa bisogna riferirsi nel calcolare il corrispettivo dovuto al trasporto (salvo le eccezioni più sotto elencate);
- g) per *sosta*, il tempo intercedente tra il momento in cui l'automezzo giunge al luogo di carico o scarico e quello in cui riparte da detto luogo;
- h) per *luogo di ingaggio*, il luogo dove è la stazione o l'ufficio dell'ENAC dalla quale il trasporto dipende.

II. — STRUTTURA DELLA TARIFFA.

La tariffa è composta:

- a) da una quota di ingaggio, dovuta indipendentemente dalla distanza che l'automezzo deve percorrere e comprensiva del compenso per il percorso autorimessa-luogo d'ingaggio e ritorno;
 - b) da una quota chilometrica;
 - c) da una maggiorazione di L. 0,06 per ogni q.to-km. effettuato, non applicabile ai motofurgoni;
 - d) dell'imposta sull'entrata.
- le quote di cui alle lettere a) e b) risultano dalle allegato tabelle;

— le quote di cui alle lettere c) e d) devono essere computate *in aggiunta* a quelle risultanti da dette tabelle.

Pertanto, salvo le eccezioni di cui ai punti seguenti, a *ciascun trasporto* si applica:

- a) la quota fissa di ingaggio;
- b) la quota chilometrica e la maggiorazione di cui alla precedente lettera c), sia sul percorso di andata a carico, sia su quello di ritorno a vuoto o viceversa;
- c) l'imposta sull'entrata sul totale delle voci precedenti, *dovuta per ciascun trasporto nella misura stabilita dalla legge.*

Dette tariffe sono le massime in ogni caso applicabili ed i prefetti, sentiti i direttori compartimentali dell'ENAC, hanno facoltà di ridurre le quote di ingaggio e le quote chilometriche nei limiti del 10% per quelle provincie nelle quali il minor costo della vita giustifichi tale riduzione.

Per i trasporti di massa e specialmente per quelli che interessano l'alimentazione, i direttori provinciali e compartimentali promuoveranno speciali accordi forfetari con gli Enti interessati, in diminuzione delle presenti tariffe, eventualmente indicendo la gara fra gli autotrasportatori per l'appalto di tali trasporti.

III. — CARICO, STIVATURA E SCARICO.

Il carico, la stivatura e lo scarico delle merci devono essere eseguiti rispettivamente a cura e spese del mittente o del destinatario.

IV. — PESO TASSABILE.

Salvo le eccezioni di cui ai punti seguenti, le tariffe si applicano sulla portata utile dell'automezzo.

V. — DISTANZA TASSABILE.

Salvo le eccezioni di cui ai punti seguenti, le tariffe si applicano sul percorso: luogo di ingaggio, luogo di scarico del trasporto e ritorno.

L'itinerario tassabile è quello effettivamente seguito dall'automezzo tenendo conto delle necessarie deviazioni e delle circonvallazioni.

Le distanze si desumono dalla carta automobilistica al 300.000 della Consociazione Turistica Italiana (T.C.I.).

VI. — EFFETTUAZIONE DI PIU' TRASPORTI CON LO STESSO AUTOMEZZO.

Se con lo stesso automezzo vengono contemporaneamente effettuate più spedizioni, da caricare e scaricare nello stesso luogo, le tasse si applicano, come se si trattasse di un unico trasporto, sulla portata utile dell'automezzo e si ripartiscono poi fra i vari trasporti in proporzione al peso di ciascuno.

Quando invece il carico e lo scarico non avvengono negli stessi luoghi, ma tuttavia trattisi di spedizioni da effettuare con lo stesso automezzo e sullo stesso itinerario (il cui termine sarà stabilito dal trasporto destinato più lontano) per *ciascun trasporto* sarà dovuta la quota di ingaggio che competerebbe per un automezzo di portata utile pari al peso reale del trasporto medesimo, mentre la quota chilometrica sarà calcolata sulla portata utile del mezzo e ripartita poi, così come la maggiorazione cui al punto II lettera c), fra i vari trasporti in proporzione dei q.li-km. di ciascuno.

Quando la somma delle varie quote di ingaggio calcolate come è detto sopra, risulti inferiore alla quota di ingaggio che sarebbe dovuta in base alla portata utile dell'automezzo, si applicherà quest'ultima, ripartendola poi, come avviene per la quota chilometrica, fra i vari trasporti proporzionalmente ai q.li-km. di ciascuno.

VII. — TRASPORTI EFFETTUATI UTILIZZANDO PERCORSI A VUOTO.

L'automezzo che, in relazione ad un primo trasporto, deve effettuare un determinato percorso a vuoto, può essere utilizzato per un altro trasporto da effettuare sul percorso medesimo.

Al nuovo trasporto si applica la tariffa che competerebbe per un automezzo di portata utile pari al peso reale del trasporto medesimo e per la distanza che questo effettivamente deve percorrere.

Il mittente del primo trasporto pagherà in tal caso la quota chilometrica e la maggiorazione di cui al punto II lettera c) afferente al percorso che si sarebbe dovuto effettuare a vuoto, diminuita della quota chilometrica e della maggiorazione sopra detta che viene a pagare il nuovo trasporto.

VIII. — TRASPORTI IN SERIE.

Se l'automezzo, effettuato il primo trasporto, anziché rientrare direttamente al luogo d'ingaggio, viene utilizzato per altre spedizioni poste su itinerario diverso da quello di ritor-

10

no, la tariffa da applicare a *ciascun trasporto* deve essere computata come segue:

a) calcolando la quota di ingaggio in rapporto alla portata utile del mezzo;

b) calcolando la quota chilometrica e la maggiorazione di cui al punto II lettera c) per il percorso da ciascuno effettuato a carico, pure in base alla portata utile dell'automezzo;

c) attribuendo a ciascuno una parte della quota chilometrica e della maggiorazione di cui al punto II lettera c), competende al percorso od ai percorsi a vuoto (sempre calcolata in base alla portata utile dell'automezzo) in proporzione dei chilometri da ciascuno effettuati a carico.

IX. — EFFETTUAZIONE DI PIU' TRASPORTI NELLA MEDESIMA GIORNATA.

Se un automezzo effettua più trasporti nella medesima giornata la quota di ingaggio deve essere riscossa una sola volta (calcolandola naturalmente sulla portata utile dell'automezzo) e ripartita in parti proporzionali ai q.li-km. da ciascun trasporto effettuati.

X. — MAGGIORAZIONE DELLA TARIFFA.

Quando, per disposizione del mittente, che dovrà tassativamente risultare da un documento scritto, il trasporto venga effettuato nelle ore notturne (cioè da 2 ore dopo il tramonto del sole all'alba) e dopo 8 ore dal momento in cui l'automezzo è stato posto a disposizione, la quota di ingaggio e le quote chilometriche saranno aumentate del 7% nel primo caso e del 4,5% nel secondo caso. Tale maggiorazione non si applica nel caso di prosecuzione di viaggio o di ritorno a vuoto.

Per gli automezzi costruiti con attrezzatura fissa e destinati al trasporto continuo ed esclusivo di determinate cose, la cui natura risulterà da apposita annotazione sulla licenza di circolazione, si applicheranno la quota di ingaggio e la quota chilometrica aumentate del 10%.

Per i colli di straordinario peso, cioè per quelli eccedenti la metà della portata utile dell'automezzo, la quota di ingaggio e la quota chilometrica saranno pure aumentate del 10%.

Per gli autotreni cisterna e le autocisterne saranno invece aumentate del 20%.

A

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XI. — TEMPO A DISPOSIZIONE PER IL CARICO E LO SCARICO.

Le presenti tariffe sono comprensive del tempo occorrente per le operazioni di carico e scarico, che devono effettuarsi nel tempo massimo di 80 q.li all'ora per gli autotreni e di q.li 40 all'ora per gli altri automezzi.

Ogni perditempo dovuto ad operazioni di carico e scarico oltre i limiti sopra indicati, o ad altre ragioni comunque imputabili al mittente od al destinatario, è penalizzato nella misura seguente per ogni ora o frazione di ora:

L. 300 per gli autotreni di portata utile superiore a 120 quintali;

L. 250 per gli autotreni di portata utile fino a 120 q.li;

L. 200 per gli autocarri di portata utile superiore a 30 quintali;

L. 150 per i motocarri ed i motofurgoni.

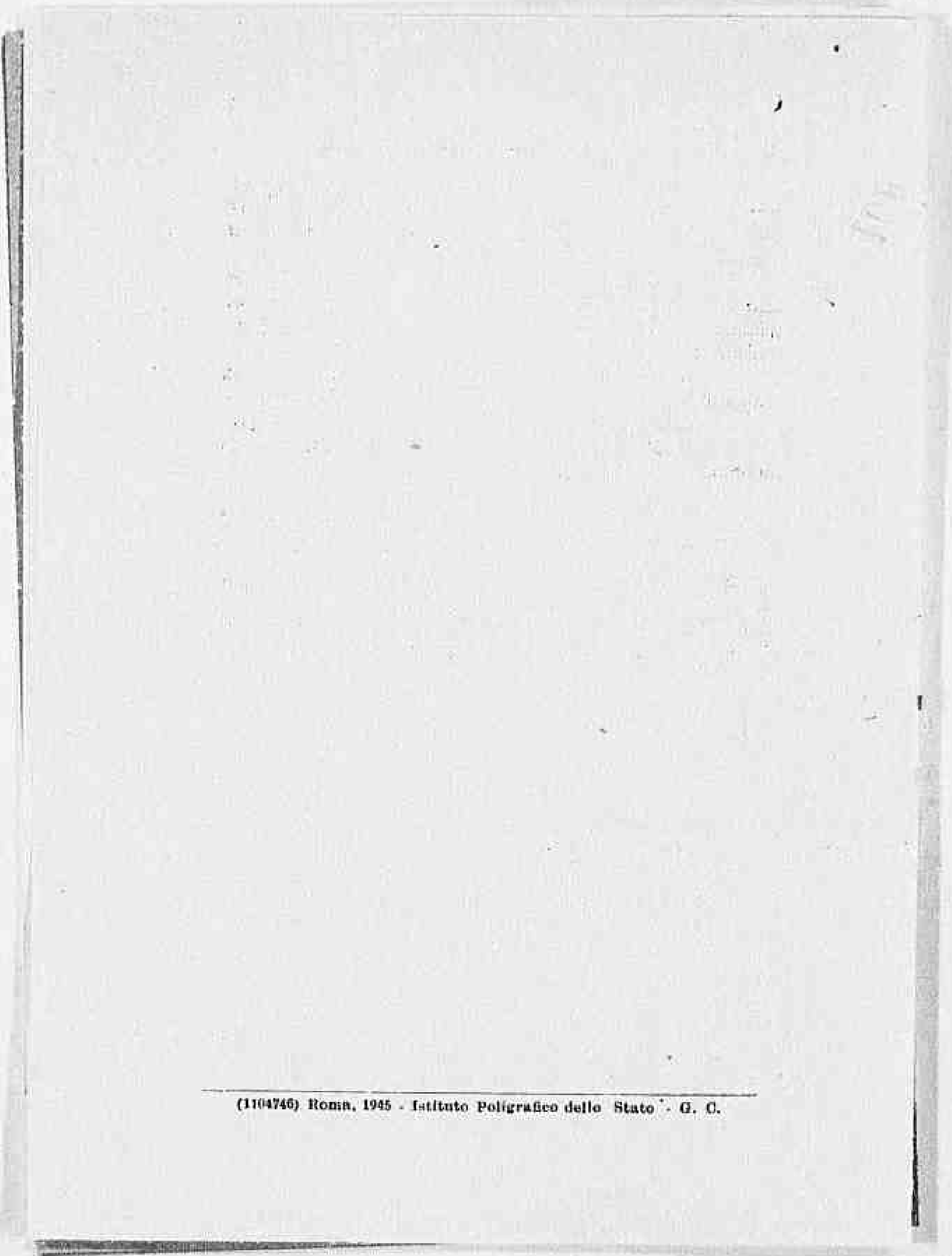
XII. — PERNOTTAZIONI.

Se un automezzo resta impegnato durante la notte, cioè da due ore dopo il tramonto all'alba del giorno successivo, deve essere corrisposto al vettore, in aggiunta alla tariffa, la somma di L. 400 per ogni pernottazione.

108

1289

Declassified E.O. 12356 Section 3.3/NND No. 785016



1290

Declassified E.O. 12356 Section 3.3/NND No. 73-15

ISTITUTO POLIGRAFICO DELLO
STATO - G. C. - ROMA, 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

90A

EIE/mt.
9 April 1945.

AC/4014/4/L.

SUBJECT : Form of release.
TO : Maj. R. D. HILDEBRAND, 2675 Regt.

1. Pursuant to your oral request.
2. I am sending you herewith, in English and in Italian, a form of release which can be used in connection with the transportation of civilians on motor vehicles controlled by the Allied Commission.

E. L. Palmieri
 E. L. PALMIERI,
 Major, Spec - Res
 Acting Chief Counsel
 for Chief Legal Advisor

Incls.

89A

~~C/NAAL/1/L.~~

HEAD QUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

4 April 1944.

SUBJECT : Truck Pools
TO : Transportation Sub-Commission.

The suggestion contained in para. 4 of your 118/S/TW2 of 26 March 1945 is disapproved.

W. E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APC 394
LEGAL SUB-COMMISSION

887

AC/4014/4/L.

4 April 1945. /1rb.

SUBJECT : Truck Pools.

TO : Transportation S/C.

1. Reference is made to your memorandum of 26 March 1945 (118/M/TN2).

2. It does not appear to us that Article II of our proposed Regional Order changes the concept of responsibility in the manner you indicate. It was our intention that the Italians should accept responsibility under the supervision of A.M.G. Article II, paragraph 3, was phrased so as to make clear this intention. The supervision and control to be applied need be only as much as A.M.G. wishes.

3. The scheme for registration set out in Article I was placed on a Communal basis because it was the only convenient and speedy way to bring about registration. We were advised, however, in the course of our conferences on the subject that local exigencies might make it inadvisable for you to form every truck pool within the confines of particular Commune, and that some motor pools might be made to comprise a collection of communes. In such cases, one Sindaco would be chosen presumably as the administrative head for all the Communes forming the motor pool. The provisions of Article II were intentionally made as broad as possible in order to give you the necessary latitude in forming communal truck pools as you wished.

The case you suggest of the registrant drifting from the commune of registry to one more to his liking can easily be obviated by administrative regulation.

4. We regret that we cannot recast without change into a regional order the proposed prefect's decree you refer to. We have already pointed this out in our memorandum of 1 March 1945 (AC/4014/4/L). May we add that in the proposed Regional Order submitted by us we have not sought to impose any ideas of our own regarding truck pools.

NOT SENT
Keep for reference

- 2 -

On the contrary, we have paid careful attention to the wishes of your Sub-Commission as explained to us during the course of our conferences on the subject.

W. E. Benrens
W. E. BENRENS,
Colonel,
Deputy Chief Legal Adviser.

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4014/L

878

HEADQUARTERS
ALLIED COMMISSION
TRANSPORTATION SUB-COMMISSION
APO 394

118/M/TW2

26th. March 1945

To : Legal Sub-Commission
HQ. Allied Commission.

Subject : Truck Pools.

85A, 85B

1. Reference is made to your proposed regional order establishing truck pools accompanied by your letter AC/4014/L dated 25th. March 1945.

2. Your attention is directed to Article II which changes the fundamental concept of responsibility for the formation of said truck pools. We prefer to have the Italians do their own work and accept the responsibility under the supervision of A.M.C.. It is needless to point out that a dearth of A.M.C. personnel prevents us from doing otherwise.

3. In comparing Article I and Article II, it is quite apparent that registration takes place with the Sindaco of a Comune yet operation of the vehicle is under the supervision of a truck pool. We fail to see why two separate agencies should partake in this work. In addition, we feel that the registrant should work for the pool with which he is registered, otherwise he may register in one locality and then drift off to another Comune where work is more to his liking, thus engendering our control.

4. It is suggested that the " Proposed Prefect's Decree ", appendix A of " Instructions for the Organization and Administration of Truck Pools " be recast without change into a regional order, thus saving much time and valuable energy. The Prefect's Decree meets with the approval of this Sub-Commission, has received approval from the appropriate Italian Ministry for which our field work is done in the initial A.M.C. stage and has been actually used in practice. It embodies those ideas that are based on practical experience in the field of Italian transportation and has been accepted by Regional Commissioners who are in responsible charge of distribution of commodities within their jurisdiction.

| |
|-----------------------|
| LEGAL SUB-COMMISSION |
| CLO |
| DCLO |
| Chief Counsel |
| CJO |
| CLERKS |
| XXXXXXXXXX |
| 4 APR 1945 |

M. H. Taylor Colonel

for
MERRITT H. TAYLOR
Director
Transportation Sub-Commission

Copy to: Mr. Gross

MH/gc.

4014/4
 HEADQUARTERS ALLIED COMMISSION
 APO 394
 Transportation Sub-Commission

MJS/fd

AC/824/1/Tn 3

24 March 1945

Procedure for the Movement of stores controlled
by Istituto per il Commercio Estero (I.C.E.)

1. INTRODUCTION

(a) The Italian Government has set up the Istituto per il Commercio Estero (I.C.E.) which will be responsible for the reception and distribution of certain civilian commodities arriving at Italian Ports.

2. I.C.E. WILL REQUIRE CERTAIN MOVEMENT FACILITIES

Movement required will be of three types.

TYPE 1

From Ships side to local Warehouse to await final delivery instructions.

TYPE 2

From local Warehouse to final destination.

TYPE 3

From ships side to a destination outside the port area.

3. APPLICATION FOR MOVEMENT

TYPE 1

No application is necessary, as clearance will be effected under the normal conditions appertaining at the port of discharge of ships.

TYPE 2

Movement will be effected by Rail, Road or sea. Method of application for movement is described in paras 4 (Rail) 5 (Road) & 6 (sea) below.

TYPE 3

(a) Rail. As for Type 2

(b) Road. As for Type 2, but in addition Istituto per il Commercio Estero will submit a forecast of tonnages and destinations to Transportation Sub-Commission, Movements Division, (Road) not later than 10 days prior

1297

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101

3. APPLICATION FOR MOVEMENT

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TYPE 2

Movement will be effected by Rail, Road or Sea. Method of application for movement is described in paras 4 (Rail) 5 (Road) & 6 (see) below.

TYPE 3

- (a) Rail. As for Type 2
- (b) Road. As for Type 2, but in addition Istituto per il Commercio Estero will submit a forecast of tonnages and destinations to Transportation Sub-Commission, Movements Division, (Road) not later than 10 days prior to anticipated discharge date of traffic to be moved.
- (c) Sea. As for Type 2

Handwritten notes and stamps on a separate sheet of paper:

- Handwritten: "Italy"
- Stamp: "CL RKS"
- Stamp: "26 MAR 1945"
- Other faint stamps and markings.

4. MOVEMENT BY RAIL

(a) GENERAL

- (i) All applications for movement by Istituto per il Commercio Estero (I.C.E.) of stores arriving in ports in liberated ITALY and SICILY will be made through the nearest Allied Commission Transportation Representative or through H.C. Transportation Sub-Commission, Movements Division, Rail.
- (ii) At present A.C. Transportation Representatives are located at the following ports:

| | | |
|---------|---------------|---------|
| PALERMO | NAPLES | LEGHORN |
| REGGIO | CIVITAVECCHIA | ANCONA |
| BARI | POMEZIA | |

The Bari representative covers the Heel ports (namely: MANTOVANA-MARIGNANA-BARTELE-TRANI-BISOGNIE-MONTELEONE-MARIGNANO-GRUNDO-CALIPOLI-TARANTO).

The NAPLES representative covers Satellite ports of TORRE ANNUNZIATA - CAETULARE - S. ILARIO. The names and addresses of these officers are shown at appendix "A" attached.

- (iii) A forecast of Bulk Tonages will be submitted to Transportation Sub-Commission, Movements Division, Rail by Thursday of each week of cargoes due to arrive during the seven day Rail-movement period commencing the following Monday week. This forecast will be given under two headings:
 - (1) stores destined for warehousing within the port area prior to onward movement.
 - (2) stores for direct delivery to destination.

(b) CARGO FOR MOVEMENT TO WAREHOUSE WITHIN LOCAL PORT AREA

No bids need be made for this movement as it will come under the normal Port Clearance arrangements whether military or civil.

(c) CARGO FOR DIRECT MOVEMENT TO DESTINATION

Bids will be submitted in the usual way through the local AC Transportation Officer or through H.C. Transportation Sub-Commission, Movements Division, Rail care being exercised that bids are not duplicated. The same procedure will apply for movement from Warehouse to destination.

5. MOVEMENT BY ROAD

(a) ITALY

| | | |
|----------|----------------|---------|
| PALESTRO | NAPLES | DEGHORN |
| REGGIO | QUVITAVECOCHIA | ANCONA |
| BARI | FIORINIO | |

The Bari representative covers the heel north (namely: MANTOVANA-MAGHERITA-BARTELE-TRANI-BICOTALE-NOVAZZA-BARI-MONTEOLI-TRUNDI-CALLIPOLI-TARANTO).

The NAPLES representative covers satellite north of TORRE ANNUNZIATA - CESTELLARE - SALTANO.

The names and addresses of these officers are shown at appendix "A" attached.

(iii) A forecast of Bulk Tonnes will be submitted to Transportation Sub-Commission, Movement Division, Rail by Thursday of each week of cargo due to arrive during the seven day Rail-Movement period commencing the following Monday week. This forecast will be given under two headings:

- (1) stores destined for warehousing within the port area prior to onward movement.
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(b) CARGO FOR MOVEMENT TO WAREHOUSE WITHIN LOCAL PORT AREA

No bids need to make for this movement as it will come under the normal Port Clearance arrangements whether military or civil.

(c) CARGO FOR DIRECT MOVEMENT TO DESTINATION

Bids will be submitted in the usual way through the local AC Transportation Officer or through H.C. Transportation Sub-Commission, Movement Division, Rail care being exercised that bids are not duplicated.

The same procedure will apply for movement from warehouse to destination.

5. MOVEMENT BY ROAD

(a) ITALY

(i) Road Transport in all Provinces south of (excluding) the Province of ASCOLI, PERUGIA, TERNI and GROSETO, is under the control of Ente Nazionali Autotrasporti di Corse (E.N.A.C.)

Applications for transport must be made to the Provincial Commissioner of the Ente Nazionale Autotrasporti di Cose on appropriate Form (EWAC 3), (on demand at any EWAC Office) situated nearest to the point of origin.

(ii) In that part of the mainland of ITALY not included above, application for Transport will be made to the Commissioner of the Region in which loading point is situated.

(b) SICILY

Temporarily all applications for Transport will be made to AC Transportation Representative whose office is in PALERMO. Negotiations are in hand for EWAC to take over control of Road Transport in SICILY. When these have been completed an amendment will be issued to this instruction.

(c) SARDINIA

Applications for Transport will be made to the Ente Nazionale Autotrasporti di Cose, office nearest to the point of loading to transport. Form EWAC 3 will be used.

(d) Haulege Rates

(i) In the mainland of ITALY and SARDINIA all road movement will be charged for in accordance with the EWAC tariff.

(ii) SICILY. Scale of charges available on application to AC Transportation Representative.

6. MOVEMENT BY SEA

For normal movement by sea, form SB/2 will be completed in triplicate and forwarded to the Provincial Chamber of Commerce. (specimen at appendix "B").

The Provincial Chamber of Commerce will screen these applications and send them in duplicate to Transportation Sub-Commission, Movements Division, Shipping Branch. Full details concerning Inter-Mediterranean Shipping Procedure will be found in Shipping Instruction No. 8, now in the course of being issued.

NOTE :- For special cargoes such as explosives for mining special arrangements will be made with Movements Division, Shipping Branch, Transportation Sub-Commission HQ. AC.

By Command of Rear Admiral STONE: *TA/S*

100

(b) SICILY

Temporarily all applications for Transport will be made to AC Transportation Representative whose office is in PALERMO. Negotiations are in hand for EMAC to take over control of Road Transport in SICILY. When these have been completed an amendment will be issued to this instruction.

(c) SARDINIA

Applications for Transport will be made to the Ente Nazionale Autotrasporti di Cose, office nearest to the point of loading to transport. Form EMAC 3 will be used.

(d) Haulage Rates

(i) In the mainland of ITALY and SARDINIA all road movement will be charged for in accordance with the EMAC tariff.

(ii) SICILY. scale of charges available on application to AC Transportation Representative.

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6. MOVEMENT BY SEA

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NOTE :- For special cargoes such as explosives for mining special arrangements will be made with Movements Division, Shipping Branch, Transportation Sub-Commission HQ.AC.

By Command of Rear Admiral STONE: *M/Snell Col*
 for MERRITT H. TAYLOR
 DIRECTOR

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 Abruzzi Marche "
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Chambers of Commerce :-

| | | |
|-----------|------------|-----------------|
| Arezzo | Roma | Matera |
| Firenze | Rieti | Potenza |
| Grosseto | Viterbo | Catanzaro |
| Livorno | L'Aquila | Cosenza |
| Lucca | Campobasso | Reggio Calabria |
| Massa | Chieti | Agrigento |
| Pisa | Pescara | Caltanissetta |
| Pistoia | Teramo | Catania |
| Siena | Avellino | Enna |
| Ancona | Benevento | Messina |
| Ascoli | Napoli | Palermo |
| Macerata | Salerno | Ragusa |
| Pesaro | Bari | Siracusa |
| Perugia | Brindisi | Trapani |
| Terni | Foggia | Cagliari |
| Frosinone | Taranto | Nuoro |
| Littoria | Lecce | Sassari |

Banks :-

| | | | |
|-------------------|--|---|---|
| Palermo : | Banco di Sicilia, Banca Commerciale Italiana, Credito Italiano | " | " |
| Catania : | " | " | " |
| Messina : | " | " | " |
| Siracusa : | " | " | " |
| Agrigento : | Banco di Sicilia | " | " |
| Porto Empedocle : | " | " | " |
| Trapani : | " | " | " |
| Marsala : | " | " | " |
| Termini Imerese : | " | " | " |
| Licata : | " | " | " |
| Napoli : | Banco di Napoli, Banco di Sicilia, Banca Commerciale Italiana, Credito Italiano. | " | " |
| Salerno : | " | " | " |
| Catanzaro : | Banco di Napoli, Banca Commerciale Italiana, Credito Italiano. | " | " |
| Reggio Calabria : | " | " | " |
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| Taranto : | " | " | " |
| Bari : | " | " | " |
| Lecce : | " | " | " |
| Foggia : | " | " | " |

Chambers of Commerce :-

| | | |
|-----------|------------|-----------------|
| Arezzo | Roma | Matera |
| Firenze | Rieti | Potenza |
| Grosseto | Viterbo | Catanzaro |
| Livorno | L'Aquila | Cosenza |
| Lucca | Campobasso | Reggio Calabria |
| Massa | Chieti | Agrigento |
| Pisa | Pescara | Caltanissetta |
| Pistoia | Teramo | Catania |
| Sienna | Avellino | Enna |
| Ancona | Benevento | Messina |
| Ascoli | Napoli | Palermo |
| Macerata | Salerno | Ragusa |
| Pesaro | Bari | Siracusa |
| Perugia | Brindisi | Trapani |
| Terni | Foggia | Cagliari |
| Frosinone | Taranto | Nuoro |
| Littoria | Lecce | Sassari |

Banks :-

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| Porto Empedocle : | " | " | " | " |
| Trapani : | " | " | " | " |
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| Napoli : | Banco di Napoli, Banco di Sicilia, Banca Commerciale Italiana, Credito Italiano. | " | " | " |
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| Catanzaro : | Banco di Napoli, Banca Commerciale Italiana, Credito Italiano. | " | " | " |
| Reggio Calabria : | " | " | " | " |
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| Bari : | " | " | " | " |
| Lecce : | " | " | " | " |
| Foggia : | " | " | " | " |
| Pescara : | " | " | " | " |
| Roma : | Banco di Sicilia, Banco di Napoli, Banca Commerciale Italiana, Credito Italiano, Banco di Santo Spirito. | " | " | " |
| Civitavecchia : | " | " | " | " |

COGEMA:-

| | | |
|-----------------|---------------------|-------------------------|
| Napoli | Messina | Golfo Aranci |
| Bari | Catania | Arbata di Tortoli |
| Manfredonia | Siracusa | Carloforte |
| Barletta | Augusta | Sant'Antioco |
| Polfetta | Castellammare Golfo | Algero |
| Bisceglie | Licata | Pozzallo |
| Trani | Marsala | Castellammare di Stabia |
| Mola di Bari | Marzanneni | Termoli |
| Monopoli | Mazara Valle | Vasto |
| Brindisi | Milazzo | Ortona |
| Gallinoli | Porto Cappedole | Pescara |
| Taranto | Rinosto | Giulianova |
| Reggio Calabria | Sciacca | Civitanova |
| Crotone | Termini Imerese | Lincoln |
| Catanzaro | Trapani | Viareggio |
| Soverato | Cagliari | Livorno |
| Gioia Tauro | Olbia | Civitatevecchia |
| Porto S. Venere | Porto Torres | Anzio |
| Pizzo Calabria | La Maddalena | Roma |
| Palermo | Palau | |

SCAO ANG 8 Army
H.C. ANG Rear 8 Army
SCAO ANG 5 Army

A.C. Regional Headquarters:-

| | | |
|----------------|--------|-----|
| Sicilia | Region | (6) |
| southern | " | (6) |
| Marche-Abruzzi | " | (6) |
| Lazio-Umbria | " | (6) |
| Toscana | " | (6) |
| Emilia | " | (6) |
| Sardegna | " | (6) |
| Piemonte | " | (6) |
| Liguria | " | (6) |
| Lombardia | " | (6) |
| Venezia | " | (6) |

| | | |
|---------------------------------------|-----------|-------------------------|
| A.C. Transportation Officer - Palermo | Reggio | Cart. A.H. Irvine Lynch |
| " | Catanzaro | " E.W. Boddy |
| " | Crotone | " R.T. Cook |
| " | Marise | Major V.R. Bowers |
| " | " | " R.C. Marks |
| " | " | " W.T. Martin |
| " | " | Lt. A.H. Clark |
| " | Bari | Major C.W.G. Taylor |
| " | " | Cart. J.O. Dodds |
| " | " | " G.S. Billinghamurst |
| " | " | " S.C. Hall |
| " | " | " R.J. Woodcock |

Reggio Calabria
 Crotona
 Catanzaro
 Crotone
 Gioia Tauro
 Porto C. Venere
 Pizzo Calabria
 Palermo
 Termini Imerese
 Trapani
 Cagliari
 Olbia
 Porto Torres
 La Maddalena
 Palau

SCAO AMG 8 Army
 H.Q. AMG Rear 8 Army
 SCAO AMG 5 Army

Ancona
 Viareggio
 Livorno
 Civitavecchia
 Anzio
 Roma

A.C. Regional Headquarters:-

| Region | (6) |
|----------------|-----|
| sicilia | (6) |
| southern | (6) |
| Marche-Abruzzi | (6) |
| Lazio-Umbria | (6) |
| Toscana | (6) |
| Emilia | (6) |
| sardegna | (6) |
| Piemonte | (6) |
| Liguria | (6) |
| Lombardia | (6) |
| Venezia | (6) |

A.C. Transportation Officer - Palermo

| Region | Officer | Rank |
|-------------|----------------------|-------|
| Reggio | A.H. Irvine Lynch | Capt. |
| Catanzaro | B. V. Boddy | " |
| Crotone | R. T. Cook | " |
| Naples | V. R. Bowers | Major |
| " | R. C. Marks | " |
| " | W. T. Martin | " |
| " | A. F. Clark | Lt. |
| Bari | C. W. G. Taylor | Major |
| " | J. O. Ladds | Capt. |
| " | G. S. Billinghamurst | " |
| " | S. C. Hall | " |
| " | R. J. Woodcock | " |
| " | L. B. Coleman | " |
| " | I. Friedman | Lt. |
| Rome | E. W. Dean | Capt. |
| Civitecchia | J. N. Bower | " |
| Aquila | F. R. Price | " |
| Fiombino | A. N. F. Webb | Lt. |
| Ancona | Smith | Capt. |

Istituto Federale Commercio Estero (20)
H.C.A.C. Federazione Italiana Consorzi Agrari
Economic Sector

| | |
|----------------------------|-------------------------------|
| Agriculture sub-Commission | Transportation sub-Commission |
| Forestry Division | Admin. Division |
| Fisheries Division | Planning Staff |
| Crop Production | Road Division |
| Citrus Fruit | Port & Whse Division |
| Education sub-Commission | Movement Division |
| Finance sub-Commission | Rail Branch |
| Food sub-Commission | Road Branch |
| Rome Supply Officer | Shipping Branch |
| Supply Officer | |
| Transportation Officer | |

Industry sub-Commission
 Building Materials Division
 Chemicals
 " " " " "
 Textiles
 Mining
 Iron
 Coal

Commerce sub-Commission
 Materials Division
 Matches & Tobacco Division
 Foreign Trade
 Petroleum
 Imports Paper
 Textiles, shoes
 "

Labour sub-Commission (2)
 Public Health sub-Commission
 Medical Supply Branch
 Public Health Branch
 Public Works & Utilities sub-Commission (2)
 Communications sub-Commission (2)
 Displaced Persons and Repatriation sub-Comm. (2)
 Legal sub-Commission (2)
 Monument, Fine Arts & Archives sub-Commission (2)
 Shipping sub-Commission (2)
 Navy sub-Commission (2)
 U.H.R.A. (2)
 Salt (Monopolio dello stato)
 Tobacco (Monopolio dello stato)
 Matches (Consorzio Industria Fiammiferi)

Ministero dell'Industria Commercio e Lavoro
 Direzione Generale Marina Mercantile
 Sotto segretario Generale Marina
 Ministero delle Comunicazioni
 A.F.H.C. G-3 (2)
 " G-4 (2)
 M.E.D.P.O.

1307

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Finance sub-Commission
Movement Division
Rail Branch
Road Branch
Shipping Branch

Finance sub-Commission
Food sub-Commission
Roms Supply Officer
Supply Officer
Transportation Officer
Industry sub-Commission
Building Materials Division
Chemicals
Textiles
Mining
Hemp
Coal

Commerce sub-Commission
Materials Division
Matches & Tobacco Division
Foreign Trade
Petroleum
Imports Taxes
Textiles, shoes
Labour sub-Commission (2)
Public Health sub-Commission
Medical Supply Branch
Public Health Branch
Public Works & Utilities sub-Commission (2)
Communications sub-Commission (2)
Displaced Persons and Repatriation sub-Comm. (2)
Legal sub-Commission (2)
Monument Fine Arts & Archives sub-Commission (2)
Shipping sub-Commission (2)
Navy sub-Commission (2)
U.N.R.R.A. (2)
Salt (Monopolio dello stato)
Tobacco (Monopolio dello stato)
Matches (Consorzio Industria Fiammiferi)

Ministero dell'Industria Commercio e Lavoro
Direzione Generale Marina Mercantile
Sotto segretario Generale Marina
Ministero delle Comunicazioni
A.F.H.C. 4-3 (2)
" 6-4 (2)
F.E.D.B.O. A.F.H.C. (2)
Seaconer Control Board Naples (4)
CC-32-MA Naples (4)
Alto Commissariato dell'Alimentazione
Via Sallustiana 10.10
Roma

APPENDIX 'A'LIST OF TRANSPORTATION OFFICERS

| <u>RANK & NAME</u> | <u>LOCATION</u> | <u>ADDRESS</u> |
|-------------------------|-----------------|--|
| Capt. A.H. Irvine Lynch | Palermo | Tn. Officer HQ. Sicily Reg. |
| Capt. B.V. Boddy | Reggio | " " AC Reggio |
| Maj. V.R. Bowers | Naples | " " HQ. Southern Region |
| Maj. C.W.G. Taylor | Bari | " " c/o Mov. East Italy |
| Capt. J.V. Bowes | C'vecchia | " " AC Port Liaison Officer Civitavecchia |
| Lt.A. N.F. Webb | Piombino | " " AC Port Liaison Officer Piombino |
| Capt. Smith | Ancona | " " c/o D.D.M.Rly Ancona |
| Capt. A.C. Ramsey | Leghorn | Denot 12.L.50 Leghorn |

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

85A

AC/4014/4/L.

25 March 1945

SUBJECT : Truck Pools.

TO : Transportation S/C, (Attn: Col. Harris).

1. Pursuant to your memorandum TN 2/101/H of 2 March 1945 and to our subsequent conversations I am sending you herewith a form of Regional Order which can be used for your contemplated truck pools.

2. You appreciate that this Sub-Commission does not customarily furnish Italian translations. However, since part of the preparatory work in this matter involved consultation with Italian counsel concerning the E.N.A.C. decree (D.L.L. 183) we can make an Italian translation of the proposed Regional Order available to you if you desire it.

W. E. Behrens

96

for W. E. BEHRENS,
Colonel,
Deputy Chief Legal Adviser.

Incl

838

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
..... REGION
APO

REGIONAL ORDER)
:)
NUMBER)
March 1945.

Considering that Public Welfare requires the immediate coordination of all means of commercial transport and the maximum utilization thereof,
I,, Colonel, Regional Commissioner,, Region, Allied Military Government, by virtue of the power conferred upon me:

ORDER
ARTICLE I

Registration of all Commercial Motor Vehicles.

Every person owning, licensing, possessing or controlling any auto-train, truck, motor car, road tractor with trailer or any other motor vehicle of any other description propelled by mechanical means designed and suitable for the transportation of goods, merchandise or freight, shall register the same within seven days from the effective date of this order, with the Sindaco of the commune in which he resides.

Any person who possesses or controls a garage, storage space or parking lot in which at the effective date of this order there is located any of the motor vehicles herein described shall likewise register such motor vehicle with the Sindaco of the commune in which such garage, storage space or parking lot is situated.

95
ARTICLE II

Establishment of Provincial Motor Pool and Communal Sections thereof.

A Provincial Motor Pool is hereby established which shall come into operation within twelve days from the effective date of this order and which shall operate as a non-profit agency for the despatch of commercial motor vehicles.

Communal Sections of the Provincial Motor Pool may be established at any time hereafter. Such sections will be under the supervision and control of the Provincial Motor Pool and will on behalf thereof administer the working of said pool throughout such commune or communes as may be designated.

The Provincial Motor Pool and the Communal Sections thereof will be subject to the supervision and control of the Allied Military Government and to such rules and regulations as may be issued from time to time.

No person who has not registered his vehicle in accordance with Article I hereof will be authorized to use his vehicle

1311

Considering that Public Welfare requires the immediate coordination of all means of commercial transport and the maximum utilization thereof,
 I, Colonel, Regional Commissioner,
 Region, Allied Military Government, by virtue of the power conferred upon me:

O R D E R

ARTICLE I

Registration of all Commercial Motor Vehicles.

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The Provincial Motor Pool and the Communal Sections thereof will be subject to the supervision and control of the Allied Military Government and to such rules and regulations as may be issued from time to time.

No person who has not registered his vehicle in accordance with Article I hereof will be authorized to use his vehicle for the transportation of goods, freight or merchandise.

- 2 -

ARTICLE III

Commercial Transportation by Motor Vehicle Subject to Authorization.

From and after the twelfth day following the effective date of this order it shall be unlawful to transport any goods, merchandise or freight in any motor vehicle described herein unless such transportation is authorized in writing by the Provincial Motor Pool or by a communal section thereof.

The authorization to be issued for the transport of goods under this order shall be called a trip ticket and shall set forth the name and address of the consignor of the goods, a general description of the nature and quantity of the goods to be carried, a description of the motor vehicle, the name and address of the carrier, the route to be followed by the carrier and the name and address of the consignee of the goods transported.

No consignor or consignee shall procure the transportation or accept the delivery of any goods, merchandise or freight by means of a motor vehicle unless the carriage thereof is authorized in accordance with this Article.

ARTICLE IV

Freight Rates Established by the Allied Military Government.

Freight rates for the operation of commercial motor vehicles in accordance with this order will be issued by the Allied Military Government and will be kept posted at the offices of the Provincial Motor Pool and the Communal Sections thereof.

ARTICLE V

Penalties.

Any person who fails to comply with this order or otherwise violates the same shall upon conviction by an Allied Military Court be liable to punishment by such fine and imprisonment or both as the court shall direct and the confiscation of the vehicle and the contents thereof.

ARTICLE VI

Effective date.

This order shall become operative within any province or part of the province within Region on the date on which it is first published therein.

1 3 1 3

General description of the nature and quantity of the goods to be carried, a description of the motor vehicle, the name and address of the carrier, the route to be followed by the carrier and the name and address of the consignee of the goods transported.

No consignor or consignee shall procure the transportation or accept the delivery of any goods, merchandise or freight by means of a motor vehicle unless the carriage thereof is authorized in accordance with this Article.

ARTICLE IV

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Freight rates for the operation of commercial motor vehicles in accordance with this order will be issued by the Allied Military Government and will be kept posted at the offices of the Provincial Motor Pool and the Communal Sections thereof.

ARTICLE V

Penalties.

Any person who fails to comply with this order or otherwise violates the same shall upon conviction by an Allied Military Court be liable to punishment by such fine and imprisonment or both as the court shall direct and the confiscation of the vehicle and the contents thereof.

ARTICLE VI

Effective date.

This order shall become operative within any province or part of the province within Region on the date on which it is first published therein.

Colonel,
Regional Commissioner.

Handwritten scribble

4014/4

84A

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
APO 394
TRANSPORTATION SUB-COMMISSION

TN2/ 101/H

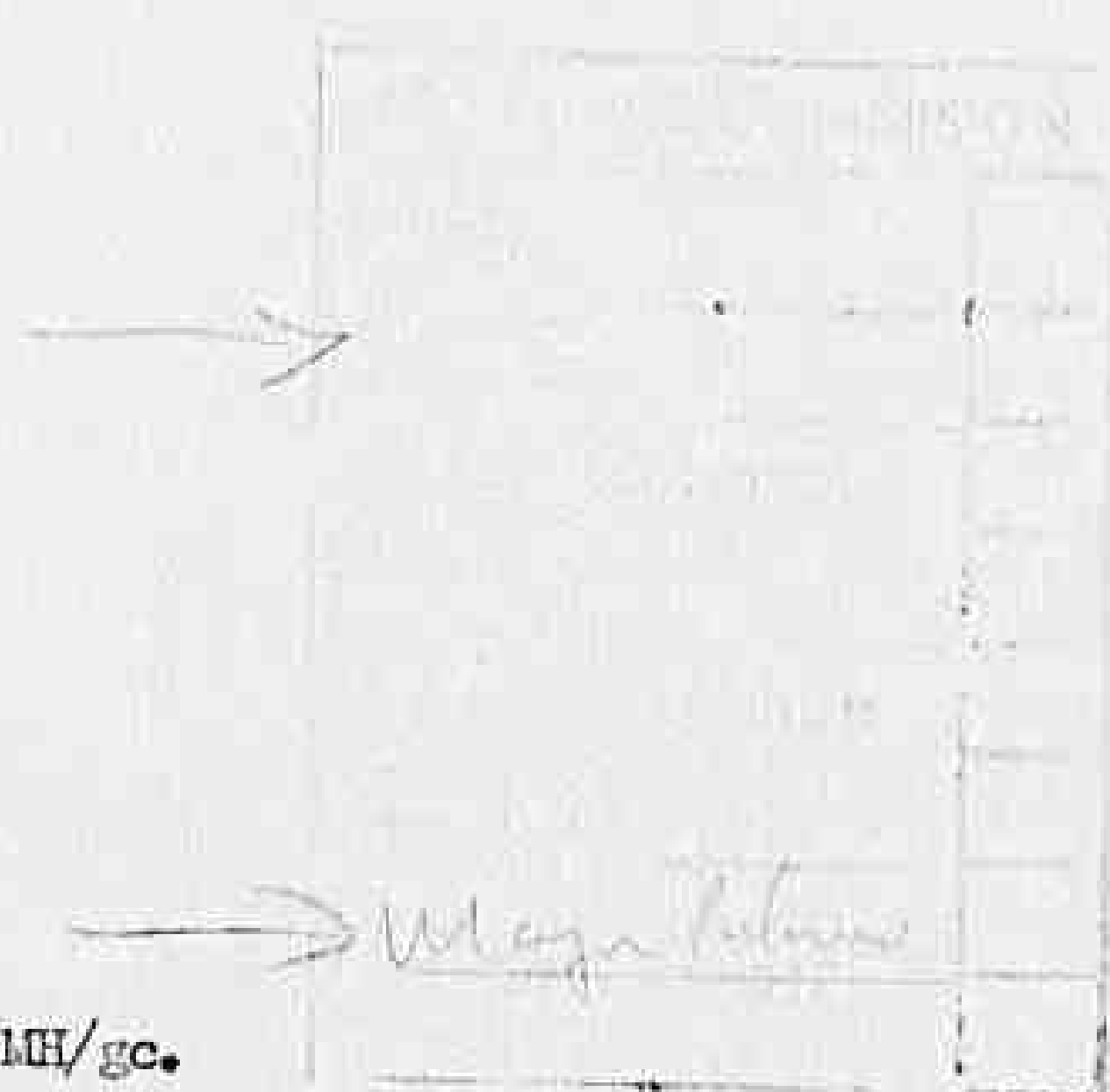
2nd. March 1945

To : Legal A.C.

Subject : Proposed Prefect's Decree

83A

1. Reference your AC/4014/4/L of the 1st. March 1945, will you kindly submit two documents to cover those items mentioned in para 2 (a) and 2 (b) that will bear your approval.



MH/gc.

93

M Harris

M. HARRIS

Lt. Col. C.E.

*we will write to the
Magna Tribune with a copy to
Beck*

*Del
188
211153*

HEADQUARTERS ALLIED COMMISSION
AFD 394
LEGAL SUB-COMMISSION

83A

AC/4014/4/L.

/rlp.
1 March 1945.

SUBJECT : Truck Pools.
TO : Transportation S/C.

1. This sub-commission has been consulted by the Regional Legal Officer, Lombardia Region upon certain aspects of certain documents produced by Lt. Col. Harris of your sub-commission to the meeting of Lombardia Region held yesterday.
2. The specific documents upon which our advice has been requested are:
 - a. The proposed Prefect's decree at page 47 of a book entitled "Instructions for the Organization and Administration of Truck Pools," and
 - b. A proposed regional order unnumbered for Lombardia Region on the operation of truck pools.
3. We are advised that in introducing these documents to the meeting, Lt. Col. Harris stated that they had been seen by the Legal S/C and he created the impression in the mind of the Regional Legal Officer that they had in fact been approved by us.
4. We thought we had made it perfectly clear to Lt. Col. Harris when we originally discussed the matter with him that we expressly disapproved both these documents in their present form. In case there should be any possible confusion upon this point for the future, will you please note that we do most emphatically disapprove each of these documents.
5. It is, of course, a matter of no concern to the Legal S/C whether you and Lt. Col. Harris wish to continue the use of these documents. If, however, you do so, will you please make sure that no suggestion is made that they carry the stamp of approval of this sub-commission.

W. E. REHIGANS,
Colonel,
Deputy Chief Legal Advisor.

82A

II. JOINTLY-MAILED COMMISSION
A.P.O. 394
LEGAL SUB-COMMISSION

ELP/esp

AC/4014/h/L

25 Feb 45

SUBJECT : Transfer to the Italian Government, Ministry of
Transport, the assets of I.N.T. in Sicily.

TO : Transportation Sub-Commission

1. We have examined the draft of proposal to the Italian Government transmitted with your letter 540/26/TH 1 of 21 Feb 45.

2. The transaction seems entirely proper. We are not advised however, with respect to the organization and legal structure of the Istituto Nazionale Auto Trasporti and we should like to be consulted when you have obtained the complete information regarding it.

3. We understand that the proposed agreement will take the form of an exchange of letters between you and the Minister of Communications. The draft proposal submitted to us is in substantially proper form. We have the following suggestions :-

(a) The contemplated acceptance by the Italian Minister should be countersigned by the President of the Council of Ministers and you should request this in your letter of transmittal. The signature of the President is necessary since the Italian Government cannot legally assume obligations on the authority of the Minister alone.

(b) The estimated value referred to in paragraph 2 should be fixed at the time the proposal is accepted. It is suggested that a clause be added providing for a suitable way to establish this value and the estimated values can then be made a part of the schedules referred to in paragraph 6.

(c) We should prefer paragraph 4 to be reworded as follows :-
"The Italian Government will agree that ^{until the expiration of} a period of six months after the cessation of the state of war between Italy and Germany, these vehiclesetc"

(d) We assume the term "Allied Governments" used in paragraph 3 should be in the plural tense.

(e) We should prefer an additional provision to be added to paragraph 3, to read as follows :-

/s/ The Italian

- 2 -

"The Italian Government will also assume liability for any claims which may be made against the Allied Commission, I.N.T. or their representatives, and which may have arisen during the period of operation by I.N.T. and will further agree to indemnify them for, and hold them harmless against such claims".



E.L. PALMIERI,
Major, Spec Res.,
Acting Chief Counsel,
for Chief Legal Advisor.

SIA

Handwritten notes and scribbles on the left side of the page.

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

MHT/h1

Tel: 220

540/26/TN 1

21 Feb. '45

SUBJECT: Transfer to the Italian Government,
Ministry of Transport, the Assets
of I.N.T. in Sicily.

TO : Legal Sub-Commission.

1. In connection with proposed withdrawal of Allied Commission in Italian Government territory, it is desired to turn over all of the interests of the Allies in I.N.T. in Sicily to the Italian Government, Ministry of Transport.
2. Attached draft of proposal to the Italian Government has been prepared by the Chief Accountant, Finance Sub-Commission and is concurred in by Transportation Sub-Commission.
3. Request is made for opinion of Legal Sub-Commission as to the propriety of this transaction and the proposed form.

Merritt H. Taylor
MERRITT H. TAYLOR,
Director.

encl: (1) Draft of Proposal

Reviewed by Cetta 25 Feb 45

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| LEGAL SUB-COMMISSION | 89 |
| CLO | |
| DCLO | |
| Chief Counsel | <input checked="" type="checkbox"/> |
| CIO | |
| Italian Section | |
| CL RKS | |
| 25 FEB 1945 | |

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

SPA

File
AC/4014/4/L.

/rlp.
24 February 1945.

SUBJECT : Proposed Contract for Rehabilitation of War Salvage Trucks.
TO : Transportation S/O.

1. The proposed agreement transmitted with your memorandum of 21 Feb 45 refers to "war damaged vehicles." On page 5, par. 13, there appears a reference to "war department vehicle." We assume this latter reference to be a typographical error. If we are mistaken, may we point out that in our memorandum addressed to you under date of 2 Feb 45 we stated that there was a fundamental impediment which prevented our approving the contract since the Allied Commission possesses no contractual capacity to deal with War Department vehicles. If, in fact, you propose to deal with such vehicles, this objection would, of course, remain valid, notwithstanding their being described as "war damaged vehicles" or in any other way.

2. Assuming, however, that you are free to deal with the vehicles and that what we have said in the preceding paragraph does not apply, then we have the following comments to make:

a. We should prefer the first "whereas" clause on page 1 to read as follows:
"Whereas the LEGAL OWNER herein is declared to be the holder of the legal title to ***"

b. Paragraph 6 (page 3), might be improved by the inclusion of a provision dealing with the disposition of accumulated operating income, over and above the cost of reconditioning. This would be useful in the event that the subsequent agreement referred to in the last sentence is not entered into.

c. Paragraph 9 (page 4) contains the phrase "as may be laid down". If the intention is to secure a uniform and precise method of accounting, then we suggest that it be not optional. We suggest that the second sentence of par. 9 be reworded as follows:

"All records, established and maintained for the purposes hereof, shall conform to accounting methods and practices which will be laid down by the LEGAL OWNER. These methods and practices will conform generally to the standard accounting usage prevailing in the United States and in the United Kingdom and will discuss fully the details of every transaction wherever financial obligations are to be incurred and imposed."

d. We should prefer par. 11 (page 5) to be reworded and modified as follows:

"It is expressly understood between the parties hereto that the option to purchase is subject to the approval of the appropriate military authorities and that the LEGAL OWNER will undertake to secure this approval. Subsequent to the execution of this agreement and for a period of one year thereafter, subject to the approval as aforesaid, the REGISTERED OWNER shall have the right and option to purchase any, or all of the vehicles described herein, provided that this agreement, or modifications thereof, or further agreements entered into pursuant to paragraph 6 hereof, are still in force and effect."

We have adopted your own time period for the exercise of the option. You will understand, of course, that extending the option for one year may leave you in difficulties in the event Allied Commission personnel leave the country before the year has expired.

e. It is suggested that an additional paragraph be inserted following par. 6 which makes the REGISTERED OWNER'S responsibility in respect to insurance more certain. We suggest the following:

"The REGISTERED OWNER agrees to secure insurance against fire, theft, damage and accident and will cover the interest of the LEGAL OWNER as well as his own. The insurance coverage must be in a form approved by the LEGAL OWNER and must be secured immediately upon the execution of this contract, and before the operation of any vehicle which is the subject hereof. In any event, the REGISTERED OWNER agrees to indemnify the LEGAL OWNER and to hold him harmless against all claims which may arise during the operation of this contract."

W. E. Behrens
by E.M.P.
W. E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

Call papers section

79A

~~File~~

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1001/1/1.

EM/pe.
16 Feb 45.

SUBJECT : Handing over 16 requisitioned warehouses to the
Federazione Italiana dei Consorzi Agrari.
TO : Transportation Sub-Commission.

1. Reference your letter W/726/TMG of 12 February 1945.
2. It is entirely proper for you to permit occupancy of requisitioned premises by the Italian Government or its agent, particularly where the use to which the premises are put is one which serves our interests.
3. There can be, however, no transfer of requisition as such. The Italian Government possesses its own requisitioning powers with respect to un requisitioned property. The Prefect is free to exercise these powers (in IIG territory as well as restored territory) except in so far as he may have been limited by the Allied authorities; and we are not advised of any limitation which would affect this right in the circumstances to which you refer.
4. It is suggested, therefore, that upon the contemplated transfer we derequisition the premises and the Italian Government undertake to regularize its occupancy by its own requisition or such other legal process as it may choose.
5. It is further suggested that a few photographs portraying the physical condition of the premises at the time of transfer may prove to be useful for future reference.

by C.F.H.
W. R. BEARDSLEY,
Colonel,
Deputy Chief Legal Advisor.

Incl.: Revised Draft.

C.F.H.

78A

HEADQUARTERS ALLIED COMMISSION

RHM/er

AFC 394

TRANSPORTATION SUB-COMMISSION

Ref : W/7/264/TN6

12 Feb 45

SUBJECT : Handing over AC requisitioned warehouses to the
Federazione Italiana dei Consorzi Agrari

TO : Legal Sub-Commission ✓

URGENT

1. Transportation Sub-Commission have reached an agreement with the Ministry of the Treasury, the Direzione Generale dell'Alimentazione and the Federazione Italiana dei Consorzi Agrari whereby the last name will take over AC warehouses. These warehouses are in premises requisitioned by AC and are, at the moment, all in AMG territories and your opinion is requested on the procedure which should be followed.

2. The outline of the agreement is as follows:

- a) The Federazione will operate the warehouses and be accountable for the contents thereof in the same way in which they now operate, and account for imported foodstuffs in their own warehouses. They will operate the warehouses as agents for the Italian Government who have appointed them as their agents for handling and distributing all imported foodstuffs.
 - b) The Federazione is the central controlling body of the various Consorzi Agrari which are cooperative societies controlled by, and whose profits are limited by, the State.
 - c) The remuneration of the Federazione for the warehousing handling and distributing of imported foodstuffs will be paid to them by the State. So far, we understand the remuneration has not yet been agreed between the Federazione and the State but the former are retaining a proportion of the proceeds of the sales effected by them on behalf of the State out of which they are paying expenses.
 - d) The warehouses to be handed over were requisitioned by AC and are in AMG territory (Naples city, Livorno and Ancona). Additional warehouses will be started by AC in territories yet to be liberated; these will be probably be in requisitioned premises and will also be subsequently handed over to the Federazione.
4. It is considered preferable that, as the warehouses

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 - d) The warehouses to be handed over were requisitioned by AC and are in AMG territory (Naples city, Livorno and Ancona). Additional warehouses will be started by AC in territories yet to be liberated; these will be probably be in requisitioned premises and will also be subsequently handed over to the Federazione.
4. It is considered preferable that, as the warehouses will be operated by the agents of the Italian Government, the requisition should be transferred to the Italian Government.

We propose that this should be done in such cases where the warehouses are situated in Italian Government territory. We understand however that this would not be possible in cases where requisitioned warehouses are situated in AMG territory.

5. All the warehouses to be turned over are at present situated in requisitioned premises in AMG territory. Is there any objection to our granting the Federazione, as agent of the Italian Government, the occupancy of these warehouses? Attached is a memorandum on the handover to the Federazione which has been agreed by them, the Ministry of the Treasury and the Direzione Generale dell'Alimentazione; pending the time when the requisition can be turned over to the Italian Government, is any further action called for?

Amideo H. Taylor
Director
Transportation Sub+Comm.

84

*Not advised.
Approved - [unclear]
[unclear]*

LEGAL SUBCOMMISSION I
C/O

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Not signed.
1-16-45
W. J. [unclear]

Amirato W. J. [unclear]
Director
Transportation Sub+Comm.

84

| |
|-----------------------|
| LEGAL SUB-COMMISSIO I |
| CLO |
| DCLO |
| Chief Counsel |
| CJO |
| Italian [unclear] |
| GLRMS |
| 13 FEB 1945 |

[Handwritten signature]

77A

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/COM/4/L.

ELP/pa.
14 Feb 45.

SUBJECT : Proposed agreement with A.T.A.C.
TO : Transportation Sub-Commission (Attn: Supply Officer,
Roads Section).

1. The proposed agreement consisting of an exchange of letters, does not contain any elements of which we disapprove. It is, of course, quite incomplete if it is to be regarded as a contract.
2. We suggest that when a definitive arrangement has been agreed upon, a full text be submitted to us.

W. E. JENNINGS,
Colonel,
Deputy Chief Legal Advisor.

83

- 2 Incls.:
- Incl. 1 - Proposed Decree
 - Incl. 2 - Your file.

1327

4014/4
[Handwritten initials]

76A

DBPH/aa

INTER OFFICE MEMO

Ref : AC/R/42/Tn.5

12 February 1945

SUBJECT : Proposed agreement with A.T.A.C.

TO : Finance Sub-Commission
Legal Sub-Commission
Labour Sub-Commission

Attached herewith is a copy of the proposed agreement with A.T.A.C., for your information and comment.

Please reply to the sections of this agreement which concern your Sub-Commission.

[Handwritten signature]

WARNER G. PETERSON
Supply Officer
Roads Section.

Enclosure : Copy of letter AC/R/16/Tn.5 dated 11 February 45.

82

| LEGAL SUB-COMMISSION | |
|----------------------|--|
| CLO | |
| DOLO | |
| Chief Counsel | |
| CIS | |
| Legal Section | |
| CLERKS | |
| 12 FEB 1945 | |

76B

HEADQUARTERS ALLIED COMMISSION
APO 394
Transportation Sub-Commission
Vehicles Maintenance Section

Our Ref: AC/R/16/In.5
11th February 1945

SUBJECT: A.T.A.G. Workshops
TO : Azienda Tramvie e Autobus
Del Governatorato di Roma,
Via Volturmo 65 - Rome-

1. We thank you for your letter No 157-C of 5th *
February 1945, and letter of 9th February 1945.
We confirm that:-

I Storage of Spare Parts:-

- (a) You will make available the two storehouses which are required at a monthly rental of 5000 Lires.
- (b) You will construct the Spare Part Cases from the drawings as submitted by us.
- (c) This Headquarters will provide all the necessary personnel for the supervision, distribution accounting and guard of the stores.

2. Assembly of New Vehicles.

- (a) Two boxes which contain the necessary parts for the assembly of two vehicles have been despatched from Naples and should arrive in the near future.
- (b) A further 58 vehicles will be despatched immediately you have assembled the first two.
- (c) An accurate time check will be kept by you on the time taken to assemble the first vehicles so that an estimate can be made for price for a daily production figure to handle the 1638 vehicles which are expected to arrive during this month and the 3000 more which have been called forward.

3. Payment on work carried out.

It is agreed that all work carried out by you will be paid for on the basis of 60 Lires per hour for specialised workmen and 40 Lires per hour for labourers.

1. We thank you for your letter No 197-C of 5th February 1945, and letter of 9th February 1945. We confirm that:-

I Storage of Spare Parts:-

(a) You will make available the two storehouses which are required at a monthly rental of 5000 liras.

(b) You will construct the spare Part Cases from the drawings as submitted by us.

(c) This Headquarters will provide all the necessary personnel for the supervision, distribution accounting and guard of the stores. **8**

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3. Payment on work carried out.

It is agreed that all work carried out by you will be paid for on the basis of 60 liras per hour for specialised workmen and 40 liras per hour for labourers.

Copy to: Finance.
Legal
Labour Sub-Commission
(Col. Smith.)

MERRITT H. TAYLOR
Director.

4584/4 ✓

Legal (75A) file

RVIII/19/7000

28 Jan 45.

Liberation of Provincial capitals.

TRANSPORTATION SUB-COMMISSION, Headquarters, A.C.

1. With letter AC/4014/A/1 dated 13 January 1945 Legal Sub-Commission requested this office to inform you of the respective dates upon which the provincial capitals under AMG were "liberated" and Military Government began.
2. This office has obtained the respective dates of the provincial capitals thus far liberated in Toscana Region, as listed below :

| Provincial Capital | Date of Liberation |
|--------------------|--------------------|
| Arezzo | 15 July 1944 |
| Grosseto | 16 June 1944 |
| Livorno | 19 July 1944 |
| Lucca | 5 Sept 1944 |
| Pisa | 3 Sept 1944 |
| Pistoia | 16 Sept 1944 |
| Siena | 3 July 1944 |

Florence was not completely liberated until the end of August 1944, but Military Government began on 11 August 1944.

For the Regional Commissioner

[Signature]
 JOHN L. WEBER
 Colonel, Infantry
 Regional Legal Officer.

informed Gen. Tomolomonov on the phone 3 Feb. 1945

JAN 28 1945

✓ Copy to : Legal Sub-Commission H.C.A.C.
 H.I. Toscana Region.

4014/4

74A
file

TO : HQ. A.C. (for attention of Transportation Sub-Commission)

FROM : HQ. AMG/AC ABRUZZI MARCHI REGION

SUBJECT : Liberation of Provincial Capitals

REF. : R5/511/11

DATE : 29 Jan. '45

The capitals of the 4 Provinces of this Region still under AMG were liberated as follows :

| | |
|----------|-------------|
| Ascoli | 19 Jun. '44 |
| Macerata | 1 Jul. '44 |
| Ancona | 18 Jul. '44 |
| Pesaro | 2 Sep. '44 |

For the Regional Commissioner

*informed
on 31st
3/2/45*

R. G. S. Alexander
79

R. G. S. ALEXANDER, Major
R.L.O.

Copy to HQ. A.C. (for attention of Legal Sub-Commission) Your AC/4014/4/L dated 13 Jan. '45 refers.

73A

HEADQUARTERS ALLIED COMMISSION
 AFM 394
 LEGAL SUB-COMMISSION

JWL/pa.
 2 February 1945.

AC/4014/4/L.

SUBJECT : Contracts for Repair of Vehicles.
 TO : Col. HARRIS, Transportation Sub-Commission.

1. The amended contract submitted on 1 February 1945, and attached to your memorandum (10/17/45 - 24 Jan 1945) has been examined. Its terms are in substantially proper form.
2. The contract cannot be approved of, however, for the following reasons:-
 - a) The Allied Commission does not have any authority to lease or sell War Department vehicles, or parts thereof, even though they are abandoned and in a state of disrepair.
 - b) It follows that no officer or Sub-Commission of the Allied Commission possesses any contractual capacity to enter into such a contract.
 - c) We have been advised by Allied Force Headquarters that no power exists to deal with War Department vehicles under the circumstances contemplated.
 - d) Unless a statement in writing can be obtained from a responsible official authorizing agreements of this nature, we shall be constrained to withhold our approval.

W. E. BIERENS,
 Colonel,
 Deputy Chief Legal Advisor.

78

Incl.

333

72A

4/4 ✓

INTER OFFICE MEMO

CWAP/hgd

24 Jan. 1945

AC/R/7/TN.5

SUBJECT : Prepared Contracts for Repair of Vehicles.

TO : Legal Sub-Commission.

1. The attached proposed contracts are passed to you.
2. May we please have your comments and advice on these?
3. The two contracts contemplate the operation of the vehicles, where repaired, either by the actual repairer, or by some civilian firm engaged by the repairer.
4. May a contract please be drafted catering for the repair of W.D. vehicles, which will, when repaired, be handed back immediately to A.C. for their own operational use?

Chubbuckley

Major R.A.S.C.
Admin. Officer
Roads Section.

| | |
|---------------------|---|
| LEGAL SUBCOMMISSION | |
| CLO | |
| DCLO | |
| Chief Counsel | ✓ |
| CJO | |
| Italian Section | |
| CLERKS | |
| 25 JAN 1945 | |

Suggests contract on cost plus 15% per

Also suggests contract for cannibalization of vehicles for parts on cost + 15% basis, parts to be turned into AC custody after substitution.

Holt/H.
✓
1

Feb

LEGAL SIC 71A

HEADQUARTERS ALLIED COMMISSION
AFM 354
Office of the Chief of Staff

Ref: 100/2/1a 1

24 January 1945

SUBJECT: Transportation Organization, AC

TO : Regional Commissioners, All Regions

1. Transportation Sub-Commission at Headquarters Allied Commission has recently been reorganized and details will be issued by its Director for the information of all concerned.
2. The main function of the Transportation Sub-Commission is to act through the Economic Section as the Headquarters staff branch of the Chief Commissioner on all transportation and movements questions.
3. All transportation and movements questions in the field will be dealt with by the Regional Commissioner. (An exception will be made in the case of military truck units, about which separate instructions will be issued.)
4. Each Regional Commissioner will have a Chief Transportation Officer and other transportation officers on his staff, and it is desirable that their organization should accord generally with the principles adopted for the Transportation Sub-Commission at Headquarters AC. Regional Transportation Officers will be responsible to and under the command of their Regional Commissioners; they will receive technical instructions from the Transportation Sub-Commission, AC, through Regional Commissioners. As such officers will be under the command of Regional Commissioners, it follows that regional headquarters will deal with the question of assignment, promotion and discipline.
5. Transfers of transportation officers from one region to another will be made by Establishments Section in the normal manner.

LEGAL SUBCOM-110
 ()
 Chief Counsel
 ()
 Relations Section
 CL-RKS 27 JAN 1945

By command of Rear Admiral STONE:

*Permissive - but I
 Consider Care less.*

W. Lusk
 BRIGADIER
 Chief of Staff

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4-014/4

70A

file
D 1152

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION
APO 394

R/6129

25 January, 1945

SUBJECT: Liberation of Provincial Capitals

TO : HQ. Allied Commission
Transportation Sub-Commission

Reference our R/6104 dated 22 Jan, the date of the liberation of Perugia has now been checked. It should be amended to read 20 June 1944.

*informal
Bonham
all for Bonham get for us*

For the Regional Commissioner:

A. D. Bonham-Carter
A. D. BONHAM-CARTER
Lt. Colonel
Executive Officer

Copy: Legal Sub-Commission ←

76

1 3 3 6

69A

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

REF : RIX/LE/670/FO/RA/399. PER/nec.
24 January 1945.
SUBJECT: Liberation of Provincial Capitals.
TO : Director, Transportation Sub-Commission,
Headquarters, Allied Commission, APO 394.

1. In compliance with request in letter from the Deputy Chief Legal Advisor, Legal Sub-Commission, the following information is submitted:

The City of Forli' was liberated on 9 December 1944.
The City of Ravenna was liberated on 5 December 1944.

For the Regional Commissioner:

*Unapproved Reynolds
on 1/24/45
S. J. Reynolds*

P. E. Reynolds
P. E. REYNOLDS, Major,
D.R.I.O., Emilia Region.

COPY TO: Legal Sub-Commission,
HQ., A.C., APO 394.
(Reference ltr. from DCLA,
Legal Sub-Com., AC/4014/4/L,
dated 13 Jan. 45)

75

HEADQUARTERS ALLIED COMMISSION
APO 394
LORAIN SUB-COMMISSION

68A

12/10/44/4/5.

WHE/DR.
24 Jan 45.

SUBJECT : Hiring agreement.
TO : Transportation Sub-Commission.

We have the following comments to make upon the proposed agreement.

1. Clauses 1 and 9. The agreement should provide that at conclusion of the hiring the vehicle is to be returned to the owner. In what condition is it to be returned? Do you approve "in the same condition as it is now in, fair, wear and tear excepted."?
2. Clauses 2 and 3. Apart from the fact that clause 3 is somewhat, these two clauses appear to represent a confusion as to the system of payment to be adopted. What do you want? When is payment to be made?
3. Who is to drive the vehicle during the hiring? If the owner, presumably he is to be paid the regulations wage; if a driver employed by the hirers, this fact should be stated together with the fact, (if you desire it) that the hirers accept no responsibility for any act of negligence committed by the driver. Do you wish to refuse liability in the case of wilful default by the driver?
4. Clause 5. Attached hereto is a letter setting out various types of policies obtainable. Which of these do you want? In what sum do you wish to insure against third party risks? Do you wish to insure against damage to property of third parties? If so in what sum? You will see from the attached letter that the premiums involved are considerable.
5. Clauses 7 and 8. These clauses presuppose that the owner is driving the hired vehicle. Is this feasible if he is not so employed? *nl*
6. Clause 10. I have grave doubts whether any owner would agree to this clause. If he does, what power do you intend to give to the board? Have Finance Sub-Commission agreed to accept liability and pay any claims passed by the Board - e.g. for deterioration in the condition of the vehicle?
7. The question of tyres and batteries, raised in Exec Memo para 5 should be mentioned in the agreement.
8. The preamble to the agreement should recognize this passage of time.

NR

W. E. BIERENS,
Colonel,
Deputy Chief Legal Advisor.

- 2 Incls:
Incl 1 - Exec Memo, "Rental of Passenger Vehicles"
Incl 2 - Letter

1338

4014/4

67A

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION
APO 394

R/6104

22 January, 1945

SUBJECT: Liberation of Provincial Capitals.

TO : HQ. Allied Commission
Transportation Sub-Commission.

Reference Legal Sub-Commission letter AC/4014/4/L/ of 13 January, the following are the dates of "liberation" of all Provincial Capitals in this Region.

*Submitted
Bonham
by phone
on 25 Jan. 1945*

| | |
|-----------|------------------------------------|
| Frosinone | 30 May |
| Littoria | 25 May |
| Rome | 5 June |
| Viterbo | 10 June |
| Terni | 13 June |
| Rieti | 16 June |
| Perugia | 25 June (subject to further check) |

73

For the Regional Commissioner:

A.D. Bonham-Carter
A.D. BONHAM-CARTER
Lt. Colonel
Executive Officer

Copy: Legal Sub-Commission ←

| | |
|----------------------|--|
| LEGAL SUB-COMMISSION | |
| CLO | |
| CSO | |
| Chief Counsel | |
| CI | |
| Division Section | |
| CL RKS | |
| 22 JAN 1945 | |

4014/4

HEADQUARTERS ALLIED COMMISSION

AFO 79L

TRANSPORTATION SUB-COMMISSION

MBT/eh 66A

AC IN MEMORANDUM)

NUMBER 1)

19 January 1945

RE-ORGANIZATION OF TRANSPORTATION SUB-COMMISSION, AC

1. With effect from the date of this memorandum, the Transportation Sub-Commission, AC, will be composed of a Director, Deputy Director, Planning Staff, and five divisions - Administration, Movements, Rail, Road, and Port and Warehouse. Their duties are set out in the following paragraphs. It is emphasized, however, that the duties are in all cases within the general framework of the Transportation Sub-Commission's responsibility and subject to any changes in policy that may be laid down by higher authority.
2. The Planning Staff will be responsible for all forward planning on transportation questions; it will advise and work closely with the Priorities Board (see Executive Order Number 4) and with the Movements Division.
3. The Administration Division will cover all internal administration, keeping of personnel records, assignments and transfers of personnel and central secretarial work. Its Accounting Branch will be responsible for accounting for all stores handled at AC warehouses, keeping records, etc. Its Statistical Branch will keep records of all movements by rail, road, sea and other means.
4. The Movements Division will ensure that the policy laid down by the Priorities Board is carried out; it will determine, in accordance with the bids made to it, what traffic is to be carried by rail, road, sea, including coastal, inland water transport, or other means, and how best this work can be coordinated with military movements; for this purpose it will have Rail, Road and Shipping Branches. The Movements Division will make out and circulate programs and be responsible for seeing that they are fulfilled or for rectifying those concerned of changes of program. The Movements Division will not, however, be responsible for the technical aspect of the carrying agency's work which is the concern of the Rail, Road, and Port and Warehouse Divisions referred to below, and of the Shipping Sub-Commission.
5. The Rail Division will be responsible for the technical aspect of the Italian Railways' work, for advising the Movements Division what can be carried by rail, of any changes in capacity, and for seeing that the program laid down is carried out in the best way possible. It will also plan and assist with the repair and reconstruction of all rail facilities including track, locomotives, rolling stock, stations, buildings, etc. It will work in close contact with the DMPS and the Italian State Railways.
6. The Road Division will be responsible for technical questions on all operation by road, for advising the Movements Division what can be carried by road, of any changes in capacity, and for seeing that the program laid down is carried out in the best way

ments, Rail, Road, and Port and Warehouse. Their duties are set out in the following paragraphs. It is emphasized, however, that the duties are in all cases within the general framework of the Transportation Sub-Commission's responsibility and subject to any changes in policy that may be laid down by higher authority.

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5. The Rail Division will be responsible for the technical aspect of the Italian Railways' work, for advising the Movements Division what can be carried by rail, of any changes in capacity, and for seeing that the program laid down is carried out in the best way possible. It will also plan and assist with the repair and reconstruction of all rail facilities including track, locomotives, rolling stock, stations, buildings, etc. It will work in close contact with the DMRS and the Italian State Railways.

6. The Road Division will be responsible for technical questions on all operation by road, for advising the Movements Division what can be carried by road, of any changes in capacity, and for seeing that the program laid down is carried out in the best way possible. It will also plan and assist with the repair and provision of road vehicles. It will be responsible for the raising of new road transport units. It will assist and render technical advice to the Italian road organizations.

7. The Port and Warehouse Division will be responsible for the technical aspect of port, warehouse and inland and coastal water

transport work and for loading that all installations are worked in the best way possible. Its responsibilities for warehouses will extend only to those warehouses which are used as incidental to transportation, i.e., at ports and at certain limited points in the interior. The Port and Warehouse Division will advise the Movements Division of port capacities for loading and discharging ships, and of any changes in capacity. It will plan and assist with the repair and construction of all facilities at ports, warehouses, and in connection with coastal and inland water transport. The division will work in close contact with the Shipping Sub-Commission.

8. When rail, road, port, shipping and other facilities are controlled by a military formation, the Movements Division will request an allotment of capacity from the competent military authority.

By command of Rear Admiral STONTE:

[Handwritten Signature]
 HERRITT H. TAYLOR
 Director
 Transportation Sub-Commission

DISTRIBUTION "A"

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|----------------------|--|
| LEGAL SUB-COMMISSION | |
| CLC | |
| RCO | |
| Chief Counsel | |
| CJO | |
| Inspection Section | |
| CRKS | |
| 20 JAN 1945 | |

... and in connection with coastal and inland water transport. The Division will work in close contact with the Shipping Sub-Commission.

6. When rail, road, port, shipping and other facilities are controlled by a military formation, the Government's Division will request an allotment of capacity from the competent military authority.

By command of Rear Admiral STONT:

Merrill H. Taylor
MERRILL H. TAYLOR
Director
Immigration Sub-Commission

DISTRIBUTION "A"

2/2

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|----------------------|---|
| LEGAL SUB-COMMISSION | |
| CLO | / |
| Asst. CLO | / |
| Chief Counsel | / |
| CJO | / |
| Haltion Section | |
| CL RKS | / |
| 20 JAN 1945 | |

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65A

HEADQUARTERS UNITED STATES
ARMY
LEGAL SUB-COMMISSION

W22/20.
13 Jan 45.

SC/401/1/1.

SUBJECT : Liberation of Provincial Capitals.

TO : Transportation Sub-Commission.

1. Reference your W22/20 of 11 Jan 45, the attached letter should secure the desired information from provinces still under IAC.

2. The Italian Government can and should secure the information from their provinces in respect of Italian Government territory.

Incls.

W. F. BISHOP,
Colonel,
Deputy Chief Legal Advisor.

file

64A

GRAND BARTHELEMY UNITED PROVINCES
LAW 394
LEGAL SUB-COMMISSION

40/NOV/45.

215/10.
13 Jan 45.

SUBJECT : Liberation of Provincial Capitals.

TO : Regional Commissioners (Attn: Regional Legal Officers) :-

- LAHIO-CHERIE Region
- ARREXI-CHERIE "
- TORRENA "
- ST. LA "

1. In the case of all provinces which are now under AM, Transportation Sub-Commission is anxious to obtain the respective dates upon which the provincial capital was "liberated" and Military Government began.

2. It is appreciated that there is no legal fixed date of such liberation and that in some cases e. g. Florence it may be difficult to answer the question asked.

3. Nevertheless, would you please, in the light of the facts as known to you, ascertain and inform Transportation Sub-Commission, copy to this Sub-Commission, the date of liberation of all provincial capitals in your Region which are still under AM.

By command of Rear Admiral Stone :

W. E. HARRISS,
Colonel,
Deputy Chief Legal Advisor.

Copy to Transportation Sub-Commission.

+

*4014/44
file*

63A
ACP/ic

TRANSPORTATION SUB-COMMISSION, AC.
(RAIL SECTION)
C/o Transportation Increment
C.M.F.

Tel: 843238
Our Reference: AC/274/Tn

11 January, 1945.

TO : Legal Sub-Commission
HQ., AC.

SUBJECT : RDL N.85 dated 15 March 1944.

40A

1. Reference is your letter 26 November 44.
2. Apparently for the purpose of assessing super-annuation and pension rights to ISR employees, the date of commencement of Allied Military Government control is required, such date of rule being that on which it began in Provincial Chief Towns.
3. Is such information available please?

acting major
O.H. LINDBERG
Lt.Col. R.E.,
Chief, Rail Section.

| | |
|----------------------|--|
| LEGAL SUB-COMMISSION | |
| CIO | |
| C/O | |
| Chief Counsel | |
| CID | |
| Station Section | |
| Ch. RKS | |
| 12 JAN 1945 | |

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

62A

AC/4014/4/L.

/ap.

SUBJECT : Case against LA FARINA Caterina and
CONTARINO Anna - Reggio Calabria.

TO : Transportation Sub-Commission.

1. Reference this Sub-Commission's letter AC/4014/4/L dated 16 Dec 44, enclosed herewith is copy of a letter received by this Sub-Commission from Regional Legal Officer, Southern Region L-9658-3 dated 6 January 1945 which is self explanatory.

2. When further information on the progress of the case is received we will advise you.

3. Your file of papers is returned herewith.

68

MARC J. GROSSMAN,
Lt. Colonel,
Chief Counsel,
for Chief Legal Advisor.

Incls.

✓
4014

61A

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

L-9658-S.

6 January 1945

SUBJECT: Case against La Farina Caterina and
Contarino Anna - Reggio Calabria.

52A

TO : Chief Legal Advisor, Legal Sub-Commission,
Allied Commission, HQ, C.M.F.

1. Your AC/4014/4/L dated 16 December 1944 and my evenly numbered reply dated 22 December 1944 refer.
2. In the course of a visit which I recently paid to Reggio Calabria I personally investigated the position with regard to the abovementioned case.
3. Unfortunately the Procuratore del Regno was ill, the President of the Tribunale was attending certain ceremonial observances in Sicily and the then Instructional Judge was being transferred to another post that morning.
4. The necessary information had accordingly to be obtained from the Segretario to the Procuratore and from the Capo Cancelliere.
5. The papers were handed to the then Instructional Judge in my presence on 4 January 1945. As the case is said to be an involved one with witnesses to be called from as far asfield as Naples and Bari, the officials stated that some two months would have to elapse before the accused who are both at large could be brought to trial.
6. I urged all possible expedition in the matter and have arranged that I shall be kept informed of the progress of the case by means of interim reports.

7 JAN 1945

L. F. Dawson
L.F. DAWSON,
Lt. Colonel, G.I.,
Reg. Legal Officer.

LFD/mo

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(60A)
MJO/esp

AC/4014/4/1.

6 Jan 45

SUBJECT : Movement of Vehicles involved in
offences against law.

TO : Transportation Sub-Commission

1. Reference your AC/TM/E/7 of the 31 Dec 44 with letter of RLO, Lazio-Umbria Region, L/1408 dated 20 Dec 44 and enclosure thereto.
2. We are not clear as to what the enclosure purports to be. In any case it fails to take into account the fundamental difference in the character of the problem as it affects the Italian authorities as distinguished from the military.
3. Impounding of the vehicle or arrest of the driver or both are mandatory in certain cases under Italian law. As to such, no change of practice or procedure could be accomplished without amendments to existing Italian laws. We doubt that you would seriously consider any proposal which would involve recommendation for such changes.
4. In other minor cases, the impounding of the vehicle and the arrest of the driver are discretionary on the part of the Italian authorities, and as to such, consultation might be had with the appropriate ministries looking to a more wise exercise of such discretion if upon investigation you concluded that such course was indicated.
5. We are not prepared to recommend any changes in the practice and procedure of the Allied Military authorities in this connection. The time between arrest and trial is relatively short, and the consequent loss of transport is not sufficient in our opinion to warrant any change in the existing salutary practice as to arrest and seizure of vehicles.

MARC J. GHESMAN,
Lt. Colonel, Spec Res.
for Chief Legal Advisor.

M. R.

Incl: Letter of RLO Lazio Umbria Region
(L/1408 of 20 Dec 44) and enclosure thereto.

~~File~~

~~4014~~ 4014/4 ✓

59A

HEADQUARTERS ALLIED COMMISSION
Transportation Sub-Commission
APR 1944

CWAP/hgd

AG/TH/E/7

30 Dec. 1944

SUBJECT : Movement of vehicles involved in offences against law.

TO : Legal Sub-Commission. ←

1. The attached letter, ref. 1/1408 dated 20 Dec. 1944, is passed to you for recommendations and comment with a view to publishing as a policy letter.

2 JAN 1945

Chakrabarty Maj.

65

Er HERRIET E. TAYLOR
Director.

58A

file

HEADQUARTERS ALLIED COMMISSION
& PO 924
LEGAL SUB-COMMISSION

AC/4014/4/L.

/rip.
26 December 1944.

SUBJECT : Management Contract.

TO : Transportation S/C, Whse Sect, S.P. & W. Div (Attn: Capt. Robert H. Klein).

1. Enclosed rough draft of proposed contract with Banco di Napoli.
2. In several respects contract is less specific than we would have desired due to lack of information with respect to various items discussed with Capt. Klein.
3. We shall be glad to confer further with you after you have reviewed our enclosed initial draft.

MARC J. GROSSMAN ⁶⁴
Lt. Col.,
Chief Counsel,
for Chief Legal Advisor.

Incl: Draft of proposed contract.

This agreement entered into this _____ day of _____ by and between the Allied Commission, hereinafter referred to as AC and the Banco di Napoli, hereinafter referred to as the Bank.

W I T N E S S E T H:

WHEREAS, the parties hereto have agreed that the Bank through its agent, Magazzini Generali e Frigoriferi S.A., shall operate and manage for and on behalf of AC such requisitioned warehouses and depots as AC shall designate; and

WHEREAS, it is desired to reduce said agreement to writing;

NOW, THEREFORE, in consideration of their mutual promises, the parties hereto agree as follows: The Bank through its agent, Magazzini Generali e Frigoriferi S.A., shall operate and manage AC depots 676, 677, 682, 696 and 1256 and such other requisitioned warehouses as AC shall from time to time designate, upon the following terms and conditions:

1. The Bank shall supply employ and pay all personnel necessary for the efficient operation of such warehouses and depots.
2. The Bank shall take all reasonable precautions for the safe custody and protection of all goods stored and handled within and about said depots and warehouses and at its own expense shall provide adequate guards in and without said premises for said purpose. The Bank hereby assumes full liability for loss of or damage to goods or property resulting from the misconduct or negligence of its employees, or the employees of its agent Magazzini Generali e Frigoriferi S.A. or from either its failure or the failure of its said agent to perform any of its obligations under the terms of this agreement.
3. The Bank shall supply at its own expense all office equipment, supplies, stationery and paper reasonably necessary for efficient operations of said warehouses and depots.
4. The Bank at its own expense shall maintain all warehouses and depots operated by it in good condition of cleanliness and repair including repairs to plumbing, wiring, weather-proofing and including the replacement of all broken glass and electric lamps but such engagement shall not be construed to include major repairs unless such as are made necessary by the negligent acts of the Bank, the Magazzini Generali e Frigoriferi S.A. or their agents and employees. Any single item of repair to the premises, the cost of which shall exceed _____ lire, shall be deemed to be a major repair.

and
writing;

1934, THE BANK, in consideration of their mutual promises, the parties hereto agree as follows: The Bank through its agent, Magazzini Generali e Frigoriferi S.A., shall operate and manage AS depots 676, 677, 682, 696 and 1250 and such other requisitioned warehouses as AS shall from time to time designate, upon the following terms and conditions:

1. The bank shall supply employ and pay all personnel necessary for the efficient operation of such warehouses and depots.

2. The Bank shall take all reasonable precautions for the safe custody and protection of all goods stored and handled within and about said depots and warehouses and at its own expense shall provide adequate guards in and without said premises for said purpose. The Bank hereby assumes full liability for loss of or damage to goods or property resulting from the misconduct or negligence of its employees, or the employees of its agent Magazzini Generali e Frigoriferi S.A. or from either its failure or the failure of its said agent to perform any of its obligations under the terms of this agreement.

3. The bank shall supply at its own expense all office equipment, supplies, stationery and paper reasonably necessary for efficient operations of said warehouses and depots.

4. The Bank at its own expense shall maintain all warehouses and depots operated by it in good condition of cleanliness and repair including repairs to plumbing, wiring, weather-proofing and including the replacement of all broken glass and electric lamps but such engagement shall not be construed to include major repairs unless such as are made necessary by the negligent acts of the Bank, the Magazzini Generali e Frigoriferi S.A. or their agents and employees. Any single item of repair to the premises, the cost of which shall exceed lire, shall be deemed to be a major repair.

5. The movement of all goods in and out of said warehouses and depots shall take place only in such manner and upon such conditions as are prescribed by A. D.

///.

6. The Bank shall make and maintain such inventories, such records of operations, movements, receipts and deliveries and shall prepare and deliver such reports, as AG shall from time to time direct. Such records shall be preserved until otherwise directed by AG and shall at all times be available for examination and inspection by AG.

7. The Bank's responsibility for operation and management shall not include payment of taxes upon or rental for the warehouse premises or the payment of gas, water or electricity consumed thereon.

8. The AG will provide, from its warehouse stocks, foodstuffs for a midshift meal for all employees of said warehouses and depots together with such fuel as shall be required for the preparation thereof. Such meals shall be, thereupon be prepared and supplied by the Bank to said employees without charge.

9. As for its full compensation, the Bank on the 15th of each month shall, for each metric ton delivered into and issued out of the warehouses and depots under its management and control during the preceding calendar month, receive the following:

| | | | | | | | | | | | | | | |
|-----|------|-----|------|-----|----|----|----|-----------|--------|-------|--------|-----|-----------|--------|
| 450 | lire | for | each | ton | up | to | an | including | the | first | 7500; | | | |
| 225 | " | " | " | " | " | " | " | exceeding | 7500 | up | to | and | including | 15000; |
| 200 | " | " | " | " | " | " | " | 15000 | " | " | " | " | " | 22500; |
| 175 | " | " | " | " | " | " | " | in | excess | of | 22500. | | | |

In addition AG shall reimburse the Bank for all sums required by it under Italian law to be paid to the Istituto Nazionale della Previdenza Sociale in connection with personnel employed in the said warehouses and depots.

10. Not later than _____ days after the termination date of the within contract, the Bank shall receive compensation according to the foregoing schedule for such tonnage as was not covered by the next preceding payment.

11. This agreement shall continue in full force and effect until terminated by either party upon _____ days prior written notice to the other.

57A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4014/4/L.

/nt.
26 December 1944.

SUBJECT : Labels for freight cars.
TO : Transportation Sub-Commission.

1. Reference yours AC/03/Tn dated 20 Dec. 44.
2. Bid application which you purported to enclose was not enclosed.
3. We require additional information before we can advise you in the premises.
4. We endeavoured to reach your Capt PING but he was not available.
5. It will be necessary that either he or some other officer of your Sub-Commission confer with us before we shall be prepared to respond to your inquiry.

MARC J. GROSSMAN,
Lt. Col.,
Chief Counsel,
for Chief Legal Advisor.

61

✓ 40141+

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ACP/ic

TRANSPORTATION SUB-COMMISSION A.C.,
(RAIL SECTION)
C/o Transportation Increment,
C.M.F.

Tel: 483238
Our Reference: AC/83/Tn

20 December 44

TO : Director
Legal Sub-Commission

SUBJECT : Labels for freight cars.

1. It is desired to establish the legal position in regard to irregularities in use of freight cars labels.

2. For your guidance, it is the practice of applicants for movement to complete Bid application form, as attached, and if such movement is approved, two wagon labels are issued for each wagon allotted.

3. Cases have come to light of trafficking and sale of labels, the original applicant for movement disposing of them to some other person, and possibly railway staff misusing them by defacing used labels and selling them to unauthorised persons.

4. It is desired to endeavour to establish a penalty for such misuse of labels. Regulations as to the issue of them is implied on the back of the Bid application form, but no penalties established.

5. It will be appreciated that the users are in the main Italian civilians, who possibly also complete the consignment note of the railway company as form of contract, which will be the recognised condition of carriage. The Bid system, brought about by restriction of movement, is imposed on the normal Italian procedure by military requirements, and possibly there is no offence in Italian law when the conditions of Bid applications are not fulfilled.

6. Freight car labels have a high value because they are the means of securing a freight car and movement of traffic. Your early comments and guidance as to what steps can be taken to inflict penalties for improper use of the labels, will be appreciated.

LEGAL SUB-COMMISSION
C/O
Chief Counsel

Plan in vertical
A. C. Long Caps
O. H. LINDBERG
Lt. Col. R.E.



SUBJECT : Labels for freight cars.

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6. Freight car labels have a high value because they are the means of securing a freight car and movement of traffic. Your early comments and guidance as to what steps can be taken to inflict penalties for improper use of the labels, will be appreciated.

Copy to: Mr Merritt TAYLOR
Director, Tn Sub-Comm.

LEG. SUB-COMM. DIV.

C/O

DOCS

Chief Commr

C/O

Please in vertical
A. C. King
O. H. LINDBERG
Lt. Col. R.S.,
Chief, Rail Section.

20 DEC 1940

✓
4004/4

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HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

I-9658

22 December 1944

SUBJECT: Case against La Farina Caterina and
Contarino Anna - Reggio-Calabria.

52A

TO : Chief Legal Advisor, Legal Sub-Commission,
Allied Commission, H. G., C.I.F.

1. Your AG/4014/4/I dated 15 December 1944 refers.
2. No Legal Officer in the Southern Region has been in any manner concerned in the above mentioned case and there is no Legal Officer closer to Reggio than Capt. German in Taranto.
3. However, Major Boyd-Carpenter whom I have acquainted telephonically with the facts as they appear from the H.C.'s ^{file} has set on foot inquiries through the Procuratore Generale del Regno in Bari designed to answer the questions you ask.
4. These have necessarily to be conducted through the post as it has been assumed that you do not desire me to send an officer to Reggio for the special purpose of making a personal investigation into the matter.
5. As you point out the legal work in Reggio is no longer under my control and as ordinarily a Legal Officer would not visit even Catanzaro until the middle of next month at the earliest the distance involved and considerations of transport have led to my deciding not to order a special journey to Reggio at this stage.
6. In the circumstances some time may elapse before I am in a position to reply to your questions.

59

For the Regional Commissioner:

L.F. Dawson
L.F. DAWSON,
Lieut. Colonel,
Reg. Legal Officer

LEGAL SUBCOM
✓
26 DEC 1944

4014/4 ✓
E. to file

54A

Ext. 513

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

ALV/eh

AC TN/AT

19 December 1944

SUBJECT: Agreement for Rental of Passenger-Carrying Vehicles
TO : Legal Sub-Commission, Att. Lt. Col. Grossman

1. It is our understanding that a form of agreement is under preparation for the rental of passenger-carrying motor vehicles. Your advise would be appreciated as to when this agreement will be available.

Herritt H. Taylor
HERRITT H. TAYLOR
Director
Transportation Sub-Commission

*Col Grossman informed T/S/C
by teletype that this letter was
understood and would not be
answered.*

[Signature]
20 DEC 1944

58
20 DEC 1944

check

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MHT/oh

Ext. 220

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

AC TN/MT

17 December 1944

SUBJECT: Railway Wagons, Reggio Calabria
(Ref. AC 4014/4/L)

TO : Legal Sub-Commission

51A

1. Reference is made to your letter 16 December 44 in connection with the date of trial in the case of improper allocations of rail wagons, Reggio Calabria.

2. This is a matter of primary interest to Public Safety Sub-Commission, through whom it came to the attention of Transportation Sub-Commission.

3. Transportation Sub-Commission is in no way connected with the initiation of these proceedings, nor is it Transportation Sub-Commission's responsibility to do other than furnish such assistance as may be requested of it, either by Public Safety Sub-Commission or Legal Sub-Commission.

4. The Allied officers mentioned in connection with this proceeding have at no time been connected with the Transportation Sub-Commission.

Merritt H. Taylor
MERRITT H. TAYLOR

Director,
Transportation Sub-Commission

cc: C A Sec
G-1 (British)

| | |
|----------------------|-------------------------------------|
| LEGAL SUB-COMMISSION | |
| CSO | |
| OCIO | <input checked="" type="checkbox"/> |
| Chief Counsel | |
| ... | |
| ... | |
| ... | |
| 18 DEC 1944 | |

File

52A (~~#2A~~)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4014/A/L.

WFB/mt.
16 December 1944.

SUBJECT : Case in Reggio Calabria.

TO : Regional Commissioner (Attn: Regional Legal Officer)
SOUTHERN Region.

1. This HQ is anxious to know the position in the Italian Courts of the case against LA FARINA Caterina and CONTARINO Anna with possibly other persons to which reference is made in A/1242 of 27 Nov. 44.

2. It is appreciated that legal work in Reggio Calabria was recently transferred to the supervision of Sicilia Region, but as officers of SOUTHERN Region have already investigated the case and are fully familiar with it, and as there are no Legal officers from Sicily in the vicinity could you please ascertain and inform this Sub-Commission:-

- (a) What is the present stage of the case.
- (b) Has a date been fixed for trial and if so when and where the trial will take place.

By command of Rear Admiral STONE:

50A & 51A refer

W. E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

File

51A

HEADQUARTERS ALLIED COMMISSION
100 304
JANNA, WEST-COAST INDIA

REPLY TO:

16 Dec 44.

FROM: Military Secy, ALLIED COMMISSION.

TO: Transportation Sub-Commission.

1. Reference your MEMO of 11 ec, this sub-Commission is ascertaining the date of trial of this case and will advise you as soon as possible.

2. It occurs to this sub-Commission that there are 3 aspects of the case :-

- (a) The determination of the guilt of Lt. S. H. Vetterline, (MIA) and any other persons implicated, and their punishment.
- (b) The elucidation of the method of the fraud in order to ensure that it is not repeated, and that the Allied procedure is modified in any necessary directions.
- (c) An examination of the conduct of the British officers concerned who appear to have permitted the fraud to occur.

3. The Legal Sub-Commission can, if desired, send an officer to the trial to gain information on point (a). On the other hand it will serve the same purpose if the record is inspected after trial.

4. It is not clear from the attached documents how the fraud occurred. If this is unknown it might be an well for an officer acquainted with the transportation procedure to attend the trial to hear as far as possible the explanations given by the various witnesses. If, however, it is known how the fraud was perpetrated it would not seem that any useful information will be derived by attendance at this trial.

5. So far as the disciplinary aspect of the case is concerned this work is NOT within the scope of the Legal Sub-Commission.

6. It may be necessary for a Court of Inquiry to be instituted by the local District Command to investigate the conduct of the British officers concerned. It should be remembered however that the value of the inquiry will be substantially reduced without the evidence of the two women who are accused in connection with the frauds.

Copy to : C A Sec
C 1 (British)

W. W. HUGHES,
Colonel,
Deputy Chief Legal Advisor.

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✓
44014
~~44014~~ / 4

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

MHT/h1

Tel: 220

AC/IN/GRls

15 Dec. '44

SUBJECT: Alleged Improper Allotment of
Railroad Wagons at Reggio Calabria
Ref: 15.60/ES

TO : Legal Sub-Commission, Att: Col. Behrens.

1. At the request of CSO/CAS, I am transmitting to you file on the above subject.

2. After you have familiarized yourself with this matter, I will be very glad to confer with you at your convenience.

Merritt H. Taylor
MERRITT H. TAYLOR,
Director.

54

copy to: CSO/CAS

| |
|----------------------|
| LEGAL SUB-COMMISSION |
| CIO |
| DCIO |
| Chief Counsel |
| CJO |
| Italian Section |
| CL RKS |
| 15 DEC 1944 |

49A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rm.

13 Dec. 1944

MEMO.

TO : CA. Sec.

It appears to be the suggestion of the attached documents that the Legal Sub-Commission take some action.

If this is so, no doubt you will send us some information from which we can learn something about the facts of the case.

W.E. Behrens

W.E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

53 (502)

Incls.
Legal

1364

5 *[Handwritten initials]* 4019/4 ✓ 6 A Section *[Handwritten]* USA HC: new

HEADQUARTERS ALLIED COMMISSION
APO 394
ECONOMIC SECTION

12 DEC 1944

15.60/13

11 Dec 44

SUBJECT: Alleged Improper Allotment of Railway Wagons at Reggio Calabria

TO : Merritt H. Taylor
Transportation Sub-Commission

1. The attached papers deal with what appears on its face to be a rather serious case of graft (by Italians) and neglect of duty (by Allied officers).

2. Please look into this matter carefully, along the lines of the attached memorandum from the Civil Affairs Section, and take the necessary action with information copies to Economic Section.

[Handwritten initials]
HAROLD CLEVELAND
Executive Director
Economic Section

52

Distribution:
Civil Affairs Section
Public Safety S/O
Regional Commissioner, So. Region

Enclosure

| | |
|--------------------------------|--|
| LEG. SUB-COMMISSION | |
| CO | |
| CO | |
| Chief Counsel | |
| CJO | |
| Italian Section | |
| CL RKS | |
| 13 DEC 1944 | |
| <i>[Handwritten signature]</i> | |

5931

47/A

copy

10 Dec 44

TO: Economic Section

This is a case where Italians are being prosecuted for improperly and by false pretences obtaining allotments of "rail transport" which they sold to the highest bidder (see report of 18 Nov).

It is suggested that some one should watch the proceedings on behalf of AC. It may be desirable that not only should a transportation officer watch the proceedings to ascertain details of the mechanics of the fraud, but that a legal officer should watch AC's interests and also see whether the evidence implicates any AC officer.

There will have to be considered:

- a. Whether the procedures of allocating wagons requires tightening up and if so how.
- b. Whether any disciplinary action is called for.

All these questions are primarily a matter for your Transportation S/C. The papers are therefore passed to you.

/s/ S.H. WHITE, Lt. Col.
CAS

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4014/4/L.

/ap.
15 December 1944.

SUBJECT : Alleged Improper Allotment of Railroad
 : wagons at Reggio Calabria.

TO : Lt. Col. J.L. JONES, G-1 (B) HQ, AC.

Herewith, as requested, on loan and for immediate
return correspondence received by this Sub-Commission in
connection with the above.

50

W. E. BEHRENS, Colonel,
Deputy Chief Legal Advisor.

Incls.

file

CSA

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

10/4014/4/L.

/rlp.
14 December 1944.

SUBJECT : Alleged Improper Allotment of RR Wagons at Reggio Calabria.
TO : Transportation S/C.

1. Reference the attached memo 15.6C/ES, nothing is known of this case.
2. If you ~~were to~~ ^{will} supply sufficient detail to enable the necessary inquiries to be made, we shall be pleased to ascertain and inform you of the time and place of trial.

Incl: Memo 15.6C/ES dated 13 Dec 44.

W. E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor. *49*

14/14/4

44A

AMMCL/nf

HEADQUARTERS ALLIED COMMISSION
APO 394
Transportation Sub-Commission

W

Tel: 476704
Our Ref: AC/3/75/In/S
13 December 1944

SUBJECT: Ferry Service CAGLIARI/NAPLES.
TO : (See distribution)

A regular service from Cagliari to Naples is to be initiated, starting on 26 December from Cagliari. The SS/ABBZIA has been selected for this ferry service and will do two round trips per month. Her capacity will be about 250 personnel and 1000 tons cargo.

The following is the January programme:-

| | |
|--------------------|--------------------|
| <u>CAGLIARI</u> | <u>NAPLES</u> |
| Departure, 28 Dec. | Arrival, 30 Dec. |
| Arrival, 8 Jan. | Departure, 6 Jan. |
| Departure, 13 Jan. | Arrival, 15 Jan. |
| Arrival, 22 Jan. | Departure, 20 Jan. |
| Departure, 27 Jan. | Arrival, 29 Jan. |

The personnel accommodation will not be comfortable as it will be necessary to put some people in a tween deck, there being cabin accommodation for 30 only. These personnel will have to provide their own bedding and food must also be put on board. There are no bunks in the tween decks and passengers must travel "hard". However, the voyage is short and it will be no more uncomfortable than the cruises are at present. Women and children should not be carried in tween deck accommodation.

A new shipping memorandum No.3 is in course of preparation giving full details as to personnel priorities, embarkation arrangements and rates of charges.

The bidding procedure for cargo will remain the same as that set out in A.O. Shipping Memorandum No.2.

TO : (See distribution)

A regular service from Cagliari to Naples is to be initiated, starting on 26 December from Cagliari. The SS/ARBAZIA has been selected for this ferry service and will do two round trips per month. Her capacity will be about 250 personnel and 1000 tons cargo.

The following is the January programme:-

CAGLIARI

Departure, 26 Dec.
Arrival, 3 Jan.
Departure, 23 Jan.
Arrival, 22 Jan.
Departure, 27 Jan.

NAPLES

Arrival, 30 Dec.
Departure, 6 Jan.
Arrival, 15 Jan.
Departure, 20 Jan.
Arrival, 29 Jan.

The personnel accommodation will not be comfortable as it will be necessary to put some people in a tween deck, there being cabin accommodation for 30 only. These personnel will have to provide their own bedding and food must also be put on board. There are no bunks in the tween decks and passengers must travel "hard". Moreover, the voyage is short and it will be no more uncomfortable than the cruises are at present. Women and children should not be carried in tween deck accommodation.

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Merritt H. Taylor
MERRITT H. TAYLOR
Director

AC. HQ.

Chief of Staff
 Economic Section
 Agriculture Sub-Commission
 Forestry Division
 Fisheries Division
 Crop Production
 Citrus Fruit

Education Sub-Commission
 Finance Sub-Commission
 Food Sub-Commission

Rome Supply Officer
 Supply Officer

Transportation Officer

Industry Sub-Commission
 Building Materials Division

Chemicals
 Textiles
 Mining
 Hemp
 Coal

Commerce Sub-Commission

Materials Division
 Matches & Tobacco Division
 Foreign Trade
 Petroleum
 Imports Paper
 Textiles, Shoes

Labour Sub-Commission
 Public Health Sub-Commission
 Medical Supply Branch
 Public Health Branch

Public Works & Utilities Sub-Commission

Communications Sub-Commission

Displaced persons and Repatriation Sub-Commission

Legal Sub-Commission

Monuments Fine Arts & Archives Sub-Commission
 U.N.R.R.A.

Salt (Monopolio dello Stato)

Tobacco (Monopolio dello Stato)

Matches (Monopolio dello Stato)

Liaison Shipping Sub-Commission A.C.

Unions of Chambers of Commerce:-

Toscana Region
 Atruzzi-Marche "
 Lazio-Umbria "
 Southern "
 Sicilia "
 Sardegna "

A.S.I.

M.E.D.B.O.

Schoener Control Board (2)

APHC 3-5 (2)

| | |
|---------------------|--|
| LEGAL SUBCOMMISSION | |
| CIO | |
| OCIO | |
| Chief Counsel | |
| CIO | |
| Italian Section | |
| CL RKS | |
| 14 DEC 1947 | |

AC. Regional Headquarters:-

Sicilia Region

Southern Region

Marche-Abruzzi Region

Lazio-Umbria Region

Rome Supply Officer
Supply Officer
Transportation Officer
Industry Sub-Commission
Building Materials Division
Chemicals
Textiles
Mining
Hemp
Coal

Commerce Sub-Commission
Materials Division
Matches & Tobacco Division
Foreign Trade
Petroleum
Imports Paper
Textiles, Shoes
Labour Sub-Commission
Public Health Sub-Commission
Medical Supply Branch
Public Health Branch

Public Works & Utilities Sub-Commission
Communications Sub-Commission
Displaced persons and Repatriation Sub-Commission
Legal Sub-Commission
Monuments Fine Arts & Archives Sub-Commission
U.N.R.R.A.
Salt (Monopolio dello Stato)
Tobacco (Monopolio dello Stato)
Matches (Monopolio dello Stato)
Liaison Shipping Sub-Commission A.G.

40. Regional Headquarters:-

- Sicilie Region
- Southern Region
- Marche-Abruzzi Region
- Lazio-Umbria Region
- Toscana Region
- Emilia Region
- Sardegna Region

LEGAL SUB-COMMISSION
C/O
C/O
Chief Counsel
C/O
Italian Section
C. RKS
14 DEC 1944

1372



43A

HEADQUARTERS ALLIED COMMISSION
Economic Section
TRANSPORTATION SUB-COMMISSION

AC/COM/4/1.

MJC/pc.
12 Dec 44.

SUBJECT : Agreement for the Turnover of 50 WD Vehicles to
Italian Transportation Companies.
TO : Transportation Sub-Commission.

1. Reference yours of 9 Dec 44 AC/COM/4/1.
2. The agreement enclosed is in all material respects an exact copy of the document prepared in April 1944 by this Sub-Commission for the Economic Section. It is therefore with personal pride that we declare the same to be legally sufficient for the purposes contemplated.
3. We do point out again however as we did then that without express authority no right exists in Allied Commission to lease WD vehicles.

MARC J. GROSSEMAN,
Lt. Colonel,
Chief Counsel,
For Chief Legal Advisor.

Copy to :
Finance Sub-Commission.

47

4014/40

(42A)

Ext. 513 HEADQUARTERS ALLIED COMMISSION
AFG 394
TRANSPORTATION SUB-COMMISSION

ALV/eh

AC TN/MT

9 December 1944

SUBJECT: Agreement for the Turnover of AC WD Vehicles to
Italian Transportation Companies.

TO : Legal Sub-Commission

1. Your advice is requested as to whether the attached agreement will be sufficient evidence in the turning over of AC War Department vehicles for operation by legally constituted Italian transportation organizations.

2. It is thought that it is opportune to standardize the financial arrangements now in force in southern Italy in the operation of truck pools. This will have the dual effect of facilitating accounting and auditing and relieving the regional transportation officers of the financial responsibilities incurred in some of the established truck pool organizations.

Merritt H. Taylor
MERRITT H. TAYLOR

Director

Transportation Sub-Commission

1 Incl.
Agreement, Subj. Road Haulage
Organization in Province of ...

cc: Finance Sub-Commission

46

| | | |
|---|-----------------|--|
| → | CLERKS | |
| | Italian Section | |
| | CLERKS | |
| | 11 DEC 1944 | |

Contract file

41A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mt.
6 December 1944.

AC/4014/4/L.

SUBJECT : Office Memo Contracts.
TO : Transportation Sub-Commission.

1. Ref. yours 3 Dec. 1944 AC/TM/R/68.
2. As we informed Capt. PEPPER 5 Dec. 44 it will be necessary that we confer with someone in your Sub-Commission who is familiar with this subject before we can profitably proceed with a revision of the contract.

MARG J. GROSSMAN,
Lt. Colonel,
Chief Counsel,
for Chief Legal Advisor.

45

404

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

WFI/pa.
26 Nov 44.

AC/4014/W/F.

SUBJECT : RDL No. 85 dated 15 March 1944.
TO : Transportation Sub-Commission.

to Reference your AC/Fu/274 of 18 Nov 44 it is suggested that you reply the Ministry of Communications as follows :-

1. In reply to your letter of 10 October (1) 1944 reference Pag/58/114/86.262. IOW/973/44 you are no doubt aware that the decrees of the Italian Government are effective in Allied Military Government Territory from the date and from the date only upon which they are implemented in that territory by order of the Allied Commission. The Italian Government has no authority, during the continuance of the Allied Commission, to make or seek to make its decrees effective from an earlier date.

2. In all cases the effective date of a decree in a particular province can be obtained from the Prefect concerned. In many cases these dates are already known to you.

3. For your convenience, however, the following dates are given as the dates upon which RDL No. 85 of 15 March 1944 was implemented in the provinces concerned :

| | |
|--------------|----------------|
| ROMA | 15 August 1944 |
| LIVORNO | 15 August 1944 |
| FROSINONE | 15 August 1944 |
| CHIETI | 12 August 1944 |
| PESCARA | 14 August 1944 |
| L'AQUILA | 14 August 1944 |
| Rieti | 17 August 1944 |
| TERNI | 14 August 1944 |
| CITTADELLA | 25 August 1944 |
| VIGEVANO | 11 Sept 1944 |
| ASOLI PICENO | 11 Sept 1944 |
| MACERATA | 2 Sept 1944 |
| ANCONA | 6 Nov 1944 |
| SIVA | 20 Sept 1944 |
| LIVORNO | 15 Sept 1944 |
| PESARO | 6 Nov 1944 |
| NORCINA | 28 Oct 1944 |

44

./.

| | | | |
|---|--------|------|--|
| FISA | 1 Nov | 1944 | |
| LIVORNO | 9 Nov | 1944 | |
| PISTOIA | 11 Nov | 1944 | |
| SARZANO and PISTOIA - The dates are believed to be 24 Oct and 25 August respectively but these should be confirmed with the Prefects. | | | |

W. E. BURNETT,
Colonel,
Deputy Chief Legal Advisor.

1377

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

39A

AC Tn/274

WES/mt.
21 Nov. 1944.

SUBJECT : R.D.L. No. 85 of 15 March 1944.
TO : Civil Affairs Sec.

1. The innocent looking request of the Ministry of Communications appears to be most mischievous. It infers that the Italian Government has the right to legislate in any area of Italian territory from the moment that the Allied Forces occupy that area.

2. This inference is of course incorrect. The Italian Government has no right to legislate in any territory until that territory is restored to the Italian Government, although under the familiar implementation procedure certain decrees are implemented in AEG Territory and become effective from the date of implementation.

3. After the departure of the AC the Italian Government will have the right to legislate, retrospectively if desired, over the whole of Italy then under its control. It may then, if it wishes, enact that retrospective payment of pensions be made so as to bring all provinces into line. It is not understood why, in such a case, the date of Allied Administration should be chosen as the effective date, since it would seem to be more reasonable to select a uniform date for the whole of Italy including what may then have been German-occupied Italy.

4. It is suggested therefore that Transportation Sub-Commission should reply ~~to the~~ Minister's letter in substance that the decree becomes effective in each province on the date of its implementation therein, and that such date can be obtained from the Prefect concerned. b2

5. In any event, if it is considered necessary or desirable to supply the information requested, such information is not in the possession of this Sub-Commission and, if obtainable, would have to be obtained individually from the provinces concerned with such expenditure of time and trouble.

W. E. Berrins
W. E. BERRINS,
Colonel,
Deputy Chief Legal Advisor.

Copy to: File AC/4014/4/Legal.

4682

1378

ACP/fd

HEADQUARTERS ALLIED COMMISSION
APO 394
TRANSPORTATION SUB-COMMISSION

(38A)

20 NOV 1944

Tele : 478701

18 November 1944

Our ref.: AC Tn/2711

TO : Civil Affairs Section
HQ. AC.

SUBJECT : RDL No. 85 dated 15 March '44

1. Reference is to attached translated copy of communication received from the Direction of Italian State Railways.
2. Please say if the information can be supplied.

Adams
D.S. ADAMS
Colonel, C.E.,
Director, Tn. S/C.

Enclosure : 1 (Copy)

(4555)

/fd

388

C O P Y

Ministry of Communications
I.S.R. General Direction
Personnel and General Affairs Service.

Rome, 10 October 1944
Pag/38/III/86.262.ICCA/973/24

To : Allied Control Commission - ROME

1. As it is known, the pension benefits, whereof the Royal Decree (R.D.L.), dated 13 March 1944, n. 85, and which will be granted according to the modalities fixed by a legislative measure in progress of publication, should be extended to the other kingdom's Provinces.
2. In order to be able to carry out such extension, we would like to know the date from which the Administration of the Allied Military Government was started in each Chief Town of the following Provinces:
LITTORIA, FROSINONE, ROMA, CHIETI, PESCARA, L'AQUILA, RIETI, TERNI, GROSSETO, VITERBO, ASCOLI PICENO, MACERATA, ANCONA, AREZZO, SIENA, LIVORNO, PESARO, FIRENZE, PISA, LUCCA, PISTOIA, PERUGIA.

~~THE DIRECTOR GENERAL~~
sgd. Lo Cigno

30
566

file

~~by [unclear] / 7~~

4-014/4.

31A

MEMORANDUM

ES/ep
8 November 1944.

SUBJECT : Implementation of Italian legislation in the Provinces which at present constitute Military Government Territory.

TO : Deputy Chief Legal Advisor.

| Provinces in Military Government Territory | Date on which the implementation scheme began to operate in the Province (date of the first receipt.) | Effective date in the Military Government Territory of the first current issue of G.U. forwarded to the Province after the first lot of G.U. had been implemented. |
|--|---|--|
| Livorno | No receipt available as yet although repeatedly requested. | |
| Grosseto | 25 Aug 44 | 30 Aug 44 |
| Siena | 20 Sep 44 | 7 Oct 44 |
| Arezzo | 21 Oct 44 | No receipt for any current issue available as yet. |
| Perugia | 23 Aug 44 | 25 Aug 44 |
| Terni | 14 Aug 44 | 18 Aug 44 |
| Macerata | 2 Sep 44 | 11 Sept 44 |
| Ascoli | 11 Sep 44 | 11 Sept 44 |
| Firenze | 28 Oct 44 | Army ordered implementation up to issue No.61 only which issue was included in the first lot. |
| Pisa | 1 Nov 44 | ditto |

NOTE : If a decree is implemented in Military Government Territory there is about 15 to 20 days lapse between the date of its publication in the Gazzetta Ufficiale and its effective date in the Military Government Territory.

HEAD QUARTERS
ALLIED FORCES COMMISSION
LEGAL SUB-COMMISSION
APO 314

36A

WEB /mt
25 Oct. 44

AGC/4014/4/L.

SUBJECT: Bus Roma 74 bbd.

TO : Transportation Sub-Commission.

Reference your AGC/TH/R/25 of 23 Oct 44.

1. This case ^{to} be determined under Italian law. I have therefore consulted an Italian legal expert who agrees with the decision given below.

2. The bus is the property of the Governatorato of Rome and should be restored to them. They should however repay to the firm of Corlindi a sum equal to the benefit received by the Governatorato from the work done by Corlindi.

3. On the assumption that the figure of L. 234,800 is a reasonable figure for the work done, the compensation due from the Governatorato is L. 234,800 plus the cost of the new tyres less depreciation between the date of repairs and the date of restoration to the Governatorato.

F. R. BRIDGES,
Colonel,
Deputy Chief Legal Advisor.

23 OCT 1944

35A

TO : Legal Sub-Commission. *(D)*

1. File R:26 of Transportation Sub-Commission (Roads Section) is forwarded herewith.

2. Relevant correspondence is flagged.

3. It would be greatly appreciated if you would kindly adjudicate in this matter, so that a suitable reply may be sent.

Ch. Chubbert

D. S. ADAMS,
Colonel, CE.
Director, Tr. Sub-Comm.

Ref: TN/R/26

27

ACE/HL

34A

HEADQUARTERS
ALLIED CONTROL COMMISSION
Transportation Sub-Commission
APC 394

✓
2014
Tel: 478704

Our Ref: ACC.394/44/52

13 October 1944

TO : Finance Sub-Commission, HQ. ACC

SUBJECT: Private Railways

P. file

1. Reference is to your letter 13294/F of 10 Oct. '44.

2. An attempt was made in the August report of this Sub-Commission to give a brief picture of the set up of Private Railways, although no elaborate thesis was intended, but possibly the report has not received your attention.

2. All private Railways in Italy are in concession from the State with the possible exception of a few industrial lines, such as the Val di Neto line at Crotona and the Ribolla lignite mine branch, both of which are the property of the Montecatini firm.

4. From the charts in the Statistical Report attached (please return in due course) it will be seen that very little profit has come to the Private Railways as a whole. It will also be noted that stamp duty ensures a certain return to the State.

5. This Sub-Commission will welcome any further comments you may have to make, so far as the financial position is concerned.

6. A copy of the original decree is attached hereto, and copy of the correspondence has already been submitted to Legal Commission as indicated in my letter of 6 October 1944.

LEGAL SUB-COMMISSION

Chief Counsel

J. G. Adams
D.S. ADAMS
Colonel, C.E.
Director, Tn. Sub. Comm.

SUBJECT: Private Railways

P. file

1. Reference is to your letter 13194/E of 10 Oct. '44.
2. An attempt was made in the August report of this Sub-Commission to give a brief picture of the set up of Private Railways, although no elaborate thesis was intended, but possibly the report has not received your attention.
2. All private Railways in Italy are in concession from the State with the possible exception of a few industrial lines, such as the Val di Neto line at Crotona and the Ribolla lignite mine branch, both of which are the property of the Montecatini firm.
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5. This Sub-Commission will welcome any further comments you may have to make, so far as the financial position is concerned.
6. A copy of the original decree is attached hereto, and copy of the correspondence has already been submitted to Legal Commission as indicated in my letter of 6 October 1944.

| |
|---------------------------|
| LEGAL SUB-COMMISSION |
| C.O. |
| U.S.C. |
| Chief Counsel |
| PLD |
| Foreign Section |
| CL RKS |
| Enclosures: 2 |
| (1. Statistical Report) |
| (2. Original Decree) |

J. Aubrey Cape
 D.S. ADAMS
 Colonel, C.E.
 Director, Tr. Sub. Comm.

Copy to: Legal Sub-Commission.

1 3 8 5

334

HEADQUARTERS
ALLIED CONTROL COMMISSION
Transportation Sub-Commission
APO 394

CWAP/bm

Tele: 378

14 October 1944

ACC Tn/R/3

SUBJECT: Request for Transport.

TO : See Distribution. *LEGAL S/C*

1. The attention of all concerned is directed to the fact that a traffic Control Division has been created in Lazio Region.
2. All requests involving the use of Road transport for civilian purposes will be forwarded in writing direct to this Traffic Division, and not to the Transportation Sub-Commission, HQ, ACC, which has no trucks at its disposal.
3. Request Forms, as per attached specimen copy, are available at H.Q. Lazio Region, and it is essential that these forms be used in order to speed up the clearance of the dispatch. Requests will not be accepted unless the information called for on the form is complete.

4. Request forms should arrive at the Control Office at least twenty four hours previous to the time of the desired-dispatch.

55

5. Requests should be addressed as follows:-
Traffic Control Division,
(Attention Major Cullston)
Room 616 - Via Lucullo, 6,
Rome.
6. Traffic Control Division's Telephone No. is: -478551 - Ext 15

7. Kindly acknowledge receipt on the attached form.

W. Adams

D.S. ADAMS
Colonel, C.E.,
Director, Tptn. S/C.

LEGAL SUB-COMMISSION

Distribution: -

1386

1. The attention of all concerned is directed to the fact that a traffic Control Division has been created in Lazio Region.

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5/5

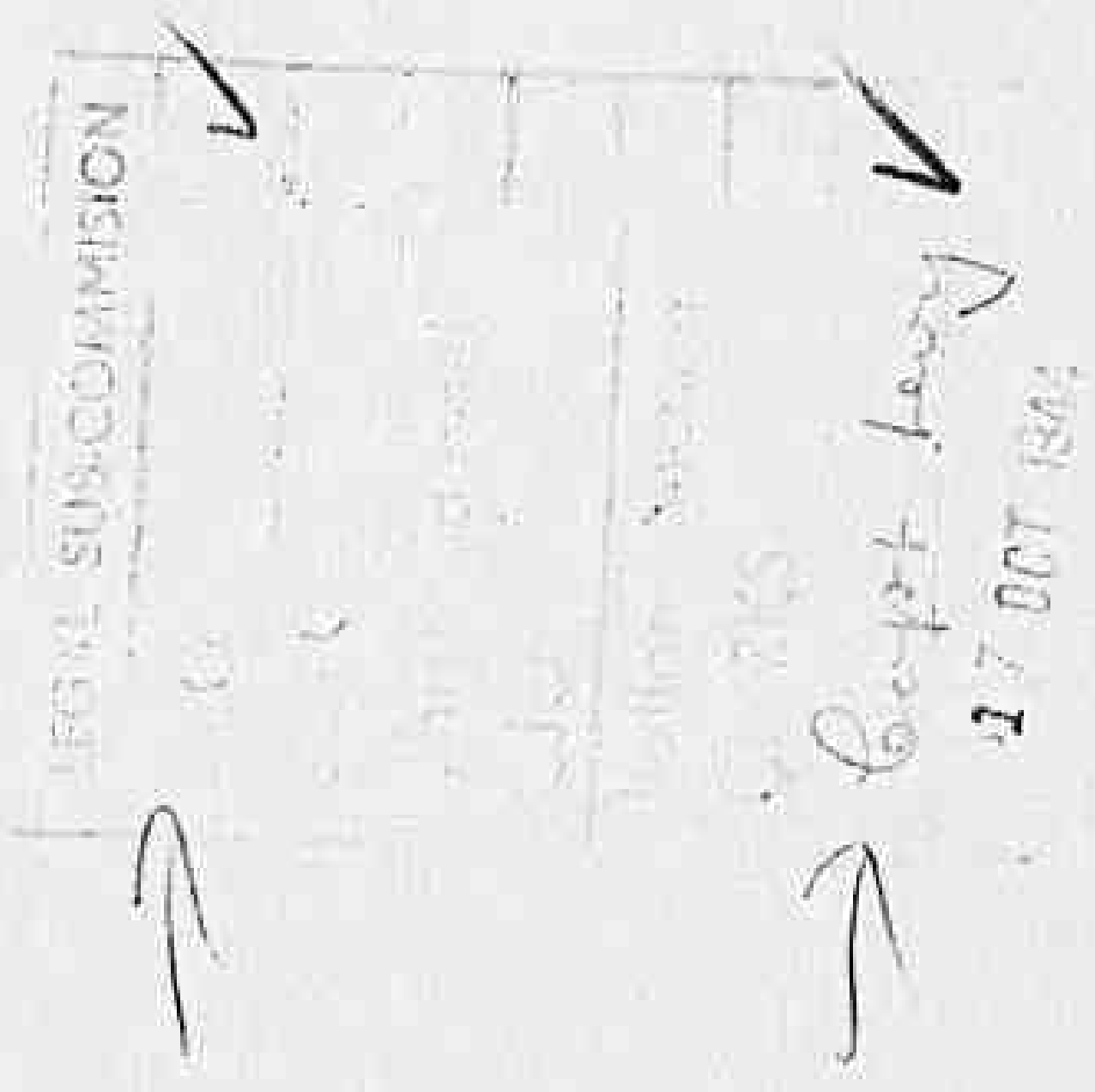
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Traffic Control Division,
(Attention Major Cullston)
Room 616 - Via Lucullo, 6,
Roma.

6. Traffic Control Division's Telephone No. is: -478551 - E-t15

7. Kindly acknowledge receipt on the attached form.

W.S. Adams
D.S. ADAMS,
Colonel, C.E.,
Director, Tptn. S/C.



Distribution:-

"D"

✓
4014/4

Legal

(32A)

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

29 August 1944

Ref/91/87/CA.

SUBJECT: Development and operation of all Italian Railways.

TO : Distribution as below.

What general order is this?
RHW

1. By the terms of General Order 60, 22 October 1943, the rehabilitation, technical development and operation of all Italian State and privately owned railways, except for those portions which may from time to time be returned to civilian operation under the supervision of the Transportation Sub-Commission of the Allied Control Commission, are vested in the organization of the Director General Military Railway Services.
2. As a result no railways or sections of railways either Italian State or privately owned, will be put into operation without the consent of Director General Military Railway Services which will be obtained through the Transportation Sub-Commission, H.Q. A.C.C.
3. Materials, however damaged, found on a railway must be carefully safeguarded and not disposed of to private persons, and all coal stocks must be frozen.
4. In the forward areas, where State Railway officials may be in some doubt as to their position, they will be instructed to report to the Rome headquarters of the Italian State Railways.

Distribution
"A"



✓
/ 25-11-44 34
NORMAN E. FISKE.
Colonel.
Deputy Executive
Commissioner.

22 Oct 1943

RFHQ

JFM Whiteley
Proy. General
P.S. Acton
Chyot Hoff

HEAD HEADQUARTERS
 APPLIED CONTROL COMMISSION
 Legal Subcommittee
 ACC 394

ART/up

ACC/4014/4/L

4 Jul 44

SUBJECT : Irregular Re-Consignment of Civilian
 Railway Traffic.

TO : Transport Sub-Commission
 H.Q. A.C.C.

Reference your ACC/ 3n/94/312 dated 24 June 44.

1. The description of the abuses practiced contained in Para 4 of your letter is not specific enough to permit of a full appreciation from the legal point of view.
2. If the consigning label or the documents accompanying the consignment are altered without authorization, such an act (a) if committed by a railway official may amount to an offence under Art.477 Penal Code (Falsification by a Public Official), or (b) if committed by any person not an official may amount to an offence under Art.482 Penal Code (Falsification by a private individual).
3. By Law No.429 7 July 1907 all railway officials are to be considered as Public Officials, and in any case when a railway official is involved disciplinary action could be taken against him by his superiors.
4. It is regretted that no further advice is possible²³ on this point without an examination of the text of the relevant orders and instructions regarding railway traffic.
5. It is not quite clear whether the irregularity described in Para 5 of your letter involves a false declaration of the commodities. If such is the case Art.50 Para 1 of the " Conditions and Tariffs for transport of goods by the State Railways (1942)" would apply, whereby surcharges in the nature of penalties could be collected. The wording and character of the provisions establishing the priorities would have to be considered for further advice.

6. It is suggested that you contact Sig. Dott. CAMPENNI of the Ministry of Communications, head of the Commercial Service (Capo Servizio Commerciale) at Naples, Piazza Principe Napoli 2, who might be able to give you further information as well as copies of the orders referred to in Paras : 3 and 5 above, which orders are not available in this Subcommission's office.

7. Translations of Arts. 477 and 482 Penal Code and of Art. 50 Para 1 " Conditions and tariffs for transport of goods by State Railways (1942)" are enclosed herewith.

A. R. THACKRAH,
Lt. Colonel;
for Chief Legal Officer.

Enclosures.

TRANSLATIONA) PENAL CASEARTICLE 477

Any public official who in the exercise of his duties counterfeits or alters any administrative certificate or authorization or by means of counterfeiting or alteration causes it to appear that conditions required for its validity have been complied with shall be punished with imprisonment (reclusione) for a term not less than six months and not exceeding three years.

ARTICLE 478

If any of the acts contemplated in Arts. 476, 477 and 478 is committed by a private individual or by a public official outside the performance of his duties, the penalties as specified in the aforesaid Articles reduced by one third, shall apply.

B) CONDITIONS AND TARIFFS FOR TRANSPORT OF GOODS BY THE STATE RAILWAYS.

ARTICLE 51 - Responsibility of the consignor for irregular declaration and for excess weight.

1. Surcharge and difference in charge. If the goods presented for transport do not correspond in kind or quality or weight or size to the declaration made by the consignor in his consignment note (lettera di vettura) the administration has the right (a) to the payment of a surcharge of 4 lire for every despatch and 8 lire if it is a matter of a full wagon load whenever the consignor does not derive the benefit of a lower transport charge from his declaration of consignment (b) to the payment, in ~~the~~ ^{the} cases, of the difference between the two charges calculated from the station of destination and in addition of a surcharge equal to twice the said difference and not to be less than as quoted in (a) above.

Payment as set out in (b) above must also be made whenever from any other fact whatsoever on the part of the consignor or recipient the benefit has been or could be obtained of any rate lower than that due.

Note: (Para 2 and Para 3 are not relevant to the ^{point} ~~part~~ at issue)

*of despatch (K)
the station*

ESTRATTO.

5476
482
B. Scipione
31E

R. Decreto 8/7/1938, N. 1415.

Approvazione dei testi della legge di guerra e della di neutralità.

Art. 2. L'applicazione, in tutto o in parte, della legge di guerra è ordinata con decreto Reale, quando lo Stato italiano è in guerra con un altro Stato.

L'applicazione della legge di guerra può essere limitata a uno o più territori determinati.

.....
Art. 21. (Disciplina dei mezzi di trasporto).

Con decreto del Duce, possono essere adottati i provvedimenti necessari per l'utilizzazione dei mezzi di trasporto di ogni genere e per l'organizzazione e il funzionamento dei servizi relativi. Nello stesso modo, possono altresì modificarsi le disposizioni, che regolano il trasporto delle persone e delle cose, e può sospendersene l'applicazione.

1873
M. 1873

~~Italy Sub. at Reg. della Guerra~~

(310)

Det. Campani

Capo servizio commercial
Pine Pa Napoli 2 -

4014/4
L
FPR/rg (304)

HEADQUARTERS
 ALLIED CONTROL COMMISSION
 Transportation Sub-Commission
 APO 394

Our reference : ACC Tn/94/3/2

Date : 24 June 44.

TO : Legal Sub-Commission,
 HQ. A.C.C. Rear.

SUBJECT : Irregular Re-Consignment of Civilian Traffic.

1. The Military have given this Sub-Commission a block tonnage over Sections of the Italian State Rly between Naples - Reggio - Bari I.S. Railway divisions, and this tonnage must not be exceeded.
2. A weekly bidding system as adopted by the Military is in force and from the bids the tonnage is determined. Acceptance and rejection depends upon priority and urgency.
3. The Section Salerno-Potenza and vice versa is the lowest owing to difficult Railway working and the basic tonnage is only 200 tons daily each way. With the result that Civilian Traffic other than A.C.C. essential traffic from Calabria or Apulia cannot be accepted for Naples until all ACC traffic has been accounted for movement.
4. Civilians are allowed to move commodities within the Railway divisions as they wish under our supervision and in the last month have been abusing this privilege by loading wagons for local traffic despatching it to the nearest station to the next Rly. division, then altering the wagon labels to read "Naples".
5. Another practice is to bid for a Priority Commodity, have it accepted at the Military Priority of Movements Meeting, then load "Wine" in lieu which has a lower priority than essential foods.
6. Whilst appreciating the desire of the Italian Civil Merchant to secure Transportation for his goods we must control the movement of all ACC and Civilian Traffic over the Railways in view of the limited facilities at present existing. These cases of subterfuge on the part of the Merchants are brought to our notice not only by our own representatives in the field, but also by the Military and they look to us to take such action as will put a stop to this practice.
7. So far the only action we feel we can take is to stop the movement of such goods and order the consignor to unload, but this is not always practicable as wagons are discovered long distances from originating point.

8. Would you kindly let us know what legal action can be taken as regards prosecution, confiscation of goods, or claiming Rail Charges if commodity is returned to Sending Station for Consignor to unload as in para 7.

9. This practice is increasing daily and unless effective action can be taken the situation will become serious.

L.E. Vining

L.E. VINING,
Lieut-Colonel,
Director, Transportation Sub-Commission, ACC.

Copy to :- Economic Section, HQ. A.C.C.

| | | |
|--|-----------------|-------------------------------------|
| | SUB-COMMISSION | |
| | | <input checked="" type="checkbox"/> |
| | | |
| | Chief Counsel | |
| | | |
| | Triffin Section | |
| | CL RKS | |
| | | |
| | | |

ARF.
There is no worry about this bill if you want this by 27th Nov 1957

ART/pa

REAR HEADQUARTERS
 ALLIED CONTROL COMMISSION
 LEGAL SUB-COMMISSION
 AFG 394

12 June 1944

REFERENCE : AFM/4/b.
 SUBJECT : Loss or damage to Goods in transit.
 TO : Transportation Sub-Commission, HQ, ACC, Naples.

1. Reference is made to your letter No. ACC Trn/15/23 dated 31 May 1944 and ours of 25 Jan. 1944 quoted by you.
2. As previously stated, it is not possible to advise fully on the technical aspect of this problem until this Sub-Commission is in possession of the information asked for in para 1 of our above quoted letter.
3. What seems certain, however, is that under the existing conditions of exploitation the Allies have reserved for themselves the right to take services in question from the Italian railway system, although it is not known whether the exercise of such rights enables the railways to claim any derogation by virtue of their bylaws from their statutory obligations as common carriers under the Civil Code.
4. In view of the foregoing it is agreed that your comment in para 3 provides the practical answer.

Art
 A. R. THACKERAN,
 Lt. Col.,
 for Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Transportation Sub-Commission
APO 394

WSW/rg

28A

✓
4-014/4

Our reference : ACC Ta/15/23.

Date : 31 May 44.

TO : Legal Sub-Commission,
HQ. A.C.C.

SUBJECT : Loss or damage to goods in transit.

1. There is attached:-

- i. Copy of letter, May 6, S.A. Bastini to Food Sub-Commission complaining of an endorsement required by I.S.R. bills of lading purporting to release the railway from liability for certain loss or damages to goods in transit.
- ii. Copy of letter of Food Sub-Commission dated 11 May 44 transmitting (i) above and recommending against waiver.
- iii. Copies of correspondence with I.S.R. (by this Sub-Commission) developing application and I.S.R. explanation of the endorsement.

2. With the thought that the question presented may be purely one for settlement between shipper and the I.S.R. according to their own devices, the matter is referred for opinion as to whether ACC legally has any jurisdiction in the premises.

3. We are inclined to the view that the more practical remedy for pilferage (which seems to be the main point sought) is stricter policing, rather than lean on pecuniary liability. Such was the view indicated in your letter, 20 Jan 44, reference ACC/L/341/3, on the question of liability of Italian Railways for loss and damage of goods in railway transit, belonging to Allied Forces.

L.E. Vining

L.E. VINING,
Lieut-Colonel,
Director, Transportation Sub-Commission, ACC.

(2)

See folio (2)

See any action please?

6/6/44

| | |
|---------------------------|----|
| ALLIED CONTROL COMMISSION | 25 |
| CLO | ✓ |
| OCLO | |
| Chief Clerk | |
| CIO | |
| For a Section | |
| RKS | |

COPY

(i)

(88)

GASLINI
VIA ALABARDIERI 1, Naples

May 6th 1944

SUBJECT : Transport of goods by rail.
TO : A.C.C. Wood Sub-Commission,
Provincia Building, Naples

1. The Directorate of the State's Railway have published that, owing to the fact that they are not in a position to supervise under the present circumstances the transport as in normal times, they require that the railways should not be responsible as far as delays in the delivery or partial or total manco of the goods are concerned.
2. Consequently the shippers are requested to sign on the documents the following declaration:
" I declare that I shall not consider the Directorate of the State's Railway responsible for a delay in the delivery of the goods or if they are in part or completely missing".
3. We considered it our duty to inform you about the above and the risk both for the shipper and purchaser of the goods and it is our opinion that you should take up the question with the Directorate of the State's Railway so that they take again upon themselves the responsibility for the transports.

S.A. GASLINI
F. MONTI
Manager

24

HEADQUARTERS
ALLIED CONTROL COMMISSION
Food Sub-Commission
A.P.O. 394

(ii) WNS/am

280

11 May 1944

ACC/70-18/Food

SUBJECT : RAIL Transport

TO : Economic Section

1. Attention is drawn to the attached letter from the manager of the Italian State Railways in which it is pointed out that delays on the railways cannot be avoided but in which also there is a request that the Commission agree to absolve the State Railways from their responsibility for the safe custody of goods in transit.

2. Whilst acknowledging that in time of war, delays on the railways are inevitable, we view with some concern the suggestion that we should waive the directorate of State railways from their normal responsibility for safe custody.

3. The amount of edible and convertible property passing over the railways is very great and were the losses in food in transit to increase, that would correspondingly increase our commitments and we request that the suggestion about safe custody be strongly resisted.

W.J. LEGG
Colonel
Chief, Food Sub-Commission

23

HEADQUARTERS
ALLIED CONTROL COMMISSION
Transportation Sub-Commission
APO 394

(iii)
28B

Our reference ACC In/15/20

Date : 18 May 1944

TO : General di Raimondo,
Undesecretary of State for Italian
Railways and Highways.

SUBJECT: Claims for Loss & Damage - Railway Shipments.

1. Our attention has been brought to a notice contained in your "Disposition Sheet No. 14" (No. C.T. 222 2100 - 270) which states, in part:

"It is directed that stations accepting freight shipments have the following statement on freight sheets and duplicates, signed by the shippers: "I declare not to consider the I.S.R. responsible or liable for delay in delivery of freight nor if it is totally or partially missing".

2. Please inform this Sub-Commission what territory and lines of railway was included in this notice. Was Sicily included?

3. Will you please also give a statement of the reasons which prompted this notice.

I.E. VINING,
Lieut-Colonel,

Director, Transportation Sub-Commission, ACC

22

CGB/rg

1400

(27)

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

/gmf

ACC/1104/4/L

31 March 1944.

SUBJECT: Accident at Montaguto.

TO : Internal Transportation Subcommittee, ACC.

1. Ref the attached documents;

(a) No. 3 District HQ letter ref 128/17A, date 6 March 44.

(b) Proceedings of Court of Inquiry "Death of 2336244 Cpl. Earl, D.J., R. Signals".

(c) Letter Public Safety Subcommittee date 27 March 1944 and attached statement of witnesses.

2. Such negligence as appears from the record is chargeable only against Salvi Enrico, station master. It is not of a character, however, of which cognizance should be taken by Allied Military Courts. If criminal proceedings are to be instituted, they should be undertaken by the Italian authorities in the Italian courts.

3. It is therefore recommended that the matter be referred to Gen. D. Reimondo, Railroads Section of the Ministry of Communications, Palazzo delle Ferrovie, Naples, for action and report.

21

G. R. UPJOHN, Colonel
Chief Legal Officer.

* We must retain our papers
on this matter except copies
of our own letters.

File 4014/4

31 March.

Subject: Accident, Mantaputo

(26)

To Col. Upjohn.

- (1) It would seem clear that negligence is sufficiently indicated to support a civil action against the station master. But should allied Mil Gov be concerned in civil actions for money damages for next of kin? If the answer is yes, certain procedural difficulties are involved.
- (2) It is doubtful whether criminal negligence could be established. If provable, the act might conceivably be punishable under Procl. No. 2, Art II (45) or Article IV. It would seem however that if criminal proceedings are contemplated having in mind the doubtful nature of the case, it should be referred to

The Ministry of Communications -
Railroads Section

Gen. Di Raimondo
Palazzo delle Ferrovie
Naples

Magnano

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LEGAL ADMINISTRATION
ATTORNEY GENERAL DEPARTMENT
LEGAL SUBCOMMISSION
RDC 324

RDC/ADD/14/L

/rlo.
21 March 1964

SUBJECT : Claim for damages for loss of oil.

TO : Director, Internal Transportation Sub-Commission, Rome, Italy, RDC.

1. Reference is made to RDC/ADD/14/L, in response to your RDC 12/15/63, and your please consult paragraph 2 thereof to read as follows:

It being contrary to the policy of the Legal Sub-Commission to concern itself with claims for damages of private persons or institutions, in Italy, it would seem that the claimant should act on the advice of his own counsel as in other legal matters.

19

GRAVE R. BROWN,
Colonel,
Chief Legal Officer.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4014/W/L.

24
/rlp.
23 March 1944.

SUBJECT : Claims for Damages for Loss of Oil.

TO : Director, Internal Transportation Sub-Commission, Rear Hq, ACC.

1. References your ACC TH/15/16.
2. It being contrary to the policy of the Legal Sub-Commission to concern itself with claims for damages, it would seem that the claimant should act on the advice of his own counsel as in other legal matters.
3. We return herewith enclosures.

Incls.

18
GERALD R. WATSON,
Colonel,
Chief Legal Officer.

4014/4
2nd. Indorsement. 9 (83)

Internal Transportation Sub-Commission, ACC,
c/o Mov & Tn., H.Q., A.A.I. (Adm. Echelon), C.M.F.

TO : Legal Sub-Commission, ACC, Rear HQ.

Our reference : ACC Tn/15/16

Date : 19 March 44.

1. Reference attached correspondence :
 - (a) Basic communication, Consorzio Agrario Provinciale di Napoli to Transportation Officer, Region III.
 - (b) 1st. Indorsement, Transportation Officer, Region III to Internal Transportation Sub-Commission, ACC.
2. Forwarded to Legal Sub-Commission for advice and ruling.
3. This appears to be a case of the Consorzio Agrario Provinciale di Napoli desiring to recover damages for loss of their oil.

W. O. Fitch
Major TC
for S.A. FITCH,
Colonel,
Director, Internal Transportation Sub-Commission, ACC.

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/maf

ACC/4014/4

17 March 1944.

SUBJECT: Accident, Montaguato.

TO : Public Safety Subcommittee, ACC.

As arranged with Col. Kirk I pass to you file in the a/m matter.

As you will observe from the proceedings of the Court of Inquiry there is at the present insufficient evidence even to constitute a *prima facie* case against the Italian level crossing keeper, line controller or station master but your further investigations may disclose further facts which would justify criminal proceedings against one or both of the Italians.

Without attempting to limit the scope of your inquiry the following points appear to deserve especial notice:

(1) Is Carlo Fico Carmina the same as the official seen with the flag; what were his duties at the time and what was the scope of his beat?

(2) What procedure is laid down for signalling trains when the telephone fails and why was it not employed. Was the train on time and why was the level crossing keeper not on the alert?

(3) The stationmaster must have known the telephone was out of order. Why did he not stop the train or at any rate warn the driver?

I am asking 16 L of C Signals to give you all assistance in your investigations.

G. R. UPJOHN
Colonel
Chief Legal Officer.

Copy to: ~~File ACC/4014/5/L~~

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

(21)
GRU/inf

ACC/4014/4/L

17 March 1944.

SUBJECT: Accident, Montaguato.

TO : Internal Transportation Subcommittee, ACC.

1. Ref your ACC Tn/123/1 dated 12 March 44 I enclose copy of a self explanatory letter to the Public Safety Subcommittee.
2. Please arrange for 16 L of C Signals to cooperate in the further investigations to be made.
3. You will be kept informed of the progress made in this matter.

G. R. UPJOHN, Colonel
Chief Legal Officer.

15

2nd. Endorsement.

Internal Transportation Sub-Commission, ACC.,
c/o Mov & Tr.,
H.Q., A.C.M.F. (Adm. Echelon),
C.M.F.

Our reference : ACC Tn/123/1

Date : 12 March 44.

TO : Legal Sub-Commission, ACC.

SUBJECT : Accident, Montaguto.

1. Reference the attached documents transmitted with Administrative Section letter of 9 March 44.
2. Attention is called to the fact that the accident in question happened in Avellino Province, which is in AMG territory, (Region 3), on a railway line operated by Military Railway Service.
3. If action on the part of this Sub-Commission is proper, will you please outline the procedure to be followed, otherwise direct the case to the proper channel for action, advising this Sub-Commission, of the action taken for its future guidance.

S.A. Fitch

S.A. FITCH,
Colonel,

Director, Internal Transportation Sub-Commission, ACC.

13

401414

HEADQUARTERS
ALLIED CONTROL COMMISSION
Economic Section
Internal Transportation Sub-Commission.

20 February, 1944.

IS/44

SUBJECT: Railway Traffic - Procedure for Documentation.

TO : All Concerned.

PART I

CIVILIAN TRAFFIC MOVING UNDER TARIFF CHARGES.

Movements of civilian traffic (freight and passenger) under tariff charges are subject to the normal documentation and accounting procedures of the Italian Railway Administration and must be in accordance with the provisions of IAKM II hereof concerning documentation of movements of traffic (freight or passenger) free of tariff charges. For AIC/ACC see any application to such civilian traffic. It is expected that most traffic, arranged by AIC/ACC will move under tariff charges.

PART II

AIC/ACC TRAFFIC, MOVING ON CERTAIN AS ALL MOVEMENTS FOR ALLIED FORCES, FREE OF TARIFF CHARGES.

PRELIMINARY:

- All movements will be documented by use of standard gray warrants (Form AS 497a) which will be prepared and executed to show the full information indicated on the form, and as explained in appendix "A" hereto.
- The AIC or ACC office acting as the shipper (consignor) for each movement will be responsible for documentation and making record of each movement, which process will be accomplished as follows:
- Warrants will be executed in quadruplicate, and each set numbered consecutively by the issuing officer. More than one warrant may be included on one warrant, but a separate warrant will be made out for each destination point. All copies of the completed warrant will be signed by the stationmaster, to show receipt on behalf of the railway.
- No. 1 copy (original) will be retained by the issuing office. No. 2 copy will accompany the shipment for delivery to the stationmaster at destination. This for railway use. No. 3 copy will be sent by quickest means to the AIC or ACC office acting as consignee. No. 4 copy will be retained by the stationmaster at point of origin, for railway use and reserve.
- On the 1st. and 10th. of each month the issuing office will forward the No. 1 copies (originals) of all warrants issued during the preceding month to the office of Internal Transportation Sub-Commission, ACC c/o Mr. ...

- (i) Warrant number and date.
- (ii) Station from which shipment was dispatched.

CIVILIAN TRAFFIC MOVING UNDER TARIFF CHARGES.

Movements of civilian traffic (freight and passenger) under tariff charges are subject to the normal documentation and accounting procedures of the Italian Railway Administration, of which the provisions of 2487 II hereof concerning documentation of movements of traffic (freight or passenger) free of tariff charges, for 2487/ACC has any application to such civilian traffic. It is expected that most traffic, envisaged by 2487/ACC will move under tariff charges.

PART II

ACC/ACC STATIS, MOVEMENTS OF FREIGHT AS AN INSTRUMENT FOR LIMITED SERVICES, PART OF TARIFF CHARGES.

FREIGHT:

1. All movements will be documented by use of standard way warrants (form 2487/c) which will be prepared and executed to show the full information indicated on the form, and as explained in Appendix "A" above.
2. The ACC or ACC office acting as the shipper (consignor) for each movement will be responsible for documentation and making record of each movement, which process will be accomplished as follows:
3. Warrants will be executed in quadruplicate, and each set numbered consecutively by the issuing officer. Herein the wagon may be included on one warrant, but a separate warrant will be made out for each destination point. All copies of the completed warrant will be signed by the stationmaster, to show receipt on behalf of the railway.
4. No. 1 copy (original) will be retained by the issuing office. No. 2 copy will accompany the shipment for delivery to the stationmaster at destination. This for railway use. No. 3 copy will be sent by quickest means to the ACC or ACC office acting as consignee. No. 4 copy will be retained by the stationmaster at point of origin, for railway use and reports.
5. On the 1st, and 15th, of each month the issuing office will forward the No. 1 copies (originals) of all warrants issued during the preceding bi-monthly period to the office of Internal Transportation Sub-Commission, ACC c/o No. 3 In., ATHQ, Adv. Adm. Sec. Off., accompanied by an extract of such warrants showing:
 - (i) Warrant number and date.
 - (ii) Station from which shipment was dispatched.
 - (iii) Destination station of shipment.
 - (iv) Commodity (general).
 - (v) Number of wagons and total tons shown on that warrant.

6. On arrival of shipment at destination No. 2 copy of warrant will be checked against the shipment received, warrant received and copy over (C), sheet (S), or detache (D) in the shipment and signature of railway stationmaster requested covering any such C, S, and D.

PERSONNEL:

6. "General Railway Warrants", standard form Form AD 1940, will be used for the movement of any 250 or 500 personnel authorized to travel by railway, free of charge. Such warrants will be also used for any civilians who are required to travel by train free of charge for 250 or 500 purposes.

7. The 250 or 500 office authorized the movement will be responsible for the issuance and recording of the warrants, which will be accomplished as follows:

10. A warrant will be issued by triplicate for each movement. Each set of warrants will be numbered consecutively by the issuing office. They will be prepared to show the full information in the form and is explained in Appendix "A" herein.

11. Copy No. 1 will be handed to the railway stationmaster.

Copy No. 2 will be handed to the traveler or G.C. party, in lieu of a ticket and will be given up to the railway stationmaster at destination.

Copy No. 3 will be retained by the issuing office.

12. On the 1st and 10th of each month the issuing office will send the No. 3 copies of all warrants issued during the preceding semi-monthly period to Internal Transportation Sub-Comptroller, ICC, c/o Nov. & Co., Building, 2nd. Fl., 202, which copies will be accompanied by an abstract thereof, showing:

- (i) Warrant number and date.
- (ii) From.
- (iii) To.
- (iv) Number of persons transported.

GENERAL:

13. Provisions of this memorandum will be effective on and from 1st, March, 44, and supersede para 10 of ICC Tr. Memorandum No. 1 dated 10 December, 1943.

14. Initial supply of the warrant forms will be obtained from the representatives, Internal Transportation Sub-Commission of the following offices:

c/o Nov. & Co., Building, 2nd. Fl., 202, - STP,
c/o Nov. & Co., Building,
c/o Nov. & Co., Building,

c/o Nov. & Co., Building No. 2, 2nd.

c/o No. 1, Region 1 - Salernum.

c/o No. 2, Region 2 - Salerno.

c/o No. 3, Region 3 - Naples.

Transportation Officer - Region 4.

Transportation Officer - Region 5.

Transportation Officer - Region 6.

Requests for additional copies should be made through the regional offices listed above.

15. Attention is called to the last sentence of para 1, namely: "It is expected that most traffic covered by this memorandum will move under tariff charges".

ICC, STP.

12

SECRETARY'S OFFICE

EXPLANATORY NOTES CONCERNING INFORMATION
CONTAINED ON FORM NO. 1 (FORM 48-1971 AND 494A)

1. Part of the information required is already indicated by the format. To insure uniformity and that all essential information will be provided, treatment of possibly confusing entries on the form will be as follows:

(A) GENERAL INSTRUCTIONS

Lines 1 and 2, "Station" and "Locality", are to be filled in by the person making the assignment. "Station" and "Locality" are to be filled in by the person making the assignment. "Station" and "Locality" are to be filled in by the person making the assignment.

Line 3 - "Remarks" - under actual station name, as "Miles - Central Station". "Remarks" are to be filled in by the person making the assignment.

Line 4 - "Locality" and "Delivery point". This will generally be the same as line 3. Where, however, the locality or delivery point has a distinct location identification it should be shown.

Columns 1, 2, 4 and 5 are self explanatory.

Columns 3 and 7 are not required.

Column 6 "Actual gross weight" means weight of consignment.

The line "Signed - HTO" is for signature and title of issuing officer, and the corresponding date line is for the date the consignment is handed in to the stationmaster.

The line marked "Chief of Party" is for signature of stationmaster and the corresponding date line is for actual date of issue.

The instructions of copies of vouchers will be as shown in the instructions and NOT as shown in printed instructions on this form.

The back of the form is not to be filled in.

(B) GENERAL EXPLANATION OF FORM NO. 1 (FORM 48-1971 AND 494A)

Lines 1 and 2 and the lines "Signed - HTO" are to be used the same as shown for corresponding lines above (see above).

The signature of stationmaster is not required.

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Lines 1 and 2, styled "Pre-report", amount per train" and "For
distribution of train on which is a listed movement shall be dis-
tributed, by title or description of train and date on which reported is
reported.

Line 3 - "Train" - has been filled in names, as "Meriden - Central
Station", and also actual volume, as "1001 - NY 3 Station."

Line 4 - "Miles per hour" and "Miles per hour". This will vary
slightly as the train is in motion. However, the location or unit
must have a distinct location. Illustration it should be shown.

Columns 1, 2, 4 and 6 are self explanatory.

Column 3 and 7 are never used.

Column "Miles per hour" is not to be filled in.

The line "Signed - NY 3" is for signature and title of issuing officer, and
the corresponding date line is for the date the report is handed in to
the stationmaster.

The line marked "Check on file" is for a return of stationmaster and the
corresponding date is for actual date filed.

Distribution of copies of reports will be as shown in Memorandum
and will be shown in printed instructions on the form.

The back of the form is not to be filled in.

(6) GENERAL RAILWAY REPORT - FORM NO. 1014 (For use only).

Lines 1 and 2 and the line "Signed - NY 3" are to be used the same
as shown for corresponding lines under (6) form.

The signature of stationmaster is not required.

Internal Transport. ion Sub-Commission, ACC.,
 C/o Mov & Tn.,
 AFHQ Advanced Administrative Echelon,
 C.M.F.

Our reference : ACC Tn/42/10

Date : 15 Feb 44.

TO : Chief Legal Officer,
 Rear Headquarters, ACC.,
 A.P.O. 394.

SUBJECT: Extension of train service from Barletta to Trani.

1. Reference your ACC/4014/4/1 dated 13 Feb 44.
2. Receipt of letter ACC/I/111 of 8 Dec 43, referred to in your para 1 cannot be traced.
3. The Basic Schedule of Civilian trains has been agreed with Gen di Raimondo, Undersecretary of State for Italian Railways and Highways and it has also been agreed that all applications for extensions to this service shall be passed through his office.
4. Will you please refer the originator of the request to Gen. di Raimondo.

S.A. Fitch
 S.A. FITCH,
 Colonel,
 Director, Internal Transportation Sub-Commission, ACC.

To Major Hamaford. Put on agenda today.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

10

ACC/ACD/L/1

GU/jpl
13 Feb 44

Subject: Extension of train service from Barletta to Trani.

To : Director, Internal Transport Sub-Commission, A.C.C.

1. Further to my letter ACC/L/111 of 8 Dec 1943 addressed to Colonel Fitch.
2. I am informed by the Italian undersecretary of Justice that due to the recent increase in legal business at the Tribunale of Trani the lack of transportation to that city is causing a real hardship.
3. Could you please re-examine the possibility of extending the train service from Barletta to Trani as indicated in the memorandum of the Minister of Justice enclosed with my letter of 8 Dec 43 referred to above.

GERALD URIGEL

Colonel
Chief Legal Officer.

10

1417

(9)

4014/4

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LEGAL SUB-COMMISSION
A.P.O. 394

ACC/TN/44/8
~~ACC/TN/44/8~~

RW/jpl

20 January 44

Subject : Control of Privately Owned Railways-Italy

To : Internal Transportation Sub-Commission, A.C.C.,
AFHQ Advanced Administrative Echelon, C.M.F.

1. Reference your ACC TN/44/8 dated 20 Jan 44.

2. It is our opinion that the Italian Government can take over and operate through its own agencies any privately owned railway during the state of emergency, by administrative action and that a Royal Decree is not required to achieve this object. Such administrative action can take various forms none of which is complicated and such action could be taken without any delay.

9

RICHARD H. WILDER

Lt. Col. CAC
Deputy Chief Legal Officer

(RJ/45)

Internal Transportation Sub-Commission, ACC.,
C/o Mov & ..
AFHQ Advanced Administrative Echelon,
C.M.F.

Our reference : ACC Tn/44/8

Date : 20 Jan 44.

TO : HQ., AMG - ACC.
For Legal Sub-Commission.

SUBJECT : Control of Privately Owned Railways - Italy.

1. Reference following copies of letters :

- (A) ACC Tn/44/1 dated 4 Jan 44
- (B) Tn/21/5-7 dated 17 Jan 44 from HQ ACC to this Sub-Commission.

2. Para 7 of attached letter (B) states :

"In view of the above it is suggested that you have a check made of the present Italian law and discuss this matter with General di Raimondo the next time he is in Naples. If it is found that an Executive Order or other action is necessary please inform me. "

3. Briefly, from the point of view of this Sub-Commission, it is essential that the Italian State Railways be responsible for the operational control of all the privately owned railways and that the control be arranged and exercised in such manner that the arrangement of all business between the Allied Governments and the privately owned railways be effected efficiently and without delay through the Italian Undersecretary of State for Railways and Highways, or through the Italian State Railway Administration.

This Sub-Commission has no knowledge as to the correct procedure to bring this about. It may be that an Executive Order is not necessary. Your help and guidance is sought as to what is necessary in order to give the required results as a matter of great urgency.

P. White Colonel,
Internal Transportation Sub-Commission, ACC.

COPY.

Internal Transportation Sub-Commission, ACC.,
C/o Mov & Tr.,
AFHQ Advanced Administrative Echelon,
C.M.F.

Our reference : ACC Tr/44/1
Date : 4 Jan 44.

TO : H.Q., ACC,
&
H.Q., AMG.

SUBJECT : Control of Privately owned railways - Italy.

1. The approximate lengths in kilometres of the Italian State owned and privately owned railways are given below :-

| | Standard Gauge | Narrow Gauge | Totals |
|-------------------|----------------|--------------|---------------|
| State Owned | 16,600 | 600 | 17,200 |
| Privately Owned * | 2,850 | 3,100 | 5,950 |
| <u>Totals</u> | <u>19,450</u> | <u>3,700</u> | <u>23,150</u> |

* Excluding tramways and other local transport.
(These figures were extracted from page 2 of the Preliminary Draft of Civil Affairs Handbook on Italy - Section eleven).

2. The privately owned lines, with few exceptions, consist of numerous short secondary lines, over half of which are narrow gauge. Many of them however, serve mountainous districts where good highways are non-existent and they provide important transportation links with the State Railway system. The majority may be required to operate to meet Allied Government and essential civil requirements, and it is important that their operations be co-ordinated efficiently with those of the State owned railways.

3. To secure efficient co-ordinated operation is difficult, because the disorganisation of civilian administrations, owing to war conditions, make it impossible to obtain any really accurate information of ownership and control of the privately owned lines. Further, their most important administrative centres are still in enemy territory. It is therefore, important that arrangements be made for centralised control.

4. It is recommended that an Executive Order be issued to the Italian government, in respect of all privately owned railways in territories which have been and will be transferred to Italian administration under the supervision of the Allied Control Commission, to give effect to the following :-

- (a) The Italian State Railways Administration will assume control of all privately owned railways, including the arrangement of any financial assistance they may require.
- (b) The control to be exercised by the Italian State Railways as above, will be co-ordinated with the Director General Military Railway Service, or, as and when applicable, will be under the supervision of the Allied Control Commission.

1. The approximate lengths in kilometres of the Italian State owned and privately owned railways are given below :-

| | Standard Gauge | Narrow Gauge | Totals |
|-------------------|----------------|--------------|---------------|
| State Owned | 16,600 | 600 | 17,200 |
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| Totals | 19,450 | 3,700 | 23,150 |

* Excluding tramways and other local transport. (These figures were extracted from page 2 of the Preliminary Draft of Civil Affairs Handbook on Italy - Section eleven).

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- (b) The control to be exercised by the Italian State Railways as above, will be co-ordinated with the Director General Military Railway Service, or, as and when applicable, will be under the supervision of the Allied Control Commission.
- (c) The control to be arranged and exercised in such manner that the requirements of the Allied Governments affecting privately owned railways, which will be transmitted only to General di Raimondo Undersecretary of State for Railways, or to the Italian State Railway Administration, are given effect to efficiently and without delay.

6

(d) The financial terms of control to be a matter for the Italian Government to arrange with the parties concerned, but in any case where an appreciable part of the share Capital of the Undertaking is owned by any of the Allied Countries, the financial terms of control will be submitted to the Allied Control Commission for prior approval.

5. This letter has been approved by the Director General Military Railway Service. In giving his approval the Director General states he "does not desire to be involved in the detailed arrangements but does desire to be posted as to contemplated actions that have a bearing on the over-all railroad situation."

(Signed) S.A. FITCH Colonel,
Chief of Internal Transportation Sub-Commission, ACC.

27 JAN 1944

(5)

LDB/mip

In reply
refer to: TW/21/5-7

17 January 1944

Subject: Control of Privately Owned Railways, Italy.

To: Chief Internal Transportation Sub-Commission
c/o Nov & Tr AMTR Adv adm Reb COM.

1. Reference is made to your memo (C) TW/44/1 dated 4 January 1944, above subject.
2. In an informal conference with General di Raimondo, with respect to this matter he pointed out that according to Italian law, all railroads the construction and exploitation of which are committed to private companies are under the control and vigilance of the state.
3. Laws regarding concession railways were approved by Royal Decree dated 9 May 1912, No. 1447. Amendments to such laws were approved by R.D. 2 August 1929, No. 2150.
4. The General stated that the state exercises its control through the Ministry of Communications. At present control is exercised, in the four provinces of Apulia under the direct administration of the Italian Government, subject to Allied control, by General di Raimondo's office.
5. It is the General's opinion that it is not necessary for any decree to be issued in order that control be exercised over the privately owned railroads. With respect to financial aid it was stated that financial aid is put into effect by the state through the Ministry of Communications, according to provisions of the Italian law referred to, in the form of subsidies.
6. The matter of transfer of cars owned by the private systems to points on the state owned system was also discussed. It seems that in practice such transfers are not as a rule made. General di Raimondo said that he is in position to arrange any such transfers required. The General indicated that he had supplied information to General Gray with respect to the transfer of such cars.

17 JAN 1944

4

7. In view of the above it is suggested that you have a check made of the present Italian law and discuss this matter with General di Raimondo the next time he is in Naples. If it is found that an Executive Order or other action is necessary please inform me.

HENRY W. STONE *HS*
Captain, USN
Vice President
Communications Section

JAN 19 14
EAS/MSR

File.

20 January 1944

10/11 (3)

In reply
refer to : Tn/21/1-49

subject : Claims Against Italian Railways for loss and damage

To : Internal Transportation Sub-Commission, A C S
c/o Mr. & Mrs. ASK, Adv. Adm. Echelon DMF
Naples.

1. Reference is made to the following:

- a. Message 8665 of 10 Nov 43 from AFM to Fiambo.
- b. Ltr ACC Tn/9 of 6 Dec 43 to ACC Communications Section.
- c. Ltr ACC Tn/12/3 of 27 Dec 43 to ACC Communications Sec.

2. This matter was on 2 January referred to the Legal Sub-Commission for comments.

3. Attached as enclosure is copy of letter ACC/1/341.5 from Legal Sub-Commission dated 20 January 1944 - subject as above.

4. Are you in position to indicate the further particulars as to exact method of operation, consignment notes, etc., which the Chief Legal Officer states are required if he is to consider the matter further. You will note also that the Chief Legal Officer states "The Minister of Justice informs me that the Ministry of Communications has complete copies of these byelaws and if you will obtain a copy of the byelaws for the particular railway service concerned - if it is necessary to have the matter considered further, are you able to say which byelaws we should request for the Chief Legal Officer."

EMERY W. STONE *(Signature)*
Captain, USNR
Vice-President
Communications Section

Incl
Copy of ltr referred to in para 3

work

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee

(2)

GMW/gaf

20 January 1944

In reply
refer to : *AGC/1/2443.*

SUBJECT : Claims against Italian Railways for loss and damage.
TO : Communications Section, A.C.C.

Returned

1. Ref your inquiry dated 2 Jan. 44. I am unable to advise completely on the question submitted in the absence of a copy of the byelaws and particulars of the commitments and of further knowledge as to the type whether they comply with the requirements of Art. 165 of the Penal Code and so on. The Minister of Justice informs me that the Ministry of Communications has complete copies of these byelaws and if you will obtain a copy of the byelaws for the particular railway service concerned and further particulars as to exact method of operation, equipment notes, etc. I will consider the matter further.

2. Without prejudice to the ultimate opinion which may be expressed by this Subcommittee in the light of further information which may be submitted to it, I think it will probably be found that, in view of the peculiar relationship between the Allied Forces and railway services and the terms under which the latter are bound to provide services, liability under the Penal Code can be established.

3. Whether it is worth carrying this matter further may, however, be doubted for two reasons:

(a) If liability be established and the railway service ex-livis or A.M. lire and therefore the transaction would only amount to a bookkeeping entry in the books of the Allied Financial Agency, for the Italian Government are in any event bound to redeem all A.M. lire issued by the Allied Forces or to provide lire for our use.

(b) Directly or indirectly, losses suffered will be included in the bill for costs of occupation when ultimately it is presented.

3. If the real object of placing liability onto the railway service is to try and make them stricter and to reduce pilfering then such object is better attained by bringing direct pressure on the railway service to improve their supervision and invoking the aid of the Government to this end. Furthermore, apart from any law, there can be nothing to prevent the Allied Forces from retaining out of their weekly or monthly advances for operating expenses (which are not, I assume, monthly to any contract) a sum equal to the

1426

To : Communications Section, ACO

Re: Italian Railways for loss and damage.

1. Ref your memo, dated 2 Feb. 44, I am unable to provide details on the question submitted in the absence of a copy of the bylaws and particulars of the contract entered into of further knowledge as to the type and so on. The Minister of Justice informed me that the Ministry of Communications has complete copies of these bylaws and if you will obtain a copy of the bylaws for the particular railway service concerned and their particulars as to exact method of operation, assignment notes, etc. I will consider the matter further.

Without prejudice to the ultimate opinion which may be expressed by this subcommittee in the light of further information which may be submitted to it, I think it will probably be found that, in view of the peculiar relationship between the Allied forces and railway services and the terms under which the latter are bound to provide services, no liability under the Peace Code can be established.

2. Whether it is worth carrying the matter further may, however, be doubted for two reasons:

(a) If liability be established and the railway service actually paid the amount of damages from time to time, they could do so in lire or A.M. lire and therefore the transaction would only amount to a bookkeeping entry in the books of the Allied Financial Agency, for the Italian Government are in any event bound to ransom all A.M. lire issued by the Allied forces or to provide lire for our use.

(b) Directly or indirectly, losses suffered will be included in the bill for costs of occupation when ultimately it is presented.

3. If the real object of placing liability onto the railway service is to try and make them stricter and to reduce pilfering then such object is better attained by bringing direct pressure on the railway service to improve their supervision and invoking the aid of the government to this end. Furthermore, apart from any law, there can be nothing to prevent the Allied forces from retaining out of their weekly or monthly advances for operating expenses (which are not, I assume, made pursuant to any contract) a sum equal to the losses suffered. But whether this would be operationally sound seems to me doubtful.

/s/ G. A. Wilson, Colonel
/s/ G. H. Upton,
Chief Legal Officer, ACO

Major General
Flinders - 101

1427

①

HERBY WATKINS
ATTORNEY GENERAL, COMMISSIONER
Legal Dis-commission

GEN/GEN

6 November 1944.

In reply
refer to: 100/111.

SUBJECT: Train Services - Train.

Apprentice copy kept

My dear Sirs,

I enclose a card to be sent from the Minister of Justice about the train service to Train which is an important legal centre as the register of mortgages, etc. is kept there and present train service makes it very difficult to carry on.

I warned the Minister that I thought nothing could be done owing to the requirements of the Military, but if you could do anything to help us in the matter I should be very grateful.

Yours sincerely,

G. H. WATSON

(112)

5 December 1947.

In reply
refer to: 100/111.

SUBJECT: Train Service - Guard.

appears to be copy kept

My dear Sirs,

I enclose a card so cover from the Minister of Justice
about the train services to Lami which is an important legal centre
as the regulator of mortgages, etc. is kept there and present train
service makes it very difficult to carry on.

I wanted the Minister that I thought nothing could
be done owing to the requirements of the Military, but if you could do
anything to help us in the matter I should be very grateful.

Yours sincerely,

G. R. VICKERS

(13)

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