

VOLUME II XXXX CLOSED 17 OCTOBER 1945

SEE VOLUME III

173

138A

MINISTER OF PARDON AND JUSTICE

(Liaison Officer with Allied Commission)

File 1017

Office of H.A. The Minister
Prot. No. UC/4571

Rome, 17 Oct. 45.

SUBJECT : Case in Re Murde of the
Honorable MATTEOTTI.

TO : Allied Commission
Legal Sub-Commission - ROME -

113

The enclosed request of the pre-trial division of the
Rome Court of Appeal is forwarded to your Sub-Commission, with reference
to pre-trial proceedings in Re the Hon. MATTEOTTI.

It is requested to transmit the above request, with urgency
please, to the U.S. District Court (State of Texas).

Liaison Officer
(Mr. Giorgio Bonelli)

(Sgd) BONELLI

Translation by
S/Sgt. Joseph LALON.

(original sent to American)

Declassified E.O. 12958 Section 1.1, 1.4
Translation by
S/Sgt Joseph LAIA.

Rome, Court of Appeal

Pre-trial Section

SUBJECT : Request for DOMINI's Memoir

Home 13 Oct. 45

Prot. No. 106

Answer to letter of

Enclosures No.

Div.

Sec.

The pre-trial proceedings of DOMINI Amerigo et al. is now pending before the pre-trial section of this Court of Appeal. (the accused were) charged with kidnapping and premeditated homicide of the Hon. MATTEOTTI; crimes committed in Rome on 10 June 1924.

The proceedings already held disclose that and it is admitted by the very accused DOMINI-he (the accused) during years gone by, sent to attorney Arnold A. RITA, of San Antonio Texas, his writing, containing declarations essential to the proceedings above stated.

Pursuant to a request by the "Procuratore Generale" (Prosecuting attorney) of that Court of Justice, the Minister of Pardon and Justice communicates (that) DOMINI's manuscript is now with the "Federal Bureau of Investigation" awaiting the decision of the State Department as to whether the document, should or should not be returned to the Italian Judicial Authorities.

Since, as it appears, the DOMINI's memoir is of great importance to the pending proceeding, formal request is made for the disposition of the transmission of documents in subject, or at least, a photostatic copy of the same.

The President of the
pre-trial Sec

(Sgd) Illegible

(seal)

file 4017

137A

HONORABLE BOB SMITH
United States District Attorney
San Antonio, Texas

Dear Bob :

I raised my eye brows this morning as the enclosed request from the Court of Appeal (Rome) came across the desk for routine dispatch to the United States Court at San Antonio, Texas.

I take it that some papers have been taken from Martin Arnold by the F.B.I.; that these papers, or at least copies thereof, are needed in a very serious (extraction) case before the Rome Court. That the Italian Government has made representations to our State Department, and this request follows to the locality where said papers are alleged to be.

At any rate, as Chief Legal Officer of the occupational government set-up, I am passing it along to you for whatever action necessary. In all probability you will have to pass it along to some one else. It will be appreciated if you will place it in proper hands for attention and action. The reply should come back to The Allied Commission, Attention: Chief Legal Advisor - Headquarters, 2675 Regent AC, APO 394, Postmaster, NY. We can and will deal direct with the Italian Court in Rome.

I send my best regards to one and all in the old home town. I am still in Rome!

Sincerely

FROM :

JOHN K. WEISS,
Colonel, Infantry,
Chief Legal Advisor,
Allied Commission - APO 394
U.S.A. Army

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MT/lo.
18 October 1945.

AC/4017/L.

SUBJECT : Transmission of Documents.

TO : Regional Commissioner (Attn: Regional Legal Officer),
VENEZIE Region.

1. Reference your N RAIL/IR/Udi/C/G7 of 12 October 45.
2. I return herewith the documents enclosed in your letter, as this Sub-Commission has no means of sending them to Linz, Austria, as requested. Documents were recently sent to Displaced Persons in order to be forwarded to Germany but were returned to this Office by D.P. Inquiries have been made here, but no means have been found of forwarding documents to Germany or Austria except the ordinary post.

By command of Rear Admiral STONE:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

Declassified E.O. 12958 Section 5.1
File
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

135A

MT/lo.
17 October 1945.

AC/4017/L.

SUBJECT : Dott. Carlo MIRZA.

TO : Direzione Generale Personale del Ministero degli
Affari Esteri.

I have been requested to forward to you the attached documents relating to the application of Dott. Carlo Mirza at present employed in the Provincial Legal Office, Venezia Province, for transfer to the Ministry of Foreign Affairs. His application is supported by the Provincial Commissioner, AMG, Venice, who gives details of his legal and language qualifications. It is also accompanied by an appreciation by the former Provincial Legal Officer of Dott. Mirza's valuable services to the Allied Military Government.

JOHN K. WEBER,
Colonel Infantry,
Chief Legal Advisor.

Incls.

4017.
✓

134A

HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394
Legal Division

12 October 1945

TO : Chief Legal Adviser, Legal Sub-Commission,
H.Q., A.C.

SUBJECT : Transmission of documents.

FILE No : RXII/LE/Udi/C/07.

1. Enclosed please find documents and papers pertaining to HERMINE STEINER.
2. These papers are forwarded to you on the assumption that you will have some way of transmitting them to Linz, Austria.

113

C.L.P. Gilshenan

C.L.P. GILSHENAN, Major,
Regional Legal Officer,
Venezie Region.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RIS	
13 OCT 1945	

↖

HEADQUARTERS
VENEZIA REGION
ALLIED MILITARY GOVERNMENT
APO 394
Legal Division

133A

11 October 1945

TO : Chief Legal Adviser, Legal Sub-Commission,
H.Q., A.C., (for Italian Branch)

SUBJECT : Dott. Carlo MIRZA.-

File No : RXII/LE/Reg/E/04.

1. Reference ^{enclosed} ~~attached~~ letter and attached documents
may the application of the above be submitted to the appro-
priate Quarter please ?

C. L. P. Gilshenan
C.L.P. GILSHENAN, Major,
Regional Legal Officer,
Venezia Region.

LEG	1
CLO	
DEL	
CL	
CT	
Italian Section	
CL RKS	

172

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

132A

AC/4017/L.

/lo.
10 October 1945.

SUBJECT : Transmittal of documents to Germany.

TO : Allied Control Commission, British Sector, B.L.A.
(Attn: Italian Liaison 521 MIL.GOV.DET.)

Forwarded herewith are documents received from the
Public Prosecutor, Extraordinary Court of Assize of Bolzano
regarding penal proceedings against NISITEO Nicolò and letter
from Leo Braunstein of 14 September 1945.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

171

File

131A

HEADQUARTERS ALLIED COMMISSION
APO 439
LEGAL SUB-COMMISSION

AC/4017/L

/LN
9 October 1945

SUBJECT : ANDREOLZI Michele, IPW. Request for information
TO : Minister of Pardon and Justice.

1. Reference your UC/3145 of 10 Aug. 1945.
2. This Sub-Commission has now been advised by the Italian Prisoners of War Division that there is no record of ANDREOLZI Michele.

170

MUSGRAVE THOMAS
Italian Branch
For Chief Legal Advisor

4007

GGE/cp (130A)

HEADQUARTERS ALLIED COMMISSION
APO 394
DISPLACED PERSONS AND REPATRIATION SUB-COMMISSION

DPR/1-6/ADM

Tel. 489081 Ext. 576

8 October 1945

SUBJECT : Transmittal of documents to Germany.

TO : Legal Sub-Commission, A.C.

1. Reference attached forwarded under cover of your AG/4017/L of 26 September 1945.

2. It is not the function of the Sub-Commission to forward correspondence to addresses either within or outside Italy.

3. Normal civilian postal channels should be used.

For the Director:

K. C. BROWN
Lt. Col.,
O.i/c ADM.

ITC	GB	COMM
CEO		
DCLO		
Chief Counsel		
CIO		
Italian Section		
CL RKS		
9 OCT 1945		

163

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION
ITALIAN PRISONERS OF WAR DIVISION

MT/mdp

129A

IPW/1/3/1363 B

5 October 1945

SUBJECT : Prisoner of War ANDREOZZI, Michele

TO : Legal Sub-Commission A C

102A

Reference your letter AC/4017/L dated
20 Aug 45

1. This Office has been informed that there is
no record of ANDREOZZI, Michele. Suggest Italian Author-
ities be contacted for any information available.

JAMES E. REGIS
Lieut. Colonel
Chief
IPW Div.

LEGAL SUBCOMMISSION	
CLO	/
DELO	
Chief Counsel	/
CJO	/
Report	/
CL	/
9 OCT 1945	/

DECLASSIFIED E.O. 12958 SECTION 1.4, DATE 10/1/00

303/1

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(128A)

AG/4017/L.

/10.
2 October 1945.

SUBJECT : S.E. Michele Giuliano.

TO : The Minister of Pardon and Justice.

1. The enclosed application in respect of the above named is passed to you.

2. Regional Legal Officer, Lombardia Region, recommends that the application be approved.

161

G. G. HANRAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

Incl.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

127A

/lc.
2 October 1945.

AG/4017/L.

SUBJECT : Transmittal of request by Special Court of Assize
at Bolzano.

TO : Hq., Austria Commission (American Sector).

The attached correspondence received from Regional
Legal Officer, Venezia Region, is forwarded.

G. G. HANNAPORD,
Lt. Col.,
Deputy Chief Legal Advisor.

168

Incl.

126A

TO : Chief Legal Adviser, Legal sub-Commission,
Hq. AC. (for Italian Branch)

SUBJECT : Transmittal of request by Special Court of Assise
at Bolzano.

FILE No : RXII/LE/Bol/C/09

Enclosed is a letter from the P.C. Bolzano and from the Public Prosecutor of the above Court for transmittal to AMO. Innsbruck please.

C.E.P. Gilshenan Major,
Regional Legal Officer
Venezie Region.

Clerks
Please forward
to Austria Commission
Austrian sector

H ←

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

125A

AC/4017/L.

/pa.
28 SEPT 45/

SUBJECT : Transmittal of documents to Germany.

TO : Displaced Persons Sub-Commission.

Would you be kind enough to forward the enclosed documents to the appropriate addressees in Germany.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

164

Incls.

H 017.

124A

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5071

21 September 1945

SUBJECT : Leo Braunstein.

TO : HQ. Allied Commission
(Legal Sub-Commission)

1. The attached correspondence constitutes a request by the above-named individual for employment as a magistrate in Germany. He states that he made a similar application to HQ. Allied Commission on 17 July but has received no reply.

163

2. You may think it worth while to forward the correspondence to A.C.C. Germany.

For the Regional Commissioner :

H.M. Dickie

H.M. DICKIE
W/CDR. RAF
Regional Legal Officer

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CIO	
Italian	
CL RKS	
21 SEP 1945	

vb

OK
forwarded
9/24

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5026

18 September 1945

SUBJECT : S.E. Michele Giuliano

TO : HQ. Allied Commission
Legal Sub-Commission.

1. S.E. Giuliano has asked this Division to forward the enclosed application through you for onward transmission to the Ministry of Industry.

2. After prolonged efforts, tyres were found in Milan for his car which is in Rome, but it now appears that his permit has been held up.

3. In view of S.E. Giuliano's position here and the valuable work he is doing, could you please bring some pressure to bear on the Italian authorities so that he may have the use of his car without further delay.

For the Regional Commissioner :

H.M. Dickie
H.M. DICKIE
W/CDR. RAF
Regional Legal Officer

20 SEP 1945

HEADQUARTERS ALLIED COMMISSION
APC 394
LEGAL SUB-COMMISSION

AC/14017/L.

26 September 1945.

SUBJECT : Sale of Salvage.

TO : Regional Commissioner (Attn: Lt. J. J. Scanlan - Legal),
VENETIAN Region.

1. The following signal from MTOUSA has been received at this Hq:

"Desire following message be delivered Lieutenant Scanlan:
"Letter report received subject report on salvage sales in
Sardinia. Files of this Headquarters have been closed."

By command of Rear Admiral STONE:

JOHN K. WEBER,
Colonel, Inf,
for Chief Legal Advisor.

161

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

121A

Originator's Reference: C 21363

Date/Time of Origin: SEP 21551A

Message Centre No: P/8550

Date Time Rec'd: SEP 220915

Precedence: ROUTINE

FROM: NTCUSA

TO: CHIEF COMMISSIONER ALCOM

ACTION

UNCLASSIFIED.

Desire following message be delivered Lieutenant SCANLON: "Letter report received subject report on salvage sales in SARDINIA. Files of this Headquarters have been closed." References are your cable 2921 of 1 August and our cable 9-9903 of 9 August.

HEADQUARTERS
27 SEP 1945
A. C.

DIST

ACTION LEGAL SC
INFO CHIEF COMMISSIONER
FILE 2
FLOAT

ALLIED COMMISSION

CLO

DCLO

Chief Counsel

CJO

Section

CLERKS

24 SEP 1945

Leapt 13 em 103 ←

THE HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

120A

AC/4017/L.

JL/lc.
25 September 1945.

Subject : Charges against Polish Personnel.

To : Liaison Branch HQ AC.

1. Forwarded herewith are the following documents :

- a) Bari Liaison Officer's letter LB/53/134 of 17Set.45.
- b) "Regia Marina Tribunale Militare, Lecce" letter Prot. N° 6555 of 10 Sept. 45.
- c) CCRR Report signed by Giuseppe Monteleone of 2 Sept. 45.
- d) Copy of CCRR letter to Polish HQ of 31 Aug.45.
- e) Bari CCRR, Processo Verbale signed by Percario Franco and Gastone Percario.

2. May the above documents be please transmitted to the Polish Military HQ, for such action as they may deem necessary.

JOHN K. WEBER,
Col. Inf.
Chief Judicial Officer,
for Chief Legal Advisor.

Copy to:

Allied Commission
Liaison Officer BARI.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

24 September 1945. /rlp.

AC/4017/L.

SUBJECT : JUDICA Carmelo di Salvatore.
TO : Yugoslav Advisory Commission.

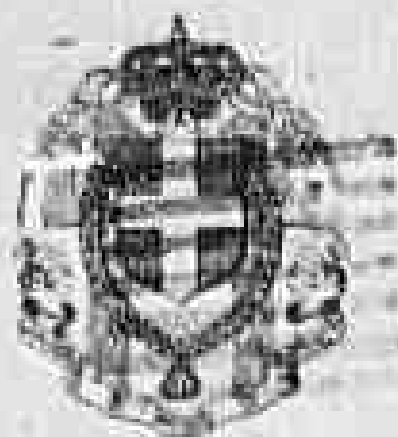
1. I enclose the petition of the sister of the Guardia della Finanza JUDICA.
2. Could some information be obtained please?

Incl: Petition.

C. G. HAMMARD,
Lt. Col.,
Officer i/c Italian Branch,
For Chief Legal Advisor.

198

119A



4017 *Int.*
Mod. 2
118A
Ministero di Grazia e Giustizia

Gabinetto di S. E. il Ministro

Roma, 15.5.1945 199 A

Protocollo N. 823/A.C.

OGGETTO Richiesta notizie Sottobrigadiere R. Guardia
di Finanza (Ramo mare) Carmelo Iudica.

COMMISSIONE ALLEATA
Sottocommissione Legale
R. C. M. A.

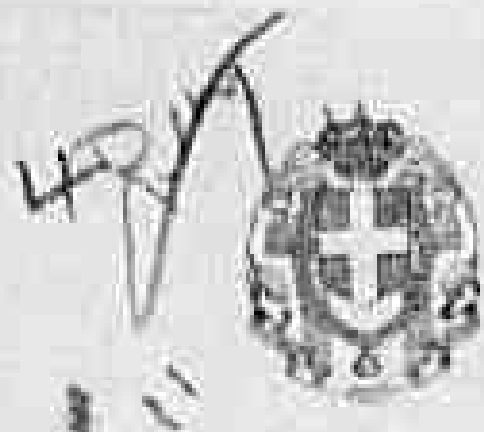
157

L'Avv. Prof. Ada Iudica ha presentato a questo Ministero l'allegato esposto in cui si richiede che siano fatte ricerche del di lei fratello Carmelo Iudica sottobrigadiere della R. Guardia di Finanza (Ramo mare), arrestato a Valle d'Istria dai partigiani jugoslavi e deportato in Croazia il 25.5.1945.

Si trasmette a codesta Commissione l'esposto in oggetto con preghiera di volere, se possibile, far provvedere per la ricerca delle notizie richieste dall'interessata.

LEGAL SUB.COMMISION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	A
CLERKS	
17 SEP 1945	

1/1 L'UFFICIALE DI COLLEGAMENTO
[Signature]



Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio I° A.P.
Prot. N° 9/38/1985

Roma, 12 Settembre 1945

117A Mod. 40

11a COMMISSIONE ALLEATA
Sottocommissione Legale

NOA

R o m a

Registrazione del 21/8/1945
Dir. AC In. N° 4017/L

OGGETTO Aggressione ad opera di militari indiani
in danno del Procuratore del Regno in Firenze,
Dott. BALSANO.

e per notizia:
All'Ufficio Collegamento
GABINETTO

Si assicura di avere impartito al
Procuratore Generale di Firenze le opportune
istruzioni, in conformità della suindicata
richiesta di codesta Sottocommissione Lega-
le.

IL DIRETTORE DELL'UFFICIO I°

LEGAL SUB.COMMISSION
CLO
ECLO
Ref. Control
13
Station Section
2 RKS
118 SFO

156

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

116 A

AC/4017/L.

11 September 1945. /rip.

SUBJECT : Signora Scaglioni's letter to General Mark Clark.

TO : Regional Commissioner (Attn: Regional Legal Officer),
LOMBARDIA Region.

1. The Commanding General U. S. Forces in Austria has directed that the attached letter be forwarded to AC Hq for action.
2. I do not know what action can be taken as I am not aware of the facts of the case. ~~But~~ PLO Brescia may be in a position to ascertain them.
3. The good lady's letter ~~gives~~ rather sore to me.

By command of Rear Admiral STONE:

C. G. HANFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incls.

153

4017 ✓

Final Sec.
115A
13

HEADQUARTERS
UNITED STATES FORCES IN AUSTRIA
APO 777

2 September 1945

SUBJECT: Letter of Transmittal.

TO : Commanding Officer, Allied Commission for Italy, A.P.O. #394,
U. S. Army

The Commanding General, U. S. Forces in Austria, has received the inclosed letter from Mrs. Margherith Fenoglio Scaglioni Lusser, Villa Franchini, Sirmione del Garda, Italy, and has directed that it be referred to you for any action which you deem appropriate. The Commanding General has informed his correspondent that he has transmitted her letter to you.

FOR THE COMMANDING GENERAL:

154

Incl:

- #1 - Ltr fr Mrs. Margherith Fenoglio Scaglioni Lusser to General Clark.

Mark A. Forgette

MARK A. FORGETTE,
2d Lieut., Inf.,
Actg Asst Adj Gen.

Rho handwritten
Subject: Supreme Scaglioni Lusser's letter to General Mark Clark

- 1 - The Commanding General U. S. Forces in Austria has directed that the attached letter be forwarded to A.C. #42 for action
- 2 - I do not know what action can be taken as I am not aware of the facts of the case. Maybe P.D. Brennan may be in a position to ascertain them.
3. The good lady's letter reads rather scary to me -

(3504)

Declassified A.O. 12850 Section 1.1
4017
HEADQUARTERS ALLIED COMMISSION
AFC 394
CIVIL AFFAIRS SECTION

114A

Ref : 1/208/CA

6 Sep 45

SUBJECT : Information

TO : Procura Generale del Regno presso
Tribunale Militare Territoriale
di Guerra - BOLOGNA.

Reference your letter 3340 di prot of the 4 Sep.

If you wish to get in touch with Capt JOHNSON on any legal matter it will be quickest if you sent your correspondence to the Legal Sub-Commission here who will forward your letter by air to North Italy where Captain JOHNSON is now located.

S.H. WHITE Lt Col,
CSO CA Section.

Copy to : Legal S/C

MR
TO
DELO
Chief Counsel
CLO
Italian Section
RKS

7 SEP 1945

2504

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

113A

AC/4017/L.

ES/lc.
1 September 1945.

SUBJECT : Lt. Enrico Brunetti; application for release of
IPOW, held at Modena.

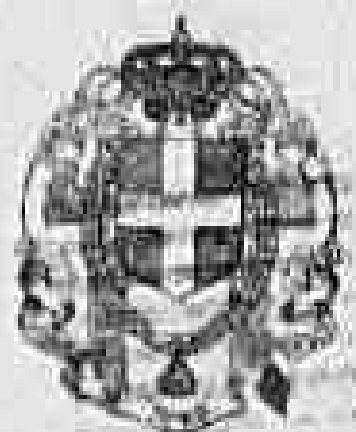
TO : The Minister of Pardon and Justice.

1. Reference your UC/4233 of 29 August 1945.
2. Although not expressly stated it would appear from the application that Lt. Brunetti is a former member of the neo-fascist armed forces held as POW in an Allied camp at Modena.
3. It is regretted that a request for release of Lt. Brunetti on compassionate grounds cannot be favourably considered at this time.
4. The application and the letter of the Segreteria di Stato di Sua Santità are returned herewith.

152
MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls:

- Incl.1-application
- Incl.2-Letter fr Secty of State, Vatican City.



MINISTERO DI GRAZIA E GIUSTIZIA

Subinetto di S. E. il Ministro

112A

Roma, 29 agosto 1945

Alla Commissione Alleata
Sottocommissione Legale

OGGETTO: Enrico Brunetti.

ROMA

Si trasmette per competenza l'unita istanza
con preghiera di comunicare l'attuale situazione
del nominato in oggetto.

L'UFFICIALE DI COLLEGAMENTO
(Dr. Giorgio Bonelli)

Bonelli

ANTA

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4017/L.

26 August 1945.

SUBJECT : Enquiry.

TO : G-1, HQ, MFOUSA, APO 512.

1. Would you please advise whether the below listed officer is still in this theatre and give his present address :-

Lt. Frank Earl Andersen,
O-10-30321
36 Recen.
APO 36.
Postmaster New York.

2. This information is requested in order that a parcel may be forwarded to him which he has left behind.

G. G. HANNAFORD,
Lt. Col.,
Officer i/o Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/lc.

27 August 1945.

AC/4017/L.

SUBJECT : Aggressione ad opera di militari indiani in danno
del Procuratore del Regno in Firenze, dr. BALSAMO.

TO : The Ministry of Pardon and Justice.

1. The report referred to in your Prot. N°9.38.1985
Uff. A.P. of 18 August 1945 was not enclosed.

2. This matter would appear to be within the
jurisdiction of the Public Safety Sub-Commission to which
you might wish to refer the relative document.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

4017



Ministero della Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio 1° A.P.
Rel. N° 9.38.1985

109A
Roma 18.8.1945

LA COMMISSIONE ALLEA-
TA
Sottocommissione Legale

R O M A

Oggetto: Aggressione ad opera di militari indiani
in danno del Procuratore del Regno in Firenze, Er.
Balsano.

E PER CONOSCENZA:
ALL'UFFICIO COLLEGAMENTO

S E D E

All. 1

Per competenza, si trasmette la co-
pia del rapporto N.442/10515, in data 4 agosto c.a.
della Direzione Generale della F.S. presso il Regio
Ministero dell'Interno, relativo all'aggressione
indicata in oggetto.

pel MINISTRO

Enclosure not
needed

143

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

/pa.
27 Aug 45.

SUBJECT : Petition of POLISI Salvatore.

TO : Public Safety Sub-Commission.

Enclosed herewith for any action you might deem necessary is the above petition for release of material allegedly confiscated by the Allied Police and held by an Allied Military Authority in Siena.

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Ital. Branch
for Chief Legal Advisor.

Copy to : Ministry of Pardon and
Justice (your 107 A.P. of 22
Aug refers).



Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio 1° AP.
Prot. N° 107

107A
Roma 12 Agosto 1945
LA COMMISSIONE AL-
LEATA
Sottocommissione Legale
ROMA

Rapporteur del
Dr. Dr. Dr. Dr.

Oggetto: Polisi Salvatore. Ricorso.

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO - CABINETTO-
==S.E.E.E==

Per quanto di giustizia s'invia l'unito
ricorso con cui Polisi Salvatore chiede la
restituzione di merce sequestratagli dalla Po-
lizia Alleata e giacente presso il Comando
Alleato di Siena.

D'ORDINE DEL MINISTRO

Luciani

100

Declassified E.O. 12958 Section 1.1, 1.2, 1.4
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

106A
/10.
27 August 1945.

AC/4017/L.

SUBJECT : Sale of Salvage.

TO : Regional Commissioner (Attn: Lt. J.J. SCANLAN -Legal),
VENEZIA Region.

The attached correspondence is forwarded for
necessary action.

By command of Rear Admiral STONE:

143
W. E. BEHRENS,
Colonel,
Chief Legal Advisor.

Incls.

4017

105A

HEADQUARTERS
MEDITERRANEAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 312

In reply
refer to

400.93/140 QM-C

24 August 1945

SUBJECT: Sale of Salvage

TO: Chief Commissioner
Allied Commission
APO 394
FOR: Legal Sub-Commission
ATTENTION: Lt. Scanlon

1. Reference is made to Informal Routing Slip, Quartermaster MFOUSA to Lt. J. Scanlon, 2 August 1945 and MFOUSA cable C-9903 dated 9 August 1945, copies attached.

2. To date, final accounting has been accomplished on all sales and transfers of material except the transaction covering the disposal of Class "D" tentage, valued at \$1700.00, in Sardinia.

3. Examination, at our request of Fiscal Department, of the retained records of Lt. Hooker has failed to reveal any trace of transaction on sale of Class "D" tentage.

4. In view of the length of time surrounding correspondence relative to the final disposition of Salvage in Sardinia and in order to accomplish final accounting on sales, it is requested that a complete written report be submitted showing disposition of all material sold and abandoned in the final close-out of Sardinia and particularly as to the above mentioned transaction.

5. Report is to be made so as to reach this headquarters by 15 September 1945.

BY COMMAND OF GENERAL MCJANNET:

R. H. FRISE
Major, AGD
Asst Adjutant General

R. H. FRISE
Major, AGD
Asst Adjutant General

2 Incls
As stated in par 1 above
Copy furnished
Regional Commissioner
AGC, Venezia Region

27 AUG 1945

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: 0 13486
Date/Time of Origin: AUG 211819

Message Centre No: F/4782
Date Time Rec'd: AUG 220915
Precedence: ROUTINE

FROM AFHQ

TO : AICOM ROME INFO REGIONAL COMMISSIONER VENEZIA REGION

UNCLASSIFIED.

" In view of AICOM advice that Lt SCANLON engaged in important legal proceedings, officer need not report to this HQ as directed in our C-9903.

Detailed list of questions relating to closing ALLIED SARDINIA Garrison will be furnished Legal Sub Commission AICOM for forwarding to Lt SCANLON.

Request Lt SCANLON be directed to submit reply without delay.

DIST

ACTION INFO LEGAL SC
CHIEF COMMISSIONER
C A SEC
G-1 (A)
FILE 2
FLOAT

*LIST of info to forward to the SC -
exp receipt. Lt SCANLON submit
advice with 248 hours NA*

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

GGH/lo.

22 August 1945.

AC/4017/L.

SUBJECT : ANTICH Tranquillo Giovanni. Zingaro fiumano confinato
comune.

TO : Public Safety Sub-Commission.

1. The attached, addressed to you, was passed to this
Sub-Commission by your office without comment.

2. This appears to be a matter entirely for Italian
authorities to decide. They sent a man to confine some years
ago and they wish to release him now. The confine is situated
in restored territory. I do not see that AC or any other Allied
authority has any say in the matter. It is purely an Italian
affair. In any case no questions of law are involved.

G. G. HANNAFORD, Lt. Col.,
Officer i/c Italian Branch
for Chief Legal Advisor.

Incls.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/lc.

20 August 1945.

AC/4017/L.

SUBJECT : ANDREOZZI Michele, IPOW. Request for information.

TO : WMD and IPOW Sub-Commission.

1. The enclosed petition accompanied by a note UC/3143 of the Ministry of Justice is passed to you for necessary action.

2. Would you please communicate the result of your inquiry to this Sub-Commission.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch, 141
for Chief Legal Advisor.

Incls. 2

4017 ✓

HEADQUARTERS ALLIED COMMISSION
A.P.O. 394
PUBLIC SAFETY SUB COMMISSION
SECURITY DIVISION

REF : SD/56C.01

16 August 1945

SUBJECT : ANDREZZI Michele

TO : Director, Legal Sub Commission

181A

1. Reference your AC/4017/L dated 13 August 1945.
2. The petition forwarded therewith should be referred to VMD and IPW Sub Commission. Subject is a **POW**, and as such does not come within the jurisdiction of this Division.

A. P. P. *Burroughs*
Cap

for JOHN W. CHAPMAN,
Colonel J.A.G.D.,
Director Public Safety,
Sub Commission.

TFC/nb

LEGAL SUB COMMISSION
CLO
DCLO
CHIEF CLERK
CLERK
RECORDS
CLERK
20 AUG 1945



9563



MINISTERO DI GRAZIA E GIUSTIZIA

Gabinetto di S. E. il Ministro

Roma, 10 agosto 1945

N. 26/5115

All 1a Commissione Alleata
Sottocommissione Legale

OGGETTO: ANDREOZZI Michele.

R O M A

Si trasmette per competenza l'unita istanza
relativa al nominato in oggetto con preghiera di
communicare l'attuale situazione del medesimo.

L'UFFICIALE DI COLLEGAMENTO
(Dr. Giorgio Bonelli)

Bonelli

133

Stampa per il Ministero della Giustizia

CCO

DCLO

Chief Counsel

CIO

Italian

CL RK

17 AUG 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

1014
/rlp.
13 August 1945.

file.
AC/4027/1.

SUBJECT : ANDREOLLI Michela, detainee in the Modena Camp.

TO : Public Safety S/C.

1. The enclosed petition accompanied by a note UC/3143 of the Ministry of Justice is passed to you for necessary action.

2. Would you please communicate your answer directly to the Ministry of Pardon and Justice.

G. G. HARRINGTON,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

2 Incls:

Incl 1 - Petition of Andreolli Licia dtd Rome 10 Aug 45.

Incl 2 - Note UC/3143 of Min of Justice dtd 10 Aug 45.

Copy to: Ministry of Pardon and Justice (your UC/3143 of 10 Aug 45 refers).

4017.

File

100A

HEADQUARTERS
AMG FIFTH ARMY
APO 464 US ARMY

WDH/jm

14/7

10 August 1945

SUBJECT: Transmittal of Files.

TO: Archivist, HQ Allied Commission.
 Adjutant, HQ Allied Commission.
 Legal Subcommittee, HQ Allied Commission.
 R.C., Lombardia Region.
 R.C., Piemonte Region.
 R.C., Venezia Region.

1. Herewith at Appendix "A" is the list of files for the Legal Division HQ AMG 5th Army which have been forwarded to the Archivist, HQ Allied Commission.

W.D. Hayne
W. D. HAYNE,
Major, R.A.,
Admin. Officer,

137

Copy to: G-5, 5th Army.

LEGAL SUBCOMMISSION	
CLO	☒
DCLO	☐
Chief Counsel	☐
CJO	☐
Italian Section	☐
CL RKS	☐
13 AUG 1945	☐

FILE

Serial	Number	Subject	Dates	Despatched	
				to	Date
L88 1	208/1	Planning for legal functions of IV Corps in N. Italy.	Mar 45 - Aug 45	Archivist AG	10
L88 2	208/2	AGC Court Policy	Dec 44 - Aug 45	"	"
L88 3	208/4	Implementation of Ital Legislation in Army Area	Oct 44 - Aug 45	"	"
L88 4	208/7	Interpretation and alteration of Proclamation	Feb 44 - Aug 45	"	"
L 5	208/8	Legal Personnel	Nov 44 - Aug 45	"	"
L88 6	208/10	Italian Courts - General	Nov 43 - Aug 45	"	"
L88 7	208/12	Financial matters	Mar 45 - Aug 45	"	"
L88 8	208/13	Applications for Review	Nov 43 - Aug 45	"	"
L88 9	208/15	Provincial Legal Officers	Jan 44 - Aug 45	"	"
L88 10	208/15 A	"Outside" Legal reports	Aug 44 - Aug 45	"	"
L88 11	208/16	Returns of cases - Summary and Superior Courts	Aug 44 - Aug 45	"	"
L88 12	208/25	Prostitution and Venereal Disease	Dec 43 - Aug 45	"	"
L88 13	208/26	Italian Military Tribunals	Oct 43 - Aug 45	"	"
L88 14	208/30	Property of Allied Forces	Nov 43 - Aug 45	"	"
L88 15	208/33	Reports by Senior Legal Officers	Jan 43 - Aug 45	"	"
L88 16	208/35	Administrative Instructions - H. 400.	Nov 43 - Aug 45	"	"
L88 17	208/42	Administrative Instructions to AGOs.	Dec 43 - Aug 45	"	"
L88 18	208/43	Conferences and Meetings	Nov 43 - Aug 45	"	"
L88 19	208/44	Forms	May 44 - Aug 45	"	"
L88 20	208/45	Cases awaiting trial	Dec 43 - Aug 45	"	"
L 21	208/48	Property Matters and Real Estate.	Oct 44 - Aug 45	"	"
L88 22	208/49	Claims and Requisitions	Jan 44 - Aug 45	"	"
L88 23	208/51	Letters re Return to cases and observations on these	Dec 43 - Aug 45	"	"
L88 24	208/53	Expionage Cases - Secret.	Dec 43 - Aug 45	"	"
L88 25	208/56	Civilian employees	Jan 44 - Aug 45	"	"
L88 26	208/63	Fascists, Internees, Suspects, CIC Reports and Refascistization.	Jan 44 - Aug 45	"	"
L88 27	208/76	Review of Espionage and Sabotage Cases - Secret	Mar 44 - Aug 45	"	"
L88 28	208/82	Edoardo Carlo Case.	Jan 44 - Aug 45	"	"
L88 29	208/88	Long Term sentences (Ministry of Justice)	May 44 - Aug 45	"	"
L88 30	208/92	Naval Censor Case.	Apr 44 - Aug 45	"	"
L88 31	208/98	Di Marco Mariano Case.	Apr 44 - Aug 45	"	"

FILE		PREVIOUS FILES				
Subject	Dates	Despatched		Dates	Despatched	
		to	Date		To	Date
Functions of IV Corps in	Mar 45 - Aug 45	Archivist AG	10 Aug 45			
Real Legislation in Army Area	Dec 44 - Aug 45	" "	" "			
alteration of Proclamation	Oct 44 - Aug 45	" "	" "			
	Feb 44 - Aug 45	" "	" "			
	Nov 44 - Aug 45	" "	" "			
General	Nov 43 - Aug 45	" "	" "			
	Mar 45 - Aug 45	" "	" "			
Review	Nov 43 - Aug 45	" "	" "			
Officers	Jan 44 - Aug 45	" "	" "			
Ports	Aug 44 - Aug 45	" "	" "			
Summary and Superior Courts	Aug 44 - Aug 45	" "	" "			
General Disposal	Dec 43 - Aug 45	" "	" "			
Prisoners	Oct 43 - Aug 45	" "	" "			
Prison	Dec 43 - Aug 45	" "	" "			
Legal Officers	Jan 43 - Aug 45	" "	" "			
Instructions - H. AGC.	Nov 43 - Aug 45	" "	" "			
Instructions to AGC.	Dec 43 - Aug 45	" "	" "			
Setings	Nov 43 - Aug 45	" "	" "			
	May 44 - Aug 45	" "	" "			
Real	Dec 43 - Aug 45	" "	" "			
Real Estate.	Oct 44 - Aug 45	" "	" "			
Actions	Jan 44 - Aug 45	" "	" "			
To cases and observations on	Dec 43 - Aug 45	" "	" "			
Secret.	Dec 43 - Aug 45	" "	" "			
	Jan 44 - Aug 45	" "	" "			
As. Suspects. STS Reports	Jan 44 - Aug 45	" "	" "			
On.						
and Sabotage Cases - Secret	Mar 44 - Aug 45	" "	" "			
	Jun 44 - Aug 45	" "	" "			
(Ministry of Justice)	May 44 - Aug 45	" "	" "			
	Apr 44 - Aug 45	" "	" "			
See.	Apr 44 - Aug 45	" "	" "			

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/10.
11 August 1945.

AC/4017/L.

SUBJECT : Dott. Gianfranco MATTEI arrested by German S.S.
TO : Public Safety Sub-Commission.

Enclosed herewith a petition of the mother of the
above with a covering note UC/4712 of Ministry of Justice for
any action you might deem fit.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch, 35
for Chief Legal Advisor.

Incl.

Copy to : Ministry of Pardon
and Justice for information.

DECLASSIFIED BY: 1550 SECTION 1552

1

BEST COPY POSSIBLE

2025001

2017

File

98A

RECEIVED DIRECTOR, FBI, WASHINGTON, D.C. JULY 10, 1963

TO

FROM

SUBJECT

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

RE: [illegible]

4017

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

97A
Legal

Originator's Reference: 3-1903
Date/Time of Origin: AUG 091330B

Message Centre No: 2/3252
Date Time Rec'd: AUG 100845
Precedence: PRIORITY

FROM: AFHQ
TO: ALGERIA

UNCLASSIFIED.

"Lt SCARLETON has not rendered satisfactory report on close out of Allied garrison SANDRIA. Request orders be issued directing Lt SCARLETON to report to 34 Section AFHQUSA without delay, with all pertinent documents, so that a final report may be made." (Your 2324 refers.)
Legal/AFHQ/USC/L of 31 July 1945

93A

133

ORIGINALS
A. C.

ACTION
INFO

LEGAL CC
CHIEF COMMISSIONER
CA SEC
CT A
FILE 2
FLOAR



US - SHC
CLO
CLO
Ch of Counsel
Minister Section
CL RKS

ACTION

10 AUG 1945

4017
7/20

95A

2 August, 1945.

SUBJECT : Forwarding of Correspondence from OC, 57 Mobile
Laundry & Bath Unit re 5830141 Pte. TURPIN, R.J.

TO : HQ, AG, Rome.

1. The enclosed memos are forwarded to you because
there is no local agency to take care of them here.

J. M. WALKER, Major, AUS,
Civil Affairs Officer.

Encl/
JMW/CB.

1st Ind.

HQ., ALLIED COMMISSION, Legal Sub-Commission.

TO : HQ, RAC.

5 August 1945.

132

Forwarded for such action as you deem necessary
for the Chief Commissioner.

W. E. REYNOLDS,
Colonel,
Chief Legal Advisor.

all

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

95A

AC/4017/L.

FS/1c.
1 August 1945.

SUBJECT : NEPPAT Giovanni fu Giuseppe; request for "certificato penale" etc.

TO : The Minister of Pardon and Justice.

1. Enclosed herewith are the documents requested in your Prot. N°. 02116/6040 (Dir.Gen.Int.Prev.Pena) of 10 July 1945.

2. "Modelli 31" cannot be supplied for the reason that many records of the Tribunale of Pola were destroyed when the Court House was bombed.

131

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

236
JUL 1945

HEADQUARTERS
Allied Military Government
15 Corps

file

94A

4017

28 July 1945

To : Chief Legal Adviser, Legal Sub-Commission,
E.Q., AC., (For Italian Branch).

Subject: Transmission of Documents
(Certificato Penale etc. NAFFAT Giovanni)

Ref : 136/AMC/LD/52.

83A

1. Reference your letter AC/4017/L of 12 July 1945.
2. Attached herewith you will please two copies each of the certificato penale and judgment imposed.
3. Form 51 can not be supplied for the reason that many Tribunale records were destroyed when the Court House was bombed.

131

For the Senior Civil Affairs Officer.

for Felix J. Aulisi, Major
L.F. DAWSON
Lt. Col.
Chief Legal Officer.

CLC	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CL RKS	
AUG 1945	

4017

93A

AFHQ PHOTO

2921

1 AUGUST 1945

PRIORITY

PARA ONE TO RECAPITULATE YOUR FOR TWO SEVEN FOUR THREE ONE OF TWO SIX JULY FOLLOWING
MESSAGE RECEIVED FROM LIEUTENANT SCOTTAN ED

PARA TWO TO ADVISE FOR HOW LONG THE FIVE COMBAT BATTAL STAYS FROM THE ALCON CITE
AGING BATTAL

PARA TWO TO NOTE REPORT GIVEN TO MAJOR MERVILLE OF BRUNSON SLAY OFFICE ARMO
ON TWO FOUR JULY FIVE FIVE PERSONNEL IN BRUNSON AND REQUESTS OBTAINED FROM
HIM REVEAL BATTAL MAY NOW BE CONSIDERED STAYED IN NOTE

123

4017

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

92A

Legal

Originator's Reference: RXII/VIC/L
 Date/Time of Origin: JULY 31 NPT

Message Centre No: F/2074
 Date Time Rec'd: JULY 31 2020B
 Precedence: IMPORTANT

FROM: SCANLAN AMG VICENZA THRU RC REGION
 TO: ACTION HQ AICOM

UNCLASSIFIED

Ref LRKB No. 27120B to R C VENEZIE Region for SCANLAN.

Report given to Major MELVILLE QM Sect Slav Office AFHQ
 on 24 July 45 personally. Since all requests originated from him
 believe matter may now be considered closed.

Dist

Action - Legal SC
 Info - Chief Commissioner
 CA Sec
 File 2
 Float

128

ACTION

AFHQ F11587 -

Ref F 27431 1-26/43

following message received from

Lieut Scanlan

ALLIED COMMISSION	
Chief Counsel	
Intell Section	
CL RKS	
AUG 1945	
AUG 1945	

128
 BG 43
 128

DECLASSIFIED E.O. 12958 SECTION 1.4
REGIONAL COMMISSIONER, VERMONT REGION (ATTN: LT SCARLETT, LEGAL), RPTD AFSA.
FIELD (FOR INFO).

2624

27 JULY 1945

PRIORITY

RESTRICTED TO

PARA ONE PD SUBJECT IS CLOSEST INSPECTION OF ALLIED COMMISSIONS NOTED IN
PARA TWO REGIONAL COMMISSIONER CHA VERMONT REGION FROM ATTEMPTING LISTENING
SCARLETT CHA LEGAL FROM RPTD AREA FOR FOR WHEN FRANK HARRY GUYTON LESTY GUYTON
PARA FOR INFO FROM PD FROM

PARA TWO PD REFERENCE TO BLANK FOUR INFO ONE SEVEN BLANK L OF THIRTY JUNE
FOURTEEN JULY PD IMPERATIVE THAT SUBJECT CALLED FOR REACHED ALLIED FOR FOR
BY THIRTY ONE JULY

LEGAL S/C

4017 ✓ INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

900
Legal

Originator's Reference: F 27431

Message Centre No: F/1419

Date/Time of Origin: JULY 261739B

Date Time Rec'd: JULY 261915B

Precedence: PRIORITY

FROM: AFHQ SIGNED SACRED CITE PWGES

TO : ALCOM ROME FOR LEGAL SC

RESTRICTED

RESTRICTED

Close out inspection of Allied garrison SARDINIA.

1. Refer this Hq letters ref S-2 dated 18 June, 30 June, 12 July and your AC/4017/L of 20 June.
2. Imperative that report called for reaches this Hq by 31 July. Request officer concerned be so informed.

Dist

Action - Legal SC
Info - Chief Commissioner
CA Sec
File 2
Float

HEADQUARTERS
27 JUL 1945
A. C.

LEGAL SUBCOMMISSION
CLO
DOLO
Chief Counsel
CJO
Person Section
21 RKS
26 JUL 1945

RESTRICTED

1381
DECLASSIFIED BY: 12550 SECTION 171
76
4017
HEAD OFFICE ALLIED COMMISSION
APO 324
LEGAL SUB-COMMISSION

89A

25 luglio 1945.

Alla Signora Antonietta MARINI
Via Fellico n. 57

MODICA

(Ragusa)

1. Con la presente Le risetto la sua lettera del 12 c.m. con l'alligata citazione concernente la procedura di divorzio iniziata nei suoi confronti presso il Tribunale di Bradford, Florida (Circuit Court of Bradford, Florida). I fatti menzionati nella sua lettera dovrebbero essere portati a conoscenza di detto Tribunale:

Le suggerisco, quindi, di mandare al più presto possibile una copia della sua lettera ed una copia della menzionata citazione alla Cancelleria del Tribunale stesso (Clerk of the Circuit Court, Bradford Court, Florida), richiedendo che lettera e citazione vengano inseriti nell'incartamento della Causa No. 3772.

2. Desidero, d'altra parte, aggiungere che l'oggetto della sua lettera e' completamente estraneo alle attribuzioni e competenze della Commissione Alleata.

Am.
HIGGINS THOMAS
Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

SSA

ES/1c.
16 July 1945.

AC/4017/L.

SUBJECT : Request for news.

TO : Regional Commissioner (Attn: Regional Legal Officer),
LIGURIA Region.

1. Thank you for your LIG/LEG/17 of 13 July 1945.
2. The information is requested for S/Sgt Eric STEIN,
an old friend of Dott. GRUNEWALD.
3. It is suggested that the requested information
could perhaps be obtained by a telephone call to the Carabinieri
Station at Sestri Levante as has been done in several
instances in other areas. The Public Safety officer might
be of assistance in this respect.

By command of Rear Admiral;STONE:

125

G. G. HANNAFORD,
Lt. Col.
Officer in Charge Italian Branch,
for Chief Legal Advisor.

6017

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

87A
h990

Originator's Reference: FR/1E/219

Message Centre No: E/9885

Date/Time of Origin: JUL

Date Time Rec'd: JUL 16 1145B

Precedence: ROUTINE

FROM: REGIONAL LEGAL OFFICE

TO : ALCOM ACLEB

UNCLASSIFIED.

For information Minister NENI. PERETTI GRIVA arrives by plane Tuesday.

DIST

ACTION: Legal SC
INFO: Chief Commissioner
CA Sec
File 2
Float

ACTION

HEADQUARTERS
16 JUL 1945
C.

Communi called to
Prof Vassali during 1700
JZ

4017
HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Leg
Lig/Leg/17

LEGAL 2/1
SLA
WGZ/pm
13, July 1945

SUBJECT : Request for news

TO : Headquarters - Allied Commission
(Legal Sub-Commission)

- 82A*
1. Ref. your AC/4017/L letter dated 9 July 1945.
 2. The residence of Dott. Grunewald is in excess of an hour by automobile. If the matter is urgent a car will be dispatched otherwise we shall communicate by letter *123*
 3. It would be helpful if we could have the name of the person enquiring so that the good Doctor may know whether he is friend or foe for these are difficult times.
 4. I regret to inform you that Major Alexander to whom your letter was directed has for the past three days been in hospital for observation but with good fortune will return to duty in a week or so.

For Regional Commissioner

W.G. Elder
W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

85A

/lc.
14 July 1945.

AC/4017/L.

SUBJECT : Lt. J.J. SCANLAN, C.M.P.

TO : Regional Commissioner (Attn: Regional Legal Officer),
VENEZIA Region.

1. Further to our AC/4017/L. of 20 June 45 herewith enclosed copy of a letter to-day received from AFHQ (G-5).

2. May this Sub-Commission please be advised as to the present position. Three copies of your reply is requested.

By command of Rear Admiral STONE:

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

Incl.

Declassified by: 12350 Section 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

04017 ✓

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

5484

84A

Ref. S-2

12 July 1945

SUBJECT: Close-out Inspection of Allied Garrison, SARDINIA

TO : Headquarters, Allied Commission, APO 394
(Attn: Legal Sub-Commission) ✓

62A

1. May this H.Q. please be informed as to when the report called for in your AC/4017/L of 20/6/45, to Regional Commissioner, VENEZIA Region, can be expected.

2. As completion of the "Close-Out Inspection of Allied Garrison, SARDINIA", cannot be achieved until Lt. Scanton's report is received, it is please requested that this officer be once again asked to submit it without further delay.

3. This HQ memo ref S-2 of 30/6/45, also refers.

71A

13 JUL 1945

F. G. Jeffery
F. G. JEFFERY
Captain, R.E.
Economics & Supply Division

Copy to: G-4, for info.

Send one copy to
Venezia with
covering letter

14 JUL 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

83A

HC/4017/L.

12 July 1945.

SUBJECT : Request for "certificato penale" etc.

TO : SCAG (Attn: Chief Legal Officer), VENEZIA GIULIA.

Could you please obtain from the Procuratore del Regno at the Tribunale of Pola and transmit to this Sub-Commission the following documents pertaining to NAFFAT Giovanni fu Giuseppe, who was sentenced by the above Tribunale on 30 Mar and 16 April 1936 and has completed his term of imprisonment on 15 June this year:

- 2 copies of certificato penale;
- 2 copies of the judgement which imposed the "misura di sicurezza";
- 2 copies of form 31 giving all the required information on NAFFAT.

By command of Rear Admiral STONE:

G. G. HANNAPCHD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

12



Mod. 1342 MG.

88B

Ministro dell'Interno

DIREZIONE GENERALE PER GLI ISTITUTI DI PENITENZA E REEDUCAZIONE

UFF. VII

PROT. 02110/6040 CARCARI

Roma, 10 LUG 1945

ALLA COMMISSIONE ALIMENTARE
Sottocommissione Legale

R O M A

OGGETTO: Naffat Giovanni fu Giuseppe.

113

In 15 giugno u.s. l'individuo indicato in oggetto
terminò di espiare la pena restrittiva della libertà perso-
nale inflittagli con sentenza del tribunale di Pola in data
30 marzo 1936 e 16 aprile stesso anno.

È poiché il suddetto dovrà eseguire la misura di
sicurezza detentiva dell'assegnazione ad una casa di lavoro
pubblicatagli con le predette sentenze, si prega codesta Ono-
revole Commissione di richiedere il Procuratore del Regno pres-
so il Tribunale di Pola di trasmettere due certificati pena-
li, una copia della sentenza che ha deciso la misura di si-
curezza ed in duplice esemplare i prescritti modelli 91 in-
dicanti tutte le richieste notizie nei confronti del Naffat
Giovanni.

D'Ordine del Ministro

[Signature]

HEADQUARTERS ALLIED COMMISSION

AFO 394
LEGAL SUB-COMMISSION

AC/4017/L.

9 July 1945.

SUBJECT : Claim by PAOLUCCI Assunta di Francesco.

TO : C. G. (for claims C. G.) HQ, Rome Allied Area Command.

The enclosed documents were sent to this office by the Italian Liaison Officer, RAAC, and are forwarded to you for whatever action you may deem necessary.

2 Incls: 1 - Procuratore del
Regno's letter
2 - Claim documents.

W. B. BEHRENS,
Colonel,
Chief Legal Advisor.

W. B. B.

117

81A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/107/L.

JL/mt.
9 July 1945.

SUBJECT : DI PRIMO Ernesto fu Carmelo.
TO : Public Safety Sub-Commission.

The enclosed petition was sent to this office by Italian Liaison Officer, RAAC and is being forwarded to you for whatever action you may deem necessary.

Incl: 1 petition.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

9 July 1945.

AC/4017/L.

SUBJECT : Dr. Manlio CECOVINI.

TO : SDAO, AMG, 13 Corps.

The attached correspondence is returned herewith in conformity with para.5 of AMHQ Directive AC 387/207 CEG-0 of 26 June 1945.

By command of Rear Admiral STONE.

W. E. BERNARD,
Colonel,
Chief Legal Advisor.

79A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/1.

SUBJECT : Case of Dott. Giamio CHIAPPA,
TO : The Ministry of War, ROME.

RE/ut.
3 July 1945.

The enclosed documents pertaining to the above and forwarded
here through error are passed to you "per competenza".

Incls.

W. E. BARNETT,
Colonel,
Chief Legal Advisor.

78A

113

HEADQUARTERS

ALLIED MILITARY GOVERNMENT

13 Corps.

25 June 1945

AMG./V.G./L.D./18.

Subject: Dr. Manlio CROUVINI - Judge

to: Chief Legal Adviser, Headquarters, Allied Commission,
Legal Sub-Commission, APO 394

Forwarded herewith for transmission to Minister of
Justice is the enclosed letter received at this head-
quarters from the First President of the Court of Appeal
for Venezia Giulia.

For the Senior Civil Affairs Officer

L.F. DAWSON

Lt. Col.

Chief Legal Officer

Inclusures: 2

- incl. 1. Letter of First President of
Court of Appeal of Trieste, 20 June 45.
incl. 2. Copy of Decree of 1st President,
Court of Appeal of Trieste, 20 June 45.

Forwarded herewith for the
Justice is the enclosed letter received at this head-
quarters from the First President of the Court of Appeal
for Venezia Giulia.

For the Senior Civil Affairs Officer

N. Dawson
L. E. DAWSON
Lt. Col.
Chief Legal Officer

Inclousures: 2

- incl. 1. Letter of First President of
Court of Appeal of Trieste, 20 June 45.
incl. 2. Copy of Decree of 1st President,
Court of Appeal of Trieste, 20 June 45.

30 JUN 1945

*See para 5-1-1177
division*

4017
HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 301

Office of the Regional Legal Officer

23 June 1945.

PR/LE/413

SUBJECT: Transmission of Documents.

TO : Legal Sub-Commission A.C.

1. The accompanying papers were sent to this office by the Allied Censor Control Officer for such action as seemed advisable.

2. It would appear that the Secretary of State for War might wish to act in the matter and they are therefore forwarded to you for onward transmission if so advised.

For the Regional Commissioner.

112
D.D. Mc Colm Major

D.D. Mc Colm, Major R.A.
Deputy for
Edwin J. Mercer, Lt. Col., Ord.
Regional Legal Officer

DDM/AR.

Incl: Above mentioned papers. →

LEGAL SUB-COMMISSION	
CLO	
DOLO	
Chief Counsel	
CIO	
Commission	
2 JUL 1945	

CONFIDENTIAL

Allied Censor Control Office
c/o AMG, Reg. HQ.
Turin

Rec'd HQ Piemonte
Legal Division on
J-6-49

20 June 1945

76B

Subject: Documents referring to the case of Dottor Chiappa Giulio -auto-
mobile accident.
To : Regional Legal Officer
c/o Reg. HQ., Piedmont
Turin

1. In the course of censorship of Fascist mail the enclosed papers referring to the subject case were found.

2. The policy of Civil Censorship Group is to condemn all Fascist mail after censorship. However, since the matter contained in this letter is exceptional, it is being sent to you for whatever action you may advise.

RLG/jr

Richard L. Garzanti, Capt.
Richard L. Garzanti
Capt., Infantry
Allied Censor Control Officer
Turin

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

WEB/rjp

3 July 45

AC/4017/L

SUBJECT: Corporal Pasquini Mario, held in the Concentration
Camp at Modena

TO : Public Safety Sub-Commission

1. The enclosed memorandum received here from the
Ministry of Pardon and Justice is passed to you for any
action you might deem fit.

W.E. BEHRENS,
Colonel,
Chief Legal Advisor

4017
Subject:- Transmission of documents.

Headquarters
Allied Commission
C.M.F.

I send herewith a letter and enclosure which the Procura del Re Tripoli desires to be sent to the Pretore di Taranto and shall be glad if these documents may be transmitted through the medium of your Headquarters.

1. K. Hussein
Lieut-Colonel,
for Chief Administrator. 103

LEGAL S/C 73A

4470
Headquarters
British Military Admin.
Tripolitania.
Legal/IF/5/27
26th June, 1945.

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL SUB-COMMISSION

74A
25/mt.
2 July 1945.

AC/1017/L.

SUBJECT : Transmittal of communication of the Ministry of Justice.

TO : Civil Affairs Branch, C.M.Q., M.E.F.

Would you be kind enough as to transmit the enclosed Prot. 32/45 of the Ministry of Justice with enclosures to the Procuratore del Regno at Sassari.

5 Incls.

W. S. REIDERS,
Colonel,
Chief Legal Advisor.

103

file 4017

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

72A

Ref.: LEG/5075

28 June 1945

SUBJECT : Sanctions against Fascism.

TO : HQ. Allied Commission (Legal Sub-Commission)

1. Enclosed documents received from Senator Falck
are forwarded for transmission to the High Commissioner's
office.

For the Regional Commissioner:

H.M. Dickie
H.M. DICKIE
W/CDR. RAF
Regional Legal Officer

Encl.

for dict

vb

2 JUL 1945

HOMY
✓

Legal
4387
71A

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

Ref. S-2

30 June 1945

SUBJECT: Close-Out Inspection of Allied Garrison SARDINIA

TO : Headquarters, Allied Commission, APO 394
(Attn: Legal Sub-Commission) ✓

62A

1. Reference your AC/4017/L of 20/6/45 addressed to Regional Commissioner, VENEZIA Region, copy to this HQ.
2. Request that hastening action please be initiated as to date, no report has been received.

For the Assistant Chief of Staff, G-5:

F. G. Jeffery

108

F. G. JEFFERY
Captain, R.E.
Economics & Supply Division.

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Religion Section	
CL RKS	
2 JUL 1945	



no action

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

/rlp.
26 June 1945.

SUBJECT : Legal Collection Register from FLO, Pistoia.
TO : Finance S/C.

Attached form and envelope were delivered to this sub-commission.
It is noted that the envelope bears the FLO Pistoia's stamp and it is
thought the document may be intended for you.

Incl.

LESTER C. BERN,
Capt., Inf.,
for Chief Legal Advisor.

105

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

/rlp.
26 June 1945.

SUBJECT : Transmittal of documents.

TO : Provincial Commissioner (Attn: Senior Legal Officer),
ANCONA Commune.

Would you be kind enough to transmit the enclosed documents from
Procure of Tripoli to Pretore of Fano (Pesaro).

By command of Rear Admiral STONE:

Incls.

LESTER C. BERN,
Capt., Inf,
for Chief Legal Adviser.

4017

Subject: Transmission of Documents.

Headquarters
Allied Commission
C.I.F.

~~Lost~~ **LSA**

Headquarters
British Military Admin.
Ethiopia.
Lec 3/17/27
29th June, 1945.

I send herewith a letter and enclosure which the Procura del Re Trippoli desires to be sent to the Pretore di Fano (Pesaro) and shall be glad if these documents may be transmitted through the medium of your headquarters.

P. L. Lissau

Lieut-Colonel,
for Chief Administrator.

LEG. SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CIA	
Italian	
CL RKS	
25 JUN 1945	

103

67A

WHI/elg.
21 June 1945.

quarters,
1 Advisor

1. Forwarded for onward transmission to the Ministry.

For the Regional Commissioner.

WILLIAM H. LEVIT.
Lt. Col. J.A.G.D.
Regional Legal Officer.

32 JUN 1965
REAR OUNTERS

102

File

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

LLA

WHL/glg.

20 June 1945.

REF : RIX/LE/760/181

SUBJECT : Documents

TO : Headquarters, Allied Commission, APO 394 (for Chief
Legal Advisor).

1. Forwarded for onward transmission to the Ministry.

For the Regional Commissioner.

WILLIAM H. LEVIT.
Lt. Col. J.A.G.D.
Regional Legal Officer.

Encls: as above

101

File

(65A)

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

REF : RIX/LE/760/189

TEL/GP.
21 June 1946

SUBJECT: Documents.

TO : Headquarters, Allied Commission, APO 394.
(For ~~Deputy~~ Chief Legal Advisor).

The following document (s) ~~is~~ are forwarded herewith for
onward transmission to the Ministry:

<u>DOCUMENT</u>	<u>DATE</u>	<u>NO.</u>	<u>FROM</u>
Letter	20-6-45	✓ 416	Bolegna Court of Appeal
"	20-6-45	✓ 429	" " " "
"	21-6-45	✓ 436	" " " "
"	20-6-45	✓ 443	" " " "
"	21-6-45	✓ 446	" " " "

100

22 JUN 1946
RECEIVED

For the Regional Commissioner:

William H. Levitt
WILLIAM H. LEVIT
Lt. Col., J.A.G.D.
Regional Legal Officer.

Inclosures: as above.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

/pa.
21 Jun 45.

SUBJECT : Senatore MASNATA.

TO : Alta Corte di Giustizia per le Sanzioni
contro il Fascismo,
Palace of Justice, ROME.

The enclosed letter of H. E. MARONI has now been returned
with a note stating that Senatore MASNATA died in February
1945.

G. G. HANNAFORD,
Lt. Colonel,
Officer i/o Italian Branch,
for Chief Legal Advisor.

Incls.

Declassified by: 12550 Section 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

63A

4017
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5075

19 June 1945

SUBJECT : Letter to Senatore MASNATA

TO : HQ Allied Commission
(Legal Sub-Commission)

1. The attached letter is returned.
2. Please inform the President of the Court that this Senatore died in February 1945.

33

For the Regional Commissioner:

H.M. Dickie
H.M. DICKIE
W/Comdr., R.A.F.
Regional Legal Officer.

Encl. 1 - 12/237 of 28.5.'45

ar/

Chief Counsel	
CIO	
DCIO	
CIO	
Legal Division	
CE RAS	
20 JUN 1945	

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

62A

AC/4017/L.

WEB/lc.
20 June 1945.

SUBJECT : Lt. J. J. SCANLAN, C.M.P.

TO : Regional Commissioner (Attn: Regional Legal Officer),
VENETIA Region.

1. Herewith is forwarded for immediate action by
Lt. SCANLAN letter S-2 of 18 June 1945 from AFHQ G-5.

2. It is requested that Lt. Scanlan's report be forwarded
to AFHQ through this Sub-Commission

By Command of Rear Admiral STONE:

See 62B, 71A, 84A, 85A

W. B. BRUNEN S.,
Colonel,
Chief Legal Advisor.

47

Copy to : AFHQ G-5.

Declassified E.O. 13526
ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

Ref. S-2

16 June 1945

SUBJECT: Close-Out Inspection of Allied Garrison, SARDINIA

TO : Headquarters, Allied Commission, APO 394
(Attn: Legal Sub-Commission)

Lt. John J. Scanlon, C.M.P.

1. The above named Officer who is at present understood to be at HQ Venezia Region, was at one period the Legal Officer to the Allied Garrison of Sardinia.

2. Whilst holding this appointment, an informal agreement was made by QM this HQ with Lt. Scanlon, whereby Lt. Scanlon was to dispose of certain Salvage Material and submit a report to this HQ on the completion of the transaction.

3. Several cables have since been sent asking for this report and on 19 May, ALCOM wrote to the C.O., 2675th Regt asking that they contact the Officer and secure the report. To date this has not been received.

4. As this matter has now been long outstanding, it is requested that Lt. Scanlon be instructed to submit his report to this Headquarters without further delay.

5. Request copy of action taken be furnished this HQ.

For the Assistant Chief of Staff, G-5:

F. G. Jeffery

F. G. JEFFERY, Captain, R.E.,
Economics & Supply Division.

Copy to:

G-4 AFHQ

ADMINISTRATIVE ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

61A

NO/LC17/L.

ES/mt.
12 June 1945.

SUBJECT : MULLISANI Guido - Political detainee.
TO : Public Safety Sub-Commission.

Enclosed for any action you might deem necessary are the documents
pertaining to the above.

Incls.

G. C. HAWKES, 43
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

Date: 3 JUNE 1945...

TO : Chief Legal Adviser- Legal Sub-Commission, HQ, AC (for Italian
~~XX~~ Province (for Legal Officer) Branch)

SUBJECT: Transmission of Documents.

File No: RXII/LE/ Reg /C/07.

1. Attached herewith are documents for transmission.
2. After you have read same, please deliver them to the addressee.

Felix J. Antin, Major
H. G. WILLMER, Colonel,
Regional Legal Officer,
Venezie Region.

*Received B
10/6/45*

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/LDV/L.

6 June 1945.

SUBJECT : Transmittal of Prot. 1746, of PCM.

TO : Regional Commissioner (Attn. Regional
Legal Officer), LOMBARDIA REGION.

The Procuratore Generale Militare urgently requests the transmittal of the enclosed communication to the Procuratore Militare at the Military War Tribunal, MILAN.

By command of Rear Admiral STONE:

A. R. THACKERAN,
Lt. Col.,
Italian Branch,
for Chief Legal Adviser.

Encl.
ES/WCW.

4070
ALLIED MILITARY GOVERNMENT
ALESSANDRIA PROVINCE
PIEMONTE REGION

W 458A
Pub. Health

Ref: PR/AL/A/150
Subject: Welfare Enquiry
To: HQ, AMG, Piemonte Region

h e
Date: 21 May 45
HQ Piemonte
Date: 5/25/45
No

Reference Legal Sub Commission letter AS/4017/L dated 10 May 45,
attached herewith is reply from CAO, Casale Monferrato.

N.W. Hind-Smith

N.W. HIND-SMITH,
Capt. R.A.
Executive Officer.

Not End

HQ. PIEMONTE REGION
Allied Military Government
Legal Division, A.P.O. 394

92
MAY 26 1945

To: Legal Sub-Commission, Hq. A.C.,
A.P.O. 394.

1. Forwarded.

Edwin J. Mercer
Edwin J. Mercer, Lt. Col., Ord.
Regional Legal Officer Piemonte

Legal
2 JUN 1945

20/24

HQ. PIEMONTE REGION
U. S. Military Government
Legal Division, A. P. O. 394

10
MAY 18 1945

7C
To: P.C. Alessandria -

1. Forwarded for
compliance.

Edwin J. [Signature]
Edwin J. [Signature] 1st.
Regional Legal Officer, Piemonte

A
Capt A. K. Jefferson R.A.

Can you obtain this
information please.

L.W. [Signature] 91
Capt R.A.
Enc. O.

19/5 -

Rec'd
Date
No. AS/4017/L.

REAR ADMIRAL STONE
AFG 394
LEGAL SUB-COMMISSION

3335
Rec'd HQ Piemonte
Legal Division on
17-5-45
10 May 1945

SUBJECT : Request for Information.
TO : Regional Commissioner (Attn: Regional Legal Officer),
PIEMONTE Region.

1. The First President of the Supreme Court of Cassation H.S. Casati has asked the Deputy Chief Legal Advisor to obtain news from his sister signora Claudia Zeggiano - Casati residing at Gabiano - Monferrato, Province of Alessandria.
2. It would be appreciated if you could procure the requested information at the earliest possible date and transmit it to this Sub-Commission.

By command of Rear Admiral STONE :

WRW

A. R. MacKinnan
A. R. MacKINNAN,
Lt. Col.
Italian Branch,
for Chief Legal Advisor.

91

4017
✓
HEADQUARTERS
VENEZIE REGION

ALLIED MILITARY GOVERNMENT
APO 394

To : Chief Legal Adviser, Legal S/C HQ., AC Date 25 May 1945
Subject : Col. Casati Alberto.
File No: R XII/LE/Reg/C/07.

1. Your Letter of 10 May 1945, reference indecipherable, relating to above named, reached this H.Q. only to-day, owing to the fact that it was wrongly addressed to R.C. Lombardia Region, who forwarded it to me.

2. I have contacted Col. Casati Alberto to-day, and have ascertained that he is well, and residing at the address stated in your letter. He has requested that the attached letter may be forwarded to his brother, H.E. the First President of the Supreme Court of Cassation, and I therefore pass it to you for the favour of onward transmission.

3. May it please be noted that Padova is in Venezia Region?

delivered to Casati on 28 May
R. L. Linner
Colonel,
Regional Legal Officer,
Venezia Region.

849546

4017.

File

HGW/lp

56A

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

24 May 1945.

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

SUBJECT: Attached correspondence.

FILE No: RXII/LE/Reg/A/13.

Attached letter addressed to "Capt." GILREATH has presumably been sent here in error. I do not know the present whereabouts of Major GILREATH, and I therefore request that you will be good enough to forward the letter on to him.

H. L. Lohmeyer

Colonel,
Regional Legal Officer,
AMG, Venezia Region.

83

*See
Capt. Gilreath
has returned to U.S.
There is not much
point in forwarding
the attached to him.*

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CLY	
Legal Advisor	
CL RKS	
27 MAY 1945	

*Enclosure returned
to Tribunale Civile
& Penale di Roma
(translation attached)
27/5/45*

*Capitano Gilreath
Rimpatrio e di Loggia Umberto
Regione ha cessato da caso Fico*

sb

568

TO : Capt. Gilreath

Roma, May 3rd 1945

SUBJECT: Penal prosecution against Giardina Raffaele and Zocco Angelo.

(Please return this request together with your reply).

With reference to report n. 22052 G.I. November 24th 1944, Commissary Appio of P.S. denounced the persons in subject, as responsible for circulating counterfeit bank-notes. Together with the report, I sent to your office on November 26th 1944, the confiscated eleven bank-notes of one thousand am.-lire: eight bearing serial numbers A 96745147 A, (two) A 967 451 64 A, and the last 347662550 A. The envelope containing all these bank-notes was delivered to a "carabiniere" on duty at your office. As only one bank-note bearing serial number A 96745147 A is attached to the documents sent to my office, I request you to ascertain whether the other ten bank-notes are still at your Office, and if so, please send them to me as soon as possible.

Thanking you

The Investigating-Magistrate Sect.VIII
Soardaccione

TRANSLATION	
Doc No.	Date 23 May
Approved	<i>Franco, Cpl</i>
TRANSLATION SECTION SECRETARIAT NO. 1000 - 1000 - 1000	

✓ 2017
Tel. Ext. 292

MEMORANDUM

REFERENCE : G-1E/18/1/A

24 May 1945.

SUBJECT : Canadian Elections

20 MAY 1945

TO : Vice President, Civil Affairs Section

FROM : G-1(B) H.Q. A.C.

Major M.C. HOLT

The enclosed pamphlet 'Canadian Affairs' is forwarded for the attention of the above named officer.

FOR VICE PRESIDENT, ESTABLISHMENTS SECTION

/pc.

*(Passed to Maj. Holt ✓
Lombardia
on 27.5.45)*

Wm. L. Ritchie
Sir J.E.T. RITCHIE Bt.
Lt. Colonel,
G-1 (B)

80
6520

PS 55A

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

54A

AC/4017/L.

ART/1c.
23 May 1945.

SUBJECT : Warrants for arrest of PANZERI e POVEROLO, Milan.
TO : Public Safety Sub-Commission.

The enclosed documents relating to the request for arrest and transfer to Rome of the above persons domiciled at Milan are passed to you for necessary action.

cy
A. R. THAYER, Jr.,
Lt. Col.
Italian Branch,
for Chief Legal Advisor. 85

Encls : 4

Copy to Ministry of Pardon and Justice (Yours UC/403 of 21 May 45 -Uff. Colleg. refers) for information.

Declassified 6.0. 12330 Section 515/100

4017 ✓ *gib*

Legal
53A

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

REF: RIX/LE/760/208

WHL/dsh.
10 May 1945.

SUBJECT: Letter.

TO: Headquarters, Allied Commission, APO 394 (for
Deputy Chief Legal Advisor).

1. The Primo Presidente of the Bologna Court of Appeal,
Dott. CARBONI Giacomo, is most anxious that the enclosed letter
reach his son, Avvocato CARBONI Fernini of Corso Trieste, N.19,
Roma (Tel. 80085).

2. It will be appreciated if you will endeavor to see that
the letter is delivered.

For the Regional Commissioner:

Encl. as above.

WHL
WILLIAM H. LEVIT
Lt. Col., J.A.G.D.
Regional Legal Officer.

*del. sent
on 15 May
1945.
JL*

LEGAL SUB-COMMISSION	
CLO	/
DCLO	/
Chief Counsel	/
CLO	/
Italian Section	/
CL RKS	/
13 MAY 1945	/

82

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

52A

AG/ 4017/L.

ART/1c.
16 May 1945

SUBJECT : Request for Information.

TO : Regional Commissioner (Attn: Regional Legal Officer),
LOMBARDIA Region.

1. The First President of the Supreme Court of Cassation
H.E. Casati has asked the Deputy Chief Legal Advisor to obtain
news from his brother Ing. Casati Alberto, residing at Padova,
Via Vittorio Emanuele II n°15.

2. It would be appreciated if you could procure the
requested informations at the earliest possible date and transmit
it to this Sub-Commission.

By command of Rear Admiral STONE :

83

arf
A. R. THACKERAN,
Lt. Col.
Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

ART/10.
10 May 1945

SUBJECT : Request for Information.

TO : Regional Commissioner (Attn: Regional Legal Officer),
PIEMONTE Region.

1. The First President of the Supreme Court of Cassation H.E. Casati has asked the Deputy Chief Legal Advisor to obtain news from his sister Signora Claudia Seggiano - Casati residing at Gabiano - Monferrato, Province of Alessandria.

2. It would be appreciated if you could procure the requested information at the earliest possible date and transmit it to this Sub-Commission.

By command of Rear Admiral STONE :

A. R. THACKERAN,
Lt. Col.
Italian Branch,
for Chief Legal Advisor.

82

~~File~~

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

50A

AO/4017/L.

ART/pa.
2 May 1945.

SUBJECT : Irregular Requisition of a Motor Vehicle.
TO : Officer i/c Italian Courts, TOSCANA Region.
(Attn: Major M.C. Holt)

The seven communications forwarded under the cover of this letter concern case of irregular requisition of an automobile, the property of an Italian legal expert to this Sub-Commission.

As Prof. VASSALLI is unable to travel to Florence to deal with this matter personally, he has addressed particulars of the case to all the authorities concerned, and it is requested that you have the kindness to cause them to be forwarded to the addressees indicated on the respective envelopes.

A. R. THACKRAH,
Lt.Col.
Italian Branch,
for Chief Legal Advisor.

81

Incls.: 7 letters .

Declassified E.O. 13526 Section 1.4

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

LC9A

AC/1017/1.

GCH/pa.
15 Mar 1945.

SUBJECT : Documents of DUMINI now in U.S.A.

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

1. The enclosed memoranda have been forwarded to this Sub-Commission by the Procuratore Generale of Rome.

2. It is suggested that Italian authorities approach the State Department in Washington in order to obtain the release of the required documents.

3. This should not present undue difficulties considering the re-establishment of diplomatic relations between U.S.A. and Italy and the presence of an Italian Ambassador in the American capital.

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

8

2 Incls.

49A

COPY

Roma 17 febbraio 1945
Via Linneo, 12

Ministero degli Affari Esteri
e per conoscenza
ALTO COMMISSARIATO per le Sanzioni contro il fascismo e
SEZIONE ISTRUTTORIA, Corte Appello, Roma.

Picci giorni fa un'intervista a New York Times circa la ripresa
del processo Matteotti che coi miei collaboratori avevo voluto come Alto
Commissario: in detta intervista, telex telegrafata a New York, avevo
invitato certi avvocati americani che potevano aver carte dell'assassino
Dumini a farsi vivi.

L'un d'essi, l'Avv. Arnold., di San Antonio, Texas, si e' posto
in comunicazione con la direzione del Times a New York la quale ha
telegrafato quanto segue al suo corrispondente romano (riproduco come il
telegramma venne, coi suoi errori) :

"Arnold wires : Have no authority send copy or documents if FBI permits
and transportation other expense is arranged willing bring papers Rome
at my expense".

FBI significa : Federal Bureau Investigation.

Avendo così cercato di affrettare i contatti in modo più rapido e
sicuro che non eventuali richieste giudiziarie per via diplomatica
(contavo infatti sul desiderio di pubblicità della gente da me invitata
a parlare) non mi resta ora che che informare gli organi competenti.
Non spetta a me rispondere o far rispondere.

Con osservanza.

(F.to G. SPORZA)

Versione telegramma:

"Arnold telegrafa : " Non ho autorità per mandare copia o documenti. Se
l'Ufficio Federale d'Investigazioni permette e sarà regolata la spedizione
del trasporto, manderò le carte a Roma a mie spese".

COPY

PRO - MEMORIA

Il n. 198 del 31-12-944 del quotidiano "Italia Libera" pubblica' un articolo dal titolo : "Amerigo Dumini, complice scomodo, accusa Mussolini e gli altri mandanti".

L'articolo riproduce (in parte anche fotografata) una lettera che il Dumini, in data 28-10-1933, avrebbe inviato dalle isole Fremi, ove egli si trovava confinato, a S.E. DE BONIS, in quel tempo ministro delle Colonie.

In tale lettera il DUMINI dichiarava che gli avvocati Martin Arnold e Hugh H. Robertson di S. Antonio del Texas, in America, avevano il manoscritto contenente il testamento di esso Dumini, la narrazione completa delle sue vicende e i documenti che si riferivano fra questi due passaporti rilasciati dal DE BONIS e le lettere di Buttorini a Laino.

A seguito di un'intervista concessa recentemente da S.E. il Conte Sforza al New York Times, circa la ripresa del processo Matteotti, sembra che uno dei suddetti legali, e precisamente l'avv. Arnold, abbia dichiarato di essere disposto a consegnare all'Ufficio federale investigazione, le carte in suo possesso.

Si prega il Comando Alleato di intervenire nel modo ritenuto piu' opportuno perche' questo Ufficio possa venire al piu' presto in possesso dei documenti suddetti.

Si alliga una copia conforme della nota del Conte Sforza del 17 febbraio u. s.

IL PRESIDENTE REGIONE ISTRUZIONE

(sgd) GLEFI

R-E-S-T-R-I-C-T-E-D

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO UMBRIA REGION, LEGAL DIVISION
A.P.O. 394

12 March 1945

L/1224

SUBJECT : Documents of Dumini requested by Procuratore
Generale del Regno, Court of Appeal of Rome.

TO : Chief Legal Adviser, Headquarters, Allied Commission
Legal Sub-Commission, APO.394.

1. Forwarded herewith is a request presented by the Procuratore Generale, Court of Appeals of Rome, for documents of Amerigo Dumini, concerned in the Matteotti case. These documents appear to be in the possession of Mr. Martini Arnold, lawyer, San Antonio, Texas. Attached to the request is copy of letter of Count Sforza to Italian Minister of Foreign Affairs.

2. It is suggested that the Italian authorities be advised to make this request for documents in the possession of a citizen of the United States of America through appropriate diplomatic channels.

For the Regional Commissioner.

Sam B. Gilreath
SAM B. GILREATH
Major, A.U.S.
Regional Legal Officer.

Incl. 1, Pro-memoria of President Instructory Section and copy of Count Sforza letter, 17 February 1945.

SBG/PA.

R-E-S-T-R-I-C-T-E-D

LEGAL SUB-COMMISSION	
CLO	
DELO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
1945	

PRO - MEMORIA

Il n. 198 del 31-12-94 del quotidiano "Italia libera" pubblicò un articolo dal titolo: "Amerigo Dumini, complice in comodo, accusa Mussolini e gli altri mandanti".

L'articolo riproduce (in parte anche fotografata) una lettera che il Dumini, in data 28-10-1933, avrebbe inviato dalle isole Tremiti, ove egli si trovava confinato, a S.E. De Bono, in quel tempo ministro delle Colonie.

In tale lettera il Dumini dichiarava che gli avvocati Martin Arnold e Hugh R. Robertson di S. Antonio del Texas, in America, avevano il manoscritto contenente il testamento di esso Dumini, la narrazione completa delle sue vicende e i documenti che si riferivano; fra questi i due passaporti rilasciati dal De Bono e le lettere di Buttorini a Laino.

A seguito di un'intervista concessa recentemente da S.E. il conte Sforza al New York Times, circa

96

488

4017

L'articolo riproduce (in parte anche fotografata) una lettera che il Dumini, in data 28-10-1933, avrebbe inviato dalle isole Tremiti, ove egli si trovava confinato, a S.E. De Bono, in quel tempo ministro delle Colonie.

In tale lettera il Dumini dichiarava che gli avvocati Martin Arnold e Hugh R. Robertson di S. Antonio del Texas, in America, avevano il manoscritto contenente il testamento di esso Dumini, la narrazione completa delle sue vicende e i documenti che si riferivano; fra questi i due passaporti rilasciati dal De Bono e le lettere di Buttorini a Laino.

A seguito di un'intervista concessa recentemente da S.E. il conte Sforza al New York Times, circa la ripresa del processo Matteotti, sembra che uno dei suddetti legali, e precisamente l'avv. Arnold abbia dichiarato di essere disposto a consegnare all'ufficio federale investigazione, le carte in suo possesso.

./.

Si prega il Comando alleato di intervenire nel modo ritenuto più opportuno perchè questo ufficio possa venire al più presto in possesso dei documenti suddetti.

Si alliga una copia conforme della nota del

Conte Sforza del 17 Febbraio u.s.

Al Presidente del. istantanea

Guiggi

Declassified E.O. 12356 Section 5.1(b) and 5.2(a)

PRO - MEMORIA

No. 198 of 13-12-944 of the daily "Italia libera" published an article by the title: "Amerigo Dumini, 'complice in comodo' (accomplice found to be in the way), accuses Mussolini and the other principals."

The article reproduces (part of which is also photographed) a letter which Dumini, on 28.10.1933, had evidently sent from the Islands Tremiti, where he was confined, to His Excellency De Bono, at that time Minister of the Colonies.

In this letter Dumini declared that the lawyers Martin Arnold and Hugh R. Robertson of S. Antonio of Texas, in America, had the manuscript containing his, Dumini's, will, the complete account of his vicissitudes and documents of reference, amongst these, the two passports issued to him by De Bono and the letters of Bultorini to Laino.

Following an interview granted recently by His Excellency Count Sporza to the New York Times about the revival of the Matteotti trial, it seems that one of the above-mentioned lawyers, and namely Mr. Arnold, had declared that he was disposed to hand over to the federal investigation office, the documents in his possession.

I beg the Allied Command to intervene in a way that is considered most opportune so that this office can come into possession as soon as possible of the above-mentioned documents.

I enclose a true copy of Count Sporza's note of 17 February 1945

The President of the Investigation Section
(signature illegible)

c o p i a

Roma 17 febbraio 1945
Via Linneo, 12

Ministero degli Affari Esteri
e per conoscenza

Alto Commissariato per le Sanzioni contro il fascismo e
Sezione Istruttoria, Corte d'Appello, Roma

Dieci giorni fa un'intervista a New York Times circa la ripresa del processo Matteotti che coi miei collaboratori avevo voluto come Alto Commissario; in detta intervista, tosto telegrafata a New York, avevo invitato certi avvocati americani che potevano aver carte dell'assassino Dumini a farsi vivi.

L'un d'essi, l'avv. Arnold, di San Antonio, Texas, si è posto in comunicazione con la direzione del Times a New York la quale ha telegrafato quanto segue al suo corrispondente romano (riproduco come il telegramma venne, coi suoi errori):

"Arnold wires: "Have no authority send copy or documents if FBI permits and transportation othern expense is arranged willing bring papers Rome at my expense".

FBI significa: Federal Bureau Investigation.

Avendo così cercato di affrettare i contatti in modo più rapido e sicuro che non eventuali richieste giudiziarie per via diplomatica (contavo infatti sul desiderio di pubblicità della gente da me invitata a parlare) non mi resta ora che in-
formare gli organi competenti.

Non spetta a me rispondere o far rispondere.

Con osservanza.

f/to C. Sforza

Versione telegramma:

"Arnold telegrafa: "Non ho autorità per mandare copia o documenti. Se l'ufficio Federale d'investigazioni permette e sarà regolata la spedizione del trasporto, mando le carte a Roma a mie spese."".

Declassified E.O. 12958 Section 1.1
Copy -

Rome, 17 February 1945
Via Linneo 12.

Ministry of Foreign Affairs
and for Knowledge
High Commissariat for Sanctions against Fascism and
Investigation Section, Court of Appeal, Rome.

Ten days ago an interview with the New York Times
about the revival of the Matteotti trial which I, as High
Commissary, have wished for, together with my collaborators.
in said interview, which was promptly telegraphed to New York,
I had invited certain American lawyers who might have the
documents of the assassin Dumini, to step forth.

One of them, Arr. Arnold, of San Antonio, Texas, got into
communication with the management of the Times at New York
which telegraphed the following to its correspondent in Rome
(the telegram read as follows - with its errors).

"Arnold writes: 'Have no authority send copy or documents
if FBI permits and transportation of them expense is arranged
willing bring papers Rome at my expense.'"

FBI means: Federal Bureau Investigation

Having thus tried to hasten the contacts in a more rapid and sure
way than eventual judiciary requests by diplomatic means (in fact
I counted on the desire of publicity of the people I had invited to speak)
nothing is left for me now but to inform the competent institutions.

It is not for me to reply or to request reply.

With respects.

Signed - C. Sporza.

4011
47A
HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

REF : RIX/IE/760/212.

WEL/nec.
9 March 1945.

SUBJECT: Correspondence(CARLUCCIO Lucio)

TO : Deputy Chief Legal Advisor, Legal Sub-Commission,
Headquarters, Allied Commission, APO 394.

1. May attached letter from Procuratore del Regno of
Ravenna be forwarded to the Procuratore del Regno of Brindisi.

For the Regional Commissioner:

1 Incl: as above.

Recd & mark
12 Feb
W. H. Levit
WILLIAM H. LEVIT
Lt. Col., J.A.G.D.
Regional legal officer.

HEADQUARTERS

11 MAR 1945

A.

C.

11 MAR 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

46A

AC/4017/L.

28 February 1945. /mt.

SUBJECT : Transmittal of communication.

TO : Provincial Commissioner (Attn: Provincial Legal Officer), GROSSETO Province.

Would you please deliver the enclosed communication of the President of the High Court of Justice to the Procuratore del Regno of Grosseto at your earliest convenience.

By command of Rear Admiral STONE:

A. R. THACKRAH,
Lt. Col.,
Italian Branch,
for Chief Legal Advisor.

Incl.



ALTA CORTE DI GIUSTIZIA
PER LE
SANZIONI CONTRO IL FASCISMO

N. 186 Prot.

Risposta a nota del

Roma, 28 Febbraio 1945

N. Alleg. 1

Stamperia Reale di Roma

OGGETTO:

Argomenti

file

ALLA SOTTO COMMISSIONE LEGALE ALLEATA

R O M A

nate le difficoltà di comunicazioni, sarei molto
grato a codesta On. Sotto Commissione, se attesa l'originale
ed il motivo di giustizia, volesse compiacersi fare inoltrare
col mezzo più rapido l'unito fonogramma.

Ringrazio ed ossequio.

II. PRESIDENTE DELL'ALTA CORTE

OGGETTO:

Argenti

fig

ALLA SOTTO COMMISSIONE LEGALE ALIMENTA

R O M A

Date le difficoltà di comunicazioni, sarei molto
grato a codesta Cn. Sotto Commissione, se attesa l'urgenza
ed il motivo di giustizia, volesse compiacersi fare inoltrare
col mezzo più rapido l'unito fonogramma.

Ringrazio ed ossequio.

IL PRESIDENTE DELL'ALTA CORTE

L. Zanoni

(45A)

HEADQUARTERS
TOSCANA REGION
ALLIED MILITARY GOVERNMENT

File Ref: TD/13/B520.

Date: 26 Feb. 45.

SUBJECT: Transmission of documents.

TO: C.E.A., Legal Sub-commission, HQ., AG., ROME.
(Attention Officer i/c Italian Branch.)

May the following documents received
from the Procura Generale del Regno, Florence, be trans-
mitted please to the Ministry of Grace and Justice:

Letter of 24 Feb. 45. N. 2542. with report attached.

" " 24 Feb. 45. N. 2541. with copy of verbale
attached.

" " 22 Feb. 45. N. 3145. with petition attached.

" " 15 Jan. 45. N. 1/45.

H. C. Holt
H. C. Holt Major

Officer i/c Italian Courts
Toscana Region. 63

WCH/agh.



4017

PROCURA GENERALE MILITARE DEL RE IMPERATORE

REGNO 444

PRESSO IL

TRIBUNALE SUPREMO MILITARE

N. 404 RP Prot.

Roma, 18 Febbraio 1945

Risposta a nota del

N. 4017/L. Alleg.

Oggetto: Situazione di militari detenuti a Firenze

ALLA COMMISSIONE ALLEATA

SOTTOCOMMISSIONE LEGALE

R O M A

37A

In relazione alla lettera diretta da codesta Sottocommissione al Ministero di Grazia e Giustizia (comunicata a questo ufficio con nota 4017 L. del 10 febbraio 1945) sulla situazione dei militari detenuti in attesa di giudizio a Firenze e altre località della Toscana, questo ufficio ha esaminato la possibilità di provvedere al più presto alla diminuzione degli inconvenienti lamentati nella misura compatibile colla situazione militare attuale.

Non pare che sia possibile senza addivere a una radicale trasformazione dell'ordinamento giudiziario militare e di quello ordinario.

./.

Scm by C. G. H.

22/2/45

✓

PROCURA GENERALE MILITARE DEL RE
TRIBUNALE MILITARE DI FIRENZE

Sottrarre alla giurisdizione dei Tribunali Mi-
litari gli appartenenti alle forze armate che
non siano attualmente in congedo.

Questo generale ufficio è d'opinione
che occorrerebbe ricostituire il Tribunale Mili-
tare Territoriale di Firenze, e che tale provve-
dimento, unitamente a quello, già in corso d'attua-
zione, della estensione della competenza del Tri-
bunale Militare di Macerata alle province di For-
lì e Ravenna, consentirebbe di far fronte alle
esigenze segnalate da codesta Sottocommissione.

IL PROCURATORE GENERALE MILITARE

(U. Borsari)

W. Borsari

1546
1905

4017 HEADQUARTERS
TO CANA REGION
ALLIED MILITARY GOVERNMENT

43A

File ref: ICG/15/D491.

Date: 15 Feb. 1945.

SUBJECT Status of ex-members of Italian Army.
TO : C.L.A., Legal Sub-commission, HQ, AG.
(Attention Officer i/Italian Branch.)

34A

1. Receipt is acknowledged of your AG/4017/L of 10 Feb. 1945 with enclosures.
2. The situation is of particular importance in Grosseto where a considerable number of persons await trial for political offences, and where a determined effort is being made to dispose of such cases.

M. C. Holt?

M. C. HOLT, Major
Officer i/c Italian Courts
Toscana Region.

LEGAL SUB-COMMISSIO
CLO
DCIO
Chief Counsel
→
18 FEB 1945

A

~~BU on 26 Feb~~
NFA

42A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

EB/pa.
17 Feb 45.

AC/4017/1.

SUBJECT : Fine imposed on the Commune of BIEWTINO
TO : Finance Sub-Commission, Budget Sub-Section.

The enclosed documents pertaining to a communal budget question have been handed to this Sub-Commission by Capt. P. B. Gori of the W.S. Army and appear to be within your competence.

G. C. HUNNABORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incls.

63

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

4/A
E/P.

AC/4017/L.

17 Feb 45.

SUBJECT : Fascist republican crimes - Execution of VIRGINIA LAMCHI
and BALDUCCI ANTONIO of Penhabili.

TO : H. E. The Procuratore Generale Militare,
Via Acquasparta 2, ROMA.

The documents pertaining to the above two cases are passed to
Your Excellency "per competenza".

G. G. HARRAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incls.

63

4017 ✓

TO : HQ ALLIED COMMISSION
(for attention of Legal Sub-Commission)

F. 1 : HQ AMG/AC ABRUZZI MARCHE REGION

SUBJECT : Crimes committed by Fascists

REF. : R5/511/19

DATE : 15 Feb. '45

240
Legal
40A
E.R.
Coe Hannaford
B.S.

LONGHI Virginia
BALDUCCI Antonio

1. The papers in these cases are enclosed.
2. Although these may be matters for the local Military Tribunal, it was thought that you may like to see them.

For the Regional Commissioner



R. G. S. Alexander
R.L.O.

17 FEB 1945

1282

P.C.

Research Service

War Criminals

PP50

the action of
P.O.

5/1/45

The attached account of the shooting of the girl
Virginia Langhi of Pennabilli implicates by name
certain fascists. It is forwarded as evidence
against these persons when apprehended.
It is beyond reasonable doubt that the statements
made by the witnesses are truthful.

63

M. M. Moya
P.O. Nova Feltre

31 Jan 45.

Declassified on: 12-30-2000
70 45521
0
THE EXECUTION OF ANTONIO BALDUCCI, OF PERMARIA

1. Capt. MARINOLA, commanding 6th Co of the Battalion "Camilluccia" (Militia) handled the investigation.
2. 2nd Lt. FRELIOSO commanded the execution platoon, ~~refused to wait for the Bishop.~~
3. The local German commander has approved of the execution.
4. MAINARDI Paolo of Vincenzo, residing at SCAVOIERO, took part in the arrest of BALDUCCI; allegedly admitted to have killed 2 patriots and taken part in looting of a jewelry store at Pesaro.

DCIA
I propose to pass this to the PGM or
would you rather see the matter
dealt with by the High Court?

Forwarded to PGM

THE EXECUTION OF VIRGINIA JOSEPH OF PENNSYLVANIA

1. 2nd Lt. FOCCHI : interrogated the girl and prepared the record.
2. Captain MARTINOLA, commanding Officer, 6 Co, of the "Camilluccia" Battalion, 1st Division D'Assalto "Tagliamento" of the Militia : transmitted the record to ZUCCARI.
3. Consul of Militia, ARMANDO ZUCCARI of Sassocorvaro ordered in writing the execution.
4. "New commanding officer of the Battalion": ordered in writing the execution.
5. 2nd Lt. AGOSTINI, commanded the execution platoon, gave the girl "a shot of grace" from his revolver.
6. RICCIOTTI Bergantini : testified that the girl was engaged to an antifascist ex-internee, allegedly , the main reason for the execution.

Testimonies of the Parish - First Son Remesto Gonzalez of Penuatilla
and of the First Son Diego Garcia -

On 10th August 44 Eguarosa Asensio Mather Gentile and Eguarosa
Asensio Asensio mother and father of Eguarosa Vignier Asensio
asked my help to save their daughter arrested by the General's of
the "Comandancia". Capt. Martindale let me see the charge sheet,
compiled by Lieutenant Poca, and regarding the store mentioned
in evidence. I do not remember the charges very clearly: a the store
ill of the First Commanders and in this way she had done an
antiquarian act, (b) ~~It seems she~~ engaged into a certain
Eguarosa who, for what they knew, joined the parishans army
What I admitted that the girl was easy to speak. I ~~refused~~
refused strongly the second charge. The charge sheet was sent
to the Superior Command by Capt. Martindale, whose opinion was
that the girl would be punished, eg. by cutting her hair.
After having encouraged her parents ~~by~~ telling them what
I heard, I saw again Capt. Martindale returning back from
his Command with the oral order to shoot the girl, but
he assured me he would never do it without a written
order. In the same time he got a medical certificate from
a German hospital at Penuatilla, declaring the girl ill
and not responsible for what she said & before. ~~His~~ ^{His} ~~refused~~
and on 2nd August, On 3rd August the Superior Commander
came up to Penuatilla, but I could not talk with him about this
argument, what a mis-connection brought the written order to shoot the
girl. When on 1700 hrs four guards came for the execution, I
reminded I would never go alone there. Then they looked for the
Parish-priest and when we were ready for the religious rights, we
were guided by the guards in a house where the girl was ^{Capt}
prisoner. Whatst the Parish-priest was proceeding for the religious
rights, I sent for her mother Jans disobeying the orders of the
Commander.

but was refused.

refused strongly the second Charge. The Charge sheet was sent to the Superior Command by Capt. Markwala, whose opinion was that the girl would be punished, eg. by cutting her hair. After having encouraged her parents by telling them what I heard, I saw again Capt. Markwala returning back from his Command with the oral order to shoot the girl, but he assured me he would never do it without a written order. In the same time he got a medical certificate from a German hospital at Penmalilla, declaring the girl ill and not responsible for what she said & before. This happened on 2nd August. On 3rd August the Superior Commander came up to Penmalilla, but I could not talk with him about this argument, whilst a note-courier brought the written order to shoot the girl. When on 4th August four guards called me for the execution, I answered I would never go alone there. Then they looked for the Parish-priest and when we were ready for the religious rights, we were guided by the guards in a house where the girl was ^{Capt} prisoner. Whilst the Parish-priest was proceeding for the religious rights, I sent for her mother Juv, despoysing the order of the Commander.

The girl wanted to see her mother, but was refused. Meanwhile, the mother trying the last attempt, the sergeant ordered the ~~carrying~~ ~~carrying~~ to the execution place of the girl, who was put sitting on a chair, tied and blindfolded. The platoon shot and the girl felt down on the ground, whilst the doctor went gave the last hit on her face. I remember the cynical indifference of the platoon.

I have underlined down German have seen all the documents but I do not remember the single testimonies. About the medical certificate from the psychiatrist of the German hospital, ~~Markwala~~ I was told by Capt. Markwala, the declaration of his Superior Commander which is the following: "If she is mad, we must shoot her, as we must cleanse Italy from mad ~~the~~ people".



COMUNE DI NOVA FELTRIA

2000

Dispositivo: carta del

2

2

Orizzonti

for the further we understand as we have been
demanded by the Allied Command.

Penwale, 23rd June 45

to post: free long hand

Don Venustiano Carranza, President

Permetelli 18th Jan 45

To the Governor of Mercatino Mercatino and Monte Felice

As ordered by you, I ~~am~~ am sending this memorial about the shootings of my daughter Virginia, aged 26, at Permetelli on 4th August 44 2030 hrs, by the freely of the "Camillucci".

As my daughter knew having heard a talk between the guard Oghara and the civilian Bergantinucci, that the Commander of "Camillucci" Battalion, Capt. Francesco Agostini, went away from his unit for leaving down a noisy dispute with Colonel Zuccheri, commanding the Legion, she told four guards: "And you? Won't you move when your Officer are leaving you?" -

Soon after, my daughter was charged by ~~these~~ chaplains to Capt. Martini and arrested and interrogated by the Lieutenant Pocer, with the presence of her mother. The guard Oghara too was interrogated but he refused to have spoken about the Battalion Commander, declaring only: "he moved towards Brescia (North Italy)" -

~~But~~ Soon after Bergantinucci was questioned and he answered to have not heard anything because dull and his wife wished declared that Oghara affirmed his capitain moved towards Brescia. About the girl's engagement with Enzo Plebotta, he declared: "Every one says so" - Probably this declaration meant my daughter's life.

About the testimonies of two sisters Perna, whose house ~~the~~ my daughter spoke with the four guards, there is nothing of interesting. ~~After 8 days in jail,~~

Declassified E.O. 12958 Section 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18, 5.19, 5.20, 5.21, 5.22, 5.23, 5.24, 5.25, 5.26, 5.27, 5.28, 5.29, 5.30, 5.31, 5.32, 5.33, 5.34, 5.35, 5.36, 5.37, 5.38, 5.39, 5.40, 5.41, 5.42, 5.43, 5.44, 5.45, 5.46, 5.47, 5.48, 5.49, 5.50, 5.51, 5.52, 5.53, 5.54, 5.55, 5.56, 5.57, 5.58, 5.59, 5.60, 5.61, 5.62, 5.63, 5.64, 5.65, 5.66, 5.67, 5.68, 5.69, 5.70, 5.71, 5.72, 5.73, 5.74, 5.75, 5.76, 5.77, 5.78, 5.79, 5.80, 5.81, 5.82, 5.83, 5.84, 5.85, 5.86, 5.87, 5.88, 5.89, 5.90, 5.91, 5.92, 5.93, 5.94, 5.95, 5.96, 5.97, 5.98, 5.99, 6.00

she told four guards: "And you? Won't you move with your officer or leaving you?" -

Soon after, my daughter was charged by these chaps to Capt. Martinotti and arrested and interrogated by Lieutenant Peco, with the presence of her mother but he refused the guard Oghian too was interrogated but he refused to have spoken about the Battalion Commander declaration on my: "he moved towards Brescia (North Italy)" -

~~Soon~~ Soon after Raccotto Gargantini was questioned and he answered to have not heard anything because dull his wife instead declared that Oghian affirmed his captain moved towards Brescia. About the girl's engagement with Enzo Plebotta, he declared: "Every one says so" - Probably this declaration meant my daughter's life.

About the testimonies of two sisters Panni, whose house my daughter spoke with the four friends, there is nothing of interesting.

After being kept ~~8 days~~ 8 days in jail, my daughter was shot.

Now, in my pain as father and as Italian, I pray you to do a severe inquiry to make light and punish the lying declarations of the witnesses, responsible to save their friend Oghian, of the painful death of my daughter -

Signed: daughter Paspuala

STABILIMENTO (officina - impianto) DI

DENUNCIA MENSILE DELLE ESISTENZE DI COMBUSTIBILI SOLIDI

Il sottoscritto _____ nella sua qualità di _____
 (proprietario, amministratore delegato, direttore, ecc.) dello stabilimento (officina o im-
 pianto) sopraindicato, sito nel Comune di _____ (Provincia
 di _____) Via _____ dichiara -
 sotto la propria responsabilità ai sensi ed agli effetti di legge, - che, per i bisogni dello
 stabilimento (officina o impianto) summenzionato, disponera al
 dei seguenti combustibili solidi:

CARBONE ESTERO

Anthracite	•	•	•	•	•	Tonn.
Carbone da vapore	•	•	•	•	•	•
Carbone a lunga fiamma	•	•	•	•	•	•
Carbone da gas	•	•	•	•	•	•
Minuti e polverini di antracite	•	•	•	•	•	•

TOTALE Tonn.

CARBONE NAZIONALE

Arsa	•	•	•	•	•	Tonn.
Sudois	•	•	•	•	•	•

TOTALE Tonn.

CARBONE COKE

Coke metallurgico	•	•	•	•	•	Tonn.
Coke da gas	•	•	•	•	•	•
Minuti e polverini di coke	•	•	•	•	•	•
Coke di petrolio	•	•	•	•	•	•

TOTALE Tonn.

LIGNITI

Trifol	•	•	•	•	•	Tonn.
Ribolla	•	•	•	•	•	•
Valdarno	•	•	•	•	•	•
Altre ligniti	•	•	•	•	•	•

di _____ Vin _____ dichiara -
 sotto la propria responsabilità ai sensi ed agli effetti di legge, - che, per i bisogni dello
 stabilimento (officina o impianto) summenzionato, disporrà al
 dei seguenti combustibili solidi:

CARBONE ESTERO

Anthracite	Tonn.
Carbone da vapore	"
Carbone a lunga fiamma	"
Carbone da gas	"
Minuti e polverini di antracite	"

TOTALE Tonn.

CARBONE NAZIONALE

Arsa	Tonn.
Sulcis	"

TOTALE Tonn.

CARBONE COKE

Coke metallurgico	Tonn.
Coke da gas	"
Minuti e polverini di coke	"
Coke di petrolio	"

TOTALE Tonn.

LIGNITI

Trifail	Tonn.
Ribolla	"
Valdarno	"
Altre ligniti	"

TOTALE Tonn.

AGGLOMERATI DI CARBONE

Tonn. _____

Nome e residenza del fornitore o dei fornitori abituali _____

IL DENUNCIANTE

Data _____

Firma _____

Domicilio _____

P.C.
Peraro Province

War Criminals

P.O. 50
By action 4
H. O. 101

The attached account of the shooting of Antonio Baldacci
of Pennabilli implicates by name certain fascists. It is
forwarded in order to ensure that these persons are
suitably dealt with when they are apprehended.

It is beyond reasonable doubt that the statements
made by the various witnesses are truthful.

31 Jan 45.

H. S. M. M. M.
P.O. Nova Feltria

Testimony of the Priest Don Luigi Giardi, who saw the shooting of the youngmen Antonio Balducci di Marsilio, resident of the Comune of Penabissi.

-----commissioned

On 13th July 44 in the afternoon I was held by my Superiors to try to get, as I did in similar cases, the liberation of Antonio Balducci from Captain Martinola, Commanding the 6th Company of the Battaglione CC.NN. "Camilluccia".

CC.MN. Callahan.
I tried but I could not get it at all. The young man was charged as follows (as I was told by the above mentioned Captain):

a) the Balaucci deserted after having joined the TODT Works; b) he had in his pockets some rustic poesies joking the soldiers of the Camilluc-
cia.

Q. When I observed that not even the Germans condemned to death the deserters from Tost and in this way the fact was illegal, I was answered: "It's necessary to give an example".

As I understood that that Captain was irremovable, I tried to speak with the German Commander of the place, but the Officer was not there. This happened on the evening of 13th July. I could not hear anything properly about the shooting of the Balducci, because the night trial was kept hidden to me and I could not know properly the true intention of the Commander, as another time I could save on the last minute, together with the ~~deceased~~ ^{deceased} Bishop, a certain Giotti Gino from a sure death.

gether with the ~~Rev.~~ Bishop, a certain Colonel. I was
early in the morning on 14th July (I had not yet celebrated the Mass),
I was invited by a sergeant and by four soldiers to go with them with
all what was necessary for the religious rights. I understood what was
the matter; I moved with them - the proper place was kept hidden to me:
so I could not give any signs along the road - I was told that the shot
would happen on the road towards Scavolino, some kilometer after from the-
re and I was accompanied near a big rock, just over Pennabilli.

The execution platoon, commanded by Lieutenant Prezioso, was already there and I was accompanied near a big rock, just over the wall.

The Balducci was tied with chains, standing near a tree. When he saw me, he had a moment of commotion. I tried to give him courage and told him that I would try the last attempt with the Commander, while I invited him to make his Confession and to take his Communion, that he did very christian-like. While I let him on his knees thanking God, I spoke with Lieutenant Prezioso, who was not afar from there and I let him understand that before the shot I would go to the Commander and get from him the key to open the chains, because it seemed to me a very bad thing to shoot a tied man.

very odd thing to shoot a Civilian.
For me it was a pretext to speak again with the Commander and get the liberation. The Lieutenant refused me to go in any place, saying that he would shoot also if I was not present. Meanwhile I heard some shouting near the rock; it was the young man's sister together with signorina Faioni and Eliseo. Weeping they prayed me to do all what was possible to save Antonio; then I told signorina Faioni to go and look for the Bishop, for the German Commander and for Captain Martinola, meanwhile I would try to get time, because I could not go away from there.

to get time, because I could not go away from there. They went away and I obtained from the Lieutenant to let the Balducci take a letter from his parents. After having done it, the Lieutenant did

Declassified in part by NSA on 08-28-2014 pursuant to E.O. 13526

This happened on the evening of 13th July. I could not hear anything properly about the shooting of the Balducci, because the night trial was kept hidden to me and I could not know properly the true intention of the Commander, as another time I could save on the last minute, together with the ~~Massimo~~ Bishop, a certain Ciotti Gino from a sure death. Early in the morning on 14th July (I had not yet celebrated the Mass), I was invited by a sergeant and by four soldiers to go with them with all what was necessary for the religious rights. I understood what was the matter; I moved with them - the proper place was kept hidden to me: so I could not give any signs along the road - I was told that the shot would happen on the road towards Scavolino, some kilometer afar from there and I was accompanied near a big rock, just over Pennabilli.

The execution platoon, commanded by Lieutenant Frezioso, was already ready. The Balducci was tied with chains, standing near a little wall.

When he saw me, he had a moment of commotion. I tried to give him courage and told him that I would try the last attempt with the Commander. Meanwhile I invited him to make his Confession and to take his Communion, that he did very christian-like. While I let him on his knees thanking God, I spoke with Lieutenant Frezioso, who was not afar from there and I let him understand that before the shot I would go to the Commander and get from him the key to open the chains, because it seemed to me a very bad thing to shoot a tied man.

For me it was a pretext to speak again with the Commander and get the liberation. The Lieutenant refused me to go in any place, saying that he would shot also if I was not present. Meanwhile I heard some shouting near the rock; it was the young man's sister together with Signorina ~~Paoloni~~ di Eliseo. Weeping they prayed me to do all what was possible to save Antonio: then I told Signorina Paoloni to go and look for the Bishop, for the German Commander and for Captain Martinola, meanwhile I would try to get time, because I could not go away from there.

They went away and I obtained from the Lieutenant to let the Balducci write a letter for his parents. After having done it, the Lieutenant did not let us wait any more and the Balducci was put with his back towards the platoon.

Then I let him clearly understand that there was nothing to do but die as a strong man. He turned his look towards the platoon and just in that moment the squall hit him on his face and on his side. Balducci fell down but did not die. While I was giving him the last Unction, he is praying with his hit lips. A soldier about 16 years old comes near and hits again ~~Balducci~~ with an hand machine gun Balducci's head, which started up twice from ground. He was not yet dead. The same soldier came with another squall, and I shouted: "It is enough!".

To be sincere, I must declare that this young man, ~~dormagaba~~ waiting for the shooting and during the shooting, was very strong and looked at the death with contempt, and this fact made easier the work to me while trying to console the young man's family.

I took a white sheet from the near Covent of the Sisters, and when Germans and Slavachian soldiers came, they too were moved.

Visto, si autorizza l'esecuzione delle opere di

cui retro prelevate complessivamente in L.

Dalla Residenza Comunale

li

19

IL PODESTÀ

IL SEGRETARIO

When the platoon moved, I too came down until I met the Bishop running up trying to save the Balducci.

On the same day I spoke with Martinola, letting him understand the cruelty of his soldiers and particularly of his Lieutenant. The Martinola disappeared, but he too told me that this shooting was necessary.

A few days later, I spoke with a German Commander of an Army Corp, who stationed in Pennabilli, and let him know the above fact. This General called Captain Martinola, and, for what I know, ordered him to proceed ~~to the execution of the above fact~~ lawfully in future.

So I declare for the truth, as I was asked by the Allied Authorities?

Signed: Priest Luigi Giardi

Declassified E.O. 12958 Section 2.2

Testimony of Signorina Eda Paioni di Eliseo, resident
of Pennabilli.

On 14th July 44 in the morning I was asked by Rosa
Balducci, sister of Antonio Balducci, to help her in
the last attempt to save her brother from death.

When we went up on the road towards the rock, where
we had been told Balducci would be shot, we were stopped
by a soldier and after the priest Don Luigi Giardi orde-
red us to go and ask the help of the Bishop and of the
military Authorities. While Balducci's sister remained
there, I looked for Lieutenant Pagan, the German Com-
mander of the place, but a German ~~sergeant~~ sergeant told
me that there was nothing to do, because Captain Marti-
no and the German Commander of the place agreed. Mean-
while I heard the squalls of the execution platoon.

I undersign all this for the truth and because so
asked by the Allied Authorities.

Signed

Pennabilli 23rd Jan 45

Signed: Eda Paioni

Testimony of Balducci's father, Balducci Marsilio,
resident of Pennabilli.

When my son Giuseppe told me that the other son An-
tonio had been arrested by the "Camilluccia" guards,
I went with ~~the~~ the priest Don Giardi and with my farm-
boss Eliseo Paioni to the Fascist building, trying to
be received by that Authorities, but it was impossible.
~~Later~~ Later I asked a Fascist ~~of~~ of Pennabilli to help
me, but he answered that he was not responsible about
that.

On the evening of the same day my house was searched
by guards and my other son Giuseppe was arrested.

On the day after, while working in the country, I was
told that my son Antonio had been shot. A few hours la-
ter my son Giuseppe came bringing with him ~~his brother's~~
his brother's pocket-book and watch, given him by Anto-
nio with this words: " Now they shoot me ".

Signed: Marsilio Balducci

Declassified R.O. 1255 Section 1.1.1.1

Testimony of Cola Gaetano fu Antonio, aged 49, resident of Scavolino.

I declare as follows:

I was present on the evening of 12th July 44 in Scavolino when the Camilluccia Guards together with the Fascist Mainardi Paolo di Vincenzo, resident of Soanne, arrested Balducci Antonio and Pianini Giuseppe on the main square and brought them in Sabba Francesco's house.

About Mainardi Paolo di Vincenzo I confirm Pianini Battista's declaration, that is that the same man affirmed to Vitali Giacomo to have taken a big part in the German rapines at Pesaro, to have been assailed by partisans turning back, to have been spoiled by them a car. The Mainardi affirmed then: "We did not kill them because ~~they~~ unexpectedly taken, but at Parma I have killed two partisans".

I declare it for the truth.

Penne billi 18th Jan. 45

Signed: Cola Gaetano

Declassified E.O. 12356 Section 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18, 5.19, 5.20, 5.21, 5.22, 5.23, 5.24, 5.25, 5.26, 5.27, 5.28, 5.29, 5.30, 5.31, 5.32, 5.33, 5.34, 5.35, 5.36, 5.37, 5.38, 5.39, 5.40, 5.41, 5.42, 5.43, 5.44, 5.45, 5.46, 5.47, 5.48, 5.49, 5.50, 5.51, 5.52, 5.53, 5.54, 5.55, 5.56, 5.57, 5.58, 5.59, 5.60, 5.61, 5.62, 5.63, 5.64, 5.65, 5.66, 5.67, 5.68, 5.69, 5.70, 5.71, 5.72, 5.73, 5.74, 5.75, 5.76, 5.77, 5.78, 5.79, 5.80, 5.81, 5.82, 5.83, 5.84, 5.85, 5.86, 5.87, 5.88, 5.89, 5.90, 5.91, 5.92, 5.93, 5.94, 5.95, 5.96, 5.97, 5.98, 5.99, 6.00

Testimony of Pianini Battista fu Achille, aged 45,
resident of Scavolino, father of Pianini Giuseppe.

I declare as follows:

While ~~at~~ ⁱⁿ bed, four guards arrived and asked me about my son Giuseppe and his fellow Balducci Antonio, who had been arrested just before.

They charged me to have helped the two fellows, by giving them foods, ~~and by knowing their hiding place~~ and by knowing their hiding place. I was ~~menaced~~ ^{threatened} by these four guards, who many times put me near a wall to kill me.

The day after, while trying to bring some food to my arrested son, I was repulsed, while the guards were hitting him ~~and~~. I was told: "Go away, now it's time to rest for him, and he does not need anything".

Proceeding to arrest my son that evening, there was also another Fascist, a certain Mainardi Paolo, about whom I know what follows:

A certain Giacomo Vitali, returning back home one evening from Urbino, told me, with the presence of Cola Gaetano, that Mainardi Paolo ~~also~~ told him in Urbino to have taken a part during a search and rapine in a goldsmith's shop in Pesaro, together with the Germans, but, while returning back, he was assailed by the partisans, who took away their car. As the Vitali asked him why he did not kill them, he answered: "We were unexpectedly taken, but at Parma, where I was on duty, I killed two partisans."

This for the truth.

Pennabilli 18th Jan 45

Signed: Pianini Battista

51

Comune di Mercato Marecchia
— Provincia di Pesaro —

Li 13 - 12 - 1931 - X.

Non risulta che la S. V. abbia ancora presentata la denuncia dei cespiti agli effetti delle tasse Comunali pel 1932.

Prima di eseguire gli accertamenti d'ufficio, ed applicare le relative ammende, le assegno un ulteriore termine fino al 23 corrente.

IL PODESDA

Cav. GIACINTO MASI

Testimony of Pianini Giuseppe di Battista, aged 20, resident of Scavolino, in the Comune of Pennabilli.

On the responsibility about the shooting of Antonio Balducci I affirm as follows:

On 12th July at 2230 hrs in Scavolino, while Antonio Balducci and I were going towards the mounts, we were stopped by 9 Guards of the "Camil'uccia", who asked for our identity cards. After having showed our papers, they brought us in a wineshop for receiving our declarations. Soon after, they started menacing me with ~~and~~ rifles and then transported me to Pennabilli, where I was put in closed room to sleep on the ground.

On the morning of the day after, the Guards hit ~~and~~ us many times and, with their bayonets against our chests, obliged us to drink some castor-oil. Many times we were asked to join the Milizia and we always replied: "It is better to die, than join the Milizia".

While we were so hit, there was also a Fascist, Bruno Tazzari, who ~~and~~ shouted: "Who must fight, we old men?". Also the Fascist Secretary, Mainardi Flaminio, was present.

I declare moreover, that the Guards who stopped us at Scavolino, had been invited before for a dinner and entertained by the following Fascists, in Soanne: Mainardi Paolo di Vincenzo, who accompanied them to Scavolino; Bernandi Vincenzo, resident of Soanne, and brothers; Baldani Francesco di Gaetano.

I was kept in jail until 1000 hrs of 15th July, as I had an inability certificate..

For the truth and having sworn.

Pennabilli 18th Jan 45

Signed: Pianini Giuseppe

Declassified E.O. 12958 Section 1.4
COPY OF THE MANIFESTO OF THE "GUARDIA NAZIONALE REPUB-
BLICANA".

Guardia Nazionale Repubblicana - 1^a Legione d'Assalto
"Tagliamento" - 1^a Battaglione "Camilluccia" - COMANDO
DEL MONTEFELTRO.

Pennabilli, dated 14th July 1944, 2222 XXII

To day, in a place in Pennabilli, the youngman BARDUCCI
ANTONIO, born in 1923, has been shot, because, restive to
the calling of his class, he did not report to the Mili-
tary Authorities, as invited by the Duce's amnesty manifesto.
Reported to the work service, Organisation Todt, he remai-
ned there for a short time, and after he kept himself afar
unlawfully avoiding every search.
Not glad of it, ~~and~~ he made Antigerman and antifascist
propaganda.

The neglect of conscience of all who do not feel their du-
ty and the pride to fight for the Country, will be punished
with the death.

The cowards will find in us the incorruptible judges who,
under the sacred name of Italy, will be able to redeem our
Country, to give Her honour and victory.

THE MILITARY COMMANDER OF THE PLACE

62

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

39A

file
AG/4017/L.

/nt.
12 February 1945.

SUBJECT : Claim by PROGETTA Giuseppe.
TO : Regional Commissioner (Attn: Regional Legal Officer),
SOUTHERN Region.

The attached correspondence in connection with the above
is passed to you for investigation and settlement.

By command of Rear Admiral STONE:

JOS. W. LEVY. 53
Captain,
for Chief Legal Advisor.

Incls.

4017
H ADQUARTERS
TOSCANA REGION
ALLIED MILITARY GOVERNMENT

38A

File Ref: 100/15/d455

Date: 7 Feb. 45.

SUBJECT Summons.

TO C.I.A., Legal Subcommittee, HQ., A.E., ROME.
(Attention LT. Col. Thackrah.)

18A

31A

1. Reference is made to your AG/4017/L of 17 Jan. 45. and of 31 Jan. 45.
2. The case in question against MICHELI Giovanni has been tried by the Court of Assizes, and there is no further need of the attendance of the witness DIANOTTI Carla.

LEGAL SUBCOMMISSION

CIO

DCIO

Chief Counsel

CIO

Italian Section

CL RKS

M.C. Holt Major
Officer i/c Italian Courts
Toscana Region.

telephoned
to that there
is no need for her
going to Florence.
12 Feb

11 FEB 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

37A
ES. pa.
10 Feb 45.

AC/4017/L.

SUBJECT : Status of ex-members of Italian Armed Forces.

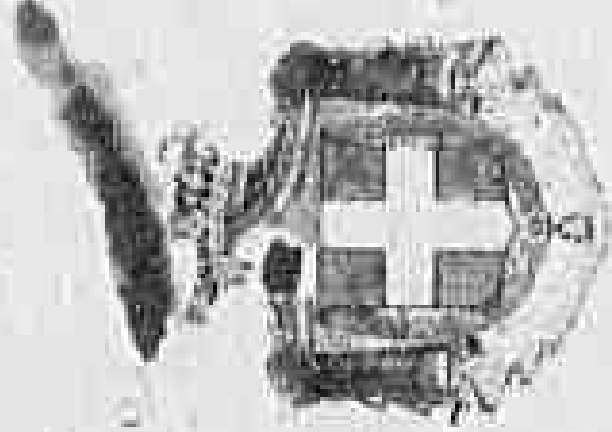
TO : H.E. Procuratore Militare Generale
Via Asquasparta, 2, ROMA.

1. Reference is made to the attached memorandum expressing the view of the Direzione Generale Affari Penali of the Ministry of Pardon and Justice on the above subject in which view, it is said, the Procura Generale Militare concurs.

2. Enclosed is also a copy of a letter directed by this Sub-Commission to the Ministry. The letter is self-explanatory and it would be appreciated if Your Excellency would give it early consideration.

C. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

2 Incls.



Mod 1348 MG

37B

Ministero di Giustizia

DIREZIONE GENERALE AFFARI PENALI

APPUNTO PER L' A.C.

Si conferma l'avviso espresso nell'appunto per l'incidento con la Commissione Alleata del 3 c.m. comunicando che con nota 5 corr. la Procura Generale Militare del Regno ha dichiarato che gli ex membri delle FF.AA. Italiane, già rilasciati senza un regolare congedo, non possono - anche a loro avviso - essere considerati come civili e quindi non possono essere assoggettati alla Autorità Giudiziaria Ordinaria. Per ciò, nel caso in cui siano stati fermati e trattenuti dalla Autorità per indagini sulla loro posizione militare, agli effetti penali, debbono essere ritenuti soggetti agli art. 11 308, 309 del Codice Penale Militare di pace, e quindi assoggettati alla giurisdizione militare.

Roma, lì 9 febbraio 1945

Roggeri

50

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

/rlp.
10 February 1945.

SUBJECT : Status of ex-members of the Italian Armed Forces.

TO : H.E., the Minister of Pardon and Justice.

1. This sub-commission is obliged for H.E. Spallanzani's memorandum on the above subject in which it is stated that ex-members of Italian Armed Forces not regularly discharged from service remain subject to the exclusive military penal jurisdiction. This view, it is said in the memorandum, is shared by the Procura Generale Militare.

2. This sub-commission has already had the occasion in the last meeting to invite Your Excellency's attention to the serious consequences attaching to the above conclusion in the Florence area. As there is no military tribunal in Florence and the shortage of means of transportation would prevent the defendants and witnesses to be brought before the military tribunal of Macerata or Rome there would be no forum for the defendants under consideration who in some cases would have to be held in preventive custody for an excessive period of time.

3. Your Excellency will no doubt agree that this matter would deserve further thought from the Minister concerned and taken in consideration the serious situation existing in Tuscany.

4. This sub-commission would be glad to receive further advice at Your Excellency's early convenience.

G. G. HARGREYD,
Lt. Col.,
Officer i/c Italian Branch
for Chief Legal Advisor.

Incl. Copy of letter from Min of Pardon
and Justice, dtd 9 Feb 45.

HEADQUARTERS REGION VIII
ALLIED MILITARY GOVERNMENT

3518

File Ref:

RVIII/19/3008. 4017

Date: 8 February 1945.

SUBJECT: Summons.

TO : Legal Sub-Commission, Headquarters, AC. ✓

31A

1. See your letter 31 January 1945, AC/4017/L, above subject.
2. Major M. C. HOLT, O/C Italian Courts, this office, has advised that the matter has not been disposed of at the conference in your office on 1 February 1945.

For the Regional Commissioner:

John K. Weber

JOHN K. WEBER
Colonel, Infantry
Regional Legal Officer

48

10 FEB 1945
A. C.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

34A
GCH/ps.
10 Feb 45.

AC/4017/L.

SUBJECT : Status of ex-members of Italian Army.

TO : Officer i/c Italian Courts, TOSCANA Region.

1. It is regretted that the enclosed memorandum from the Minister of Justice closes the door to any compromise in this matter.

2. However, this Sub-Commission has written again to the Minister of Justice and the Procuratore Militare Generale stressing the difficulties existing in TOSCANA (copy enclosed) and it is hoped that the authorities concerned may adopt a more understanding attitude.

3. In the meantime and until they can be transferred to Rome and Macerata, irregularly discharged soldiers will remain in jail in TOSCANA.

By command of Rear Admiral STONE :

G. C. HARRIARD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl.

Copy to : Regional Commissioner (Attn: R.L.O.) TOSCANA Region.

34 B

MINISTRY OF GRACE AND JUSTICE (Ufficio Generale Aff. Penali)

Si conferma l'avviso espresso nell'appunto per l'incontro con la Commissione Alleata del 3 c.m. comunicando che con nota 5 corr. la Procura Generale militare del Regno ha dichiarato che gli ex-membri delle FF. A. Italiane, già rilasciati senza un regolare congedo, non possono - anche a loro avviso - essere considerati come civili e quindi non possono essere assoggettati alla Autorità Giudiziaria Ordinaria. Perciò, nel caso in cui siano stati fermati e trattieneuti dalla Autorità per indagini sulla loro posizione militare, agli effetti penali, debbono essere ritenuti soggetti agli artt. 308, 309 del Codice Penale militare da Pace, e quindi assoggettati alla giurisdizione militare.

58

Roma, 11 9 febbraio 1945.

4017
HEADQUARTERS

GROSSETO PROVINCE

ALLIED MILITARY GOVERNMENT

File No : AG/4017/L

24 January '45

SUBJECT: Communications of the High Court of Justice

TO : Lt. Col. Hennesford, Officer i/c Italian Courts AG
through Regional Legal Officer, Toscana Region

2nd. Indorsement

1. The communications of the High Court of Justice were handed to the addressees.

2. The witness Angelo Erati Bulli was arrested here a few days ago for an offense against AMG proclamations, but his case is set for trial for January 26th, and will be disposed of. We will then send him in the car of the FIC to Rome on January 29 so that he will be available as a witness on the 30th. In case of conviction e GCRG guard will accompany him and we will also send a copy of the commitment in case the Italian prison authorities there desire that he serve his sentence in Rome.

3. The other witness, Dott. Somini has been served with the summons and is being offered the same means of transport to Rome on the 29th. The Procuratore del Regno and I are handling this matter together.

Robert M. Hill
Robert M. Hill, Major AUS.
FIC - Grosseto

43

3rd Ind.

RVIII/19/7000

Headquarters, Toscana Region, 25 January 1945.
TO: LEGAL SUB-COMMISSION, Headquarters, A. C. ✓

1. Forwarded.

TO

LT. Col. Harnaford, Officer i/c Italian Courts AC
through Regional Legal Officer, Toscana Region

2nd. Indorsement

1. The communications of the High Court of Justice were
handed to the addressee.
2. The witness Angelo Frati Rulli was arrested here a few
days ago for an offense against AMO proclamations, but his case
is set for trial for January 26th, and will be disposed of. We
will then send him in the car of the FIO to Rome on January 29
so that he will be available as a witness on the 30th. In case
of conviction a GCR guard will accompany him and we will also
send a copy of the commitment in case the Italian prison authorities
there desire that he serve his sentence in Rome.
3. The other witness, Dott. Comini has been served with
the summons and is being offered the same means of transport to
Rome on the 29th. The Procuratore del Regno and I are handling
this matter together.

Robert M. Hill

Robert M. Hill, Major AUS.
FIO - Grosseto

40

Rviii/19/7000

3rd Ind.

Headquarters, Toscana Region, 25 January 1945.
TO: LEGAL SUB-COMMISSION, Headquarters, A. C. ✓

1. Forwarded.

For the Regional Commissioner:

John K. Weber
JOHN K. WEBER

Colonel, Infantry,
Regional Legal Officer

28 JAN 1945

A.

Declassified E.O. 12958 Section 1.4, 1.5, 1.6
Angelo Frat. Rulli
residing in Gavorrano

Simone Simonini
residing in Follonica

for the 12th February

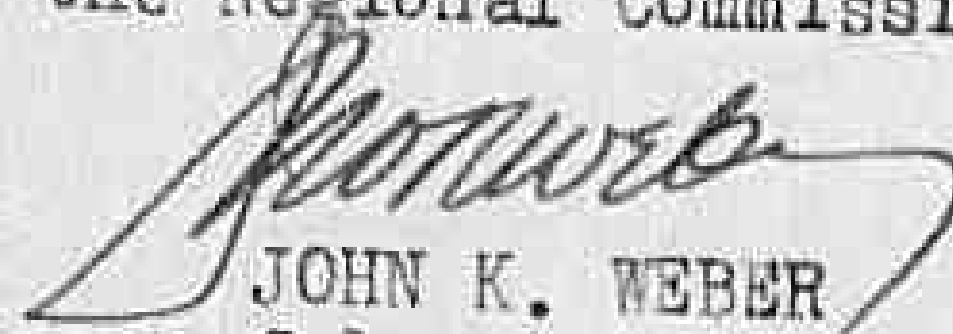
RVIII/19/7000

1st Ind.

Headquarters, Toscana Region, 19 January 1945. ✓
TO: PROVINCIAL LEGAL OFFICER, Grosseto Province, (Thru P.C.)

1. Forwarded, for attention and action.

For the Regional Commissioner:



JOHN K. WEBER
Colonel, Infantry
Regional Legal Officer

L.3

24 GEN 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

8756

Red

ES/mt.

14 January 1945.

AC/4017/L

SUBJECT : Communications of the High Court of Justice.
TO : Regional Commissioner (Attn: Regional Legal Officer),
TOSCANA Region for Provincial Legal Officer Grosseto
and Florence Province.

1. The High Court of Justice requests that the enclosed communications be handed to the addressees at the earliest possible date and advice be given thru this Sub-Commission of delivery.

2. Your cooperation would be appreciated.

By command of Rear Admiral STONE:



AR Shackelford
P. G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.



ALTA CORTE DI GIUSTIZIA
PER LE
SANZIONI CONTRO IL FASCISMO

N. *39*

Prot.

Roma, 13 gennaio 1945

Risposta a nota del

N.

Alleg.

Stamperia Reale di Roma

OGGETTO: Citazione testimoni residenti a Grosseto
e a Firenze.

ALL'ON. SOTTOCOMMISSIONE LEGALE
presso la Commissione Alleata

R O M A

Come da accordi verbali interceduti stamane,
mi permetto trasmettere a cotesta On. Sottocommis-
sione N. 2 richieste di citazione di testimoni, ri-
volte rispettivamente a S.E. il Procuratore Generale
presso la Corte di Appello di Firenze ed al Procurato
re del Regno presso il Tribunale di Grosseto.

Dato le attuali difficoltà dei mezzi di comu-
nicazione quest'Ufficio è costretto a pregare la cor-
tesia di cotesta On. Sottocommissione di voler ~~ricomun-~~
samente provvedere all'inoltro dei due dispacci e di
voter far in modo che, per lo stesso tramite, questa
Corte possa avere assicurazione dell'avvenuto acce-

imento della richiesta.

Prago voler gradire , con la ringraziamenti,
i sentimenti della mia più alta considerazione.

IL PRESIDENTE DELL'ALTA CORTE

L. Maron

HEADQUARTERS ROME AREA, MTOUSA
APO 794, US ARMY

AG 451 (G-4)

CAT/IEC/tjs
3 February 1945

Subject: Requisitioned Vehicle.

To : Headquarters Allied Commission, Legal Sub-Commission,
APO 394. (Attn: Lt. Col. HANNAFORD).

1. Reference is made to letter, your headquarters, file AC/4017/L, dated 31 January 1945, subject: "Civilian Requisitioning", concerning the derequisitioning of vehicle, Fiat 1500, license plate 7949, as per request of the Consul of the Argentinian Republic.

2. Due to existing regulations, no derequisitioning of civilian vehicles can be accomplished at this time, consequently the subject vehicle cannot be returned to the owner.

For the Commanding General:

I. E. Cheek
I. E. CHEEK,
Captain AGD,
Adjutant General.

1 Incl:
Ltr Consul of Argentinian
Republic dtd 23 Jan 45

LEGAL SUB-COMMISSION	63
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
- 1 -	
5 FEB 1945	

Consulado
de la
República Argentina

Roma, 23 Gennaio 1945
Via Nomentana n° 220

n° 56

On.le Sotto-Commissione Legale Alleata
R o m a

Il sottoscritto, Fortunato Gentile, Console della Repubblica Argentina in questa Città con sede in Via Nomentana n° 220, in difesa degli interessi del suddito argentino PIETRO IOILLI, chiede che sia contemplata la possibilità per la restituzione dell'autovettura FIAT 1500 targata LI 7949 motore 010122, telaio 010143, proprietà del sopradetto, la quale fu requisita verso la fine di giugno 1944 dalle F.F.A.A. Americane, e precisamente dal Tenente Annino, come risulta dal relativo foglio di requisizione N.R. 5565. Attualmente detta autovettura ha un permesso di circolazione intestato a FLOYD C. SNOWDEN C.I.C. Via Sicilia 59.

Il sopradetto suddito argentino assicura che non ha ricevuto nessun compenso o indennità per l'uso della macchina di sua proprietà e che inoltre ha bisogno della sua autovettura.

L'Argentina ha sempre tenuto il massimo rispetto per gli interessi di tutti gli stranieri colà residenti, e spero la stessa considerazione per gli interessi dei cittadini argentini qui residenti.

Con ringraziamenti e con la più distinta considerazione.



Fortunato Gentile
Consul

[Signature]
[Stamp]

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

31A

AC/4017/L

31 January 1945. /mt.

SUBJECT : SUMMONS.

TO : Regional Commissioner, (Attn: Regional Legal Officer),
TOSSANA Region.

May this Sub-Commission now receive a reply to letter of
even number dated 17 Jan 45.

By command of Rear Admiral STONE:

Sup
A. R. THACKER, Lt. Col.,
Italian Branch,
for Chief Legal Advisor.

*See 35A
and 38A*

33

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

30A

AC/4017/L.

/rlp.
31 January 1945.

SUBJECT : Civilian Requisitioning.

TO : RAAC (Attn: Maj. Cowding, G-4).

The enclosed request by the Consul of the Argentinian Republic
is forwarded for your consideration and eventual action.

Incl: Letter dtd 23 Jan 45.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

no copy kept

30

29A

~~File 4017~~
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

31 Janvier 1945

Monsieur le Consul de la Republique Argentine
220 Via Nazionale
R O M E

Monsieur le Consul:

Nous avons l'honneur de vous accuser reception de votre honoree du 23 courant recue ce jour et relative a la requisition de la voiture Fiat 1500, LI 7949 appartenant a Senor Pietro LOLLI, sujet Argentin.

Malgres tout notre desir de vous etre agreable, nous devons vous faire remarquer que notre Sous Commission n'a aucune competence en ce qui concerne les requisitions de quelque nature qu'elles soient.

Nous avons donc du transmettre votre lettre au bureau des requisitions de la FAAC, Piazza Venezia, Maj. Cowdring (G-4, Tel 66197). Nous sommes certains que les services competents voudront donner a la requete de votre ressortissant toute la consideration qu'elle merite.

Veuillez agreer, Monsieur le Consul, l'assurance de notre consideration tres distinguee.

GQH/rlp

37
Letter delivered by hand

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(287)

AC/4017/L.

OCH/PA.
29 Jan 45.

SUBJECT : Goepelin Deutsch's claim.
TO : R.L.O. Southern Region, att;
Provincial Legal Officer, Legal Division,
Allied Commission, RMI.

1. The enclosed has been received by this Sub-Commission.
2. Please inform this good lady that her claim lies with the Italian and not Allied Courts.
3. Her case appears to fall within the jurisdiction of the local Pretore, ~~for~~ both ~~his~~ civil and penal capacity.

By command of Rear Admiral STONE :

G. G. HARMANFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

33

Incl.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

ES/mt.
29 January 1945

SUBJECT : Petition of CANELLI Francesco.

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

1. The enclosed petition appears to concern the Procuratore
Generale of Naples.

2. Would you please transmit it to his office.

By command of Rear Admiral STONE:

Incl: Petition.

G. G. HANNAFORD, 35
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

file

26A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

23/mt.
29 January 1945.

SUBJECT : Case of Sonnino.
TO : Agriculture Sub-Commission.

1. The above case involving the application of D.L.L. 279 of 19 Oct 1944 (granting of uncultivated land to peasants) has been referred to this Sub-Commission.
2. Enclosed herewith are the sentence of the Provincial Commission in this case, a memorandum of Sig. Sonnino and comments of the Italian legal adviser of this Sub-Commission which is sent you for your observation ^{and} whatever action you may deem necessary.
3. No action can be taken by this Sub-Commission.

Incl.

G. B. HARRAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

34

GOMINO - TENUTA CASTEL DI DELL'HO (Pisoni e Monti della Caccia)

1) - I fratelli Sonnino sono affittuari della tenuta di 483 ettari.

L'affittanza scade al 30.9.1945, salvo la proroga di legge.

Dal primo del 1942 al giugno 1944 la gestione della tenuta fu ostacolata da fortificazioni, stazionamenti di truppe e combattimenti. Dal 22.1.1944 la tenuta fu sgomberata d'ordine

sene, perché perseguitati come ebrei.

Quando poterono tornarvi il 12.6.1944, vi trovarono, in luogo di circa 1.500 capi di bestiame, esistenti prima dello sterminio, soltanto il cavallo e l'asino.

Fino alla fine del mese di luglio 1944 vi stanziarono truppe alleate per esercitazioni con cannoni e carri armati che rupevano argini, cagionando estese inondazioni. Ciò si è ripetuto anche recentemente. La tenuta è scomparsa di proiettili inesplosi e di mine.

2) = Attualmente i fratelli Sonnino hanno nella tenuta a pascolo,	1300
pecore e 30 cavalli per una superficie, adibita a pascolo,	
di 300 ettari.....	300 ettari
hanno seminato a grano.....	35
impiantato un orto di.....	12
coltivato a patate.....	40

487 euvairi

3) = La Commissione (D.L. 19.10.1944, n. 272) ha assegnato alla Cooperativa "La Madre Terra" 243 ettari sui 483 della tenuta. Ai fratelli Sonnino vengono così solo 240 ettari, mentre già ora ne usano 307.

4) - La Commissione stessa riconosce che "le terre destinate a pascolo non possono per ciò solo essere considerate incolte o abbandonate, dovendosi aver riguardo alle esigenze culturali dell'azienda e ai sistemi tradizionali locali" e soggiunge: "Ora, come è ovvio, l'allevamento zootecnico incide su di un peculiare settore dell'economia agricola nazionale". Viceversa, l'assenza della decisione che "il bestiame verrà arretrato

fino alla fine del mese di luglio 1944 vi stanziarono truppe alleate per esercitazioni con cannoni e carri armati che ruppero argini, cagionando estese inondazioni. Ciò si è ripetuto anche recentemente. La tenuta è coperta di proiettili inesplosi e di mine.

2) - Attualmente i fratelli Sonnino hanno nella tenuta 1300 pecore e 30 cavalli per una superficie, adibita a pascolo, di 300 ettari..... 300 ettari
hanno seminato a grano..... 35 "
impiantato un orto di..... 12 "
coltivato a patate..... 40 "

387 ettari

3) - La Commissione (D.L. 19.10.1944, n. 273) ha assegnato alla Cooperativa "La Madre Terra" 243 ettari sui 483 della tenuta. Ai fratelli Sonnino rimangono così solo 240 ettari, mentre già ora ne usano 307.

4) - La Commissione stessa riconosce che "le terre destinate a pascolo non possono per ciò solo essere considerate incolte e abbandonate, dovendosi aver riguardo alle esigenze culturali dell'azienda e ai sistemi tradizionali locali" e soggiunge: "Ora, come è ovvio, l'allevamento zootecnico incide su di un peculiare settore dell'economia agricola nazionale". Viceversa stabilisce nella decisione che "il bestiame verrà arretrato mano a mano che "procederanno i lavori di rottura da parte dei concessionari".

Dunque:

- a) - si dà alla Cooperativa parte del terreno già adibito a pascolo;
- b) - il bestiame fatto arretrare viene lasciato senza pascolo

././.

5) = Sembra che per la concessione di terre incolte ai contadini non basti il solo fatto materiale dello stato d'incultura, ma occorra anche l'elemento del volontario abbandono da parte del proprietario o, quanto meno, il perdurare dell'impedimento, senza limiti, anche nell'avvenire.

Se il proprietario dimostra, "pro praeterito" di essere stato impedito nell'opera di coltivazione, da eventi di forza maggiore (nella specie: persecuzioni fasciste, alluvioni, ecc.) e, d'altra parte "pro praesente ac futuro" di essersi accinto egli stesso, con i mezzi attualmente a disposizione, alla ripresa della gestione normale della tenuta, non si vede perché, anche nell'interesse dell'agricoltura nazionale, l'esperimento debba essere affidato a terzi. Il fatto stesso che, avendo ritrovato nella tenuta un cavallo e un asino, i fratelli Sonnino vi hanno già ora 1300 pecore e 30 cavalli, dimostra la serietà dei loro propositi e le loro effettive possibilità. Ciò, a tacere delle non indifferenti colture eseguite malgrado le devastazioni e gli ostacoli.

6) = La domanda dei fratelli Sonnino, tendente alla revoca della decisione o, quanto meno alla concessione di altro terreno a compenso, pare giustificata.

Si potrebbe interessarne l'Agricoltura S/C.

32

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

25A
/rlp.

22 January 1945.

file
AC/4017/L.

SUBJECT : PICCHI Fortunato fu Ferdinando.

TO : H.E., the Procuratore Generale Militare.

1. The enclosed petition received by this sub-commission is forwarded to Your Excellency for advice.

2. Although this sub-commission has no interest whatsoever in this matter, it would be appreciated if the requests of the deceased's mother could be given due consideration.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl. Petition dtd 10 Jan 45.

file

31

HEADQUARTERS
AMG FIFTH ARMY
APO 464 U.S. ARMY

HMD:JM

106/8

18 January 1945.

SUBJECT: PICCHI Fortunato fu Ferdinando.

TO : HQ Allied Commission,
(for Legal Sub-Commission).

1. Herewith is enclosed an application by the mother of the above-named Picchi Fortunato together with a covering letter from the P.O. at Frato.

2. If the facts are as stated in the application, this would appear to be a proper case for action by the Allied authorities. It is requested that the matter be investigated through the appropriate Italian authorities and this HQ advised in due course what reply should be made to the applicant.

3. It is possible that the case might be covered by the provisions of DLL No. 316 but this cannot be decided in the absence of further details.

For the Commanding General:

LEGAL SUB-COMMISSION	
CLO	/
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

2 JAN 1945

H.M. Dickie
H.M. DICKIE,
W/Cdr., RAF.,
Legal Officer,
A.M.G. Fifth Army.

30

248

ALLIED MILITARY GOVERNMENT
PRATO DISTRICT
FLORENCE PROVINCE

OFFICE OF PROVINCIAL OFFICER

12 Jan 45

REF No PR/31-538
SUBJECT PICCHI Fortunato fu Ferdinando
TO Provincial Commissioner,
FLORENCE Prov.

Early in 1941 a number of parachutists were dropped in Italy for the purpose of sabotaging rlys and military installations. Among them was the above-named who, although born in Carmignano had been a resident of London since 1920 and was employed at the Savoy Hotel when, in Feb 41, he volunteered to become a parachutist. He was caught and after trial by Military Tribunal was shot in the back as a traitor.

The attached letter from his mother, PAZZI Jacopina ved. PICCHI, of Via del Serraglio 8, PRATO, asks that the wording of the sentence be revised so that the family's honour may be rehabilitated, that the family be informed as to the motives which lead her son to be dropped on to Italian soil, and that she be allowed to know where he was buried.

Is there any possibility please of granting Sig.ra PAZZI any one of these requests?

PROVINCIAL OFFICE OF
FLORENCE
RECEIVED


Major,
Provincial Officer.

86

23A

HEADQUARTERS
AMG FIFTH ARMY
APO 464 U.S. ARMY

file

HMD/jm

19 January 1945.

208/26

SUBJECT: Italian Military Tribunals.

TO : HQ, Allied Commission,
(for Legal Sub-Commission:
attn. Lt. Col. Hannaford)

1. Herewith copy of "La Nazione del Popolo" for
17th January 1945.

2. It is thought that the article entitled
"I partigiani e la legge penale" may be of interest to
you in connection with the plans being made for mili-
tary tribunals in N. Italy.

For the Commanding General:

H.M. Dickie

H.M. DICKIE,
W/Cdr., RAF.,
Legal Officer,
A.M.G. Fifth Army.

23

LEGAL SUB-COMMISSION	
C.O.	
DELO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
21 JAN 1945	

L'organo del
del popolo
colletti 17 Gennaio 1945

DL

si riconosce presso gli uffici dell'amministrazione,
in Libreria Baitoni, Via Marconi 2, 14. Milano.
36 - semestrale, L. 125 - Industriale, L. 10.

I partigiani e la legge penale

Poche e brevi considerazioni in
aggiunta a quanto è stato scritto
da Giorgio Ugolini nel suo arti-
colo « La Magistratura dinanzi al
partigiano » e da R. nell'articolo
« Sulla tutela giuridica dell'anti-
partigiano », pubblicati ri-
spettivamente su « La Nazione
del Popolo » del 9 e dell'11 cor-
rente.

Che i partigiani o, se più pia-
ce, i patrioti debbano esser con-
siderati, ad ogni effetto giuridico,
come militari non può esser se-
riamente contestato. Ciò non so-
lo per le ragioni ampiamente svol-
te da R. nel ricordato articolo,
ma anche e soprattutto perché l'ar-
ticolo 7 n. 1.º del codice penale
militare di guerra (c. p. m. g.), in
cui è contenuta la nozione della
qualità di militare, espressamen-
te vi comprende anche « le per-
sone appartenenti a corpi o repar-
ti volontari autorizzati a prender
parte alla guerra ». Non può, in-
vero, dubitarsi che i partigiani
rientrano in tale lata eccezione di
« militari », ove si consideri che
essi operano in parti organici,
gerarchicamente ordinati, collega-
ti tra loro, con i comandi mili-
tari dell'esercito clandestino e con
quelli del territorio liberato (ed
anche col comando delle forze ar-
mate s'allette), e, o riconosciuti
dal governo legittimo come for-
ze operanti a fini di interesse sta-
tale e nazionale, ricevono l'aruo-
ni, indicazioni degli obiettivi, in-
formazioni, ordini, armi, munizio-
ni, sussidi, ecc.

Ben si intende che questi e que-
sti soltanto sono i partigiani da
considerarsi militari, rimanendone
esclusi quanti, di loro arbitria
iniziativa o con frode hanno cer-
cato di far passar se stessi per
partigiani e come azioni di guer-
iglia partigiana fatti costituenti
espressione della loro antisociale
tendenza a delinquere, sostenu-
ti in occasioni che rendevan pro-
babile la impunità. Sono questi
criminali comuni, paritativi di o-

ovato anche col comando della polizia locale, quale, mate s'isole), e o riconosciuto dal governo leciti, no come forze operanti a fini di interesse statale e nazionale, ricevono l'autorità, forti, il gio- ni, indicazioni degli obiettivi, in- messa formazioni, ordini, armi, munizioni, guasti, ecc.

Ben si intende che questi e questi soltanto sono i partigiani da considerarsi militari, rimanendone esclusi quanti, di loro arbitraria iniziativa o con frode hanno cercato di far passar se stessi per partigiani e come azioni di guerriglia partigiana fatti costituenti espressione della loro antisociale tendenza a delinquere, scalanata, in occasioni che rendevan probabile la immunità. Sono questi criminali comuni meritevoli di ogni rigore, per fatti commessi in circostanze estive della pubblica e privata difesa e approfittando di contingenze belliche.

Dalla certa qualità di militari dei partigiani, deriva che la competenza a giudicare di ogni reato, sia pure previsto dal codice e dalle leggi comuni, da essi commesso durante il loro servizio, spetta appunto ed esclusivamente ai tribunali militari di guerra, trattandosi di reati commessi da militari in territorio dichiarato in stato di guerra (art. 3, 4, 5 e 232 c. p. m. g.). Dato che presso le unità partigiane operanti non esistono tribunali militari di guerra, la competenza spetta al tribunale militare territoriale di guerra competente per territorio (art. 252 n. 1.º e 253 c. p. m. g.) che, per i fatti commessi dal partigiano nella Toscana, è quello di Roma, secondo i reati, dichiarati, e sino a quando non sarà costituito il tribunale militare territoriale di guerra di Firenze.

Passando ora al caso specifico del procedimento per estorsione ed estorsione a carico del partigiano, può, con sicurezza affermarsi, che la competenza spetta, in via assoluta ed inderogabile, all'autorità giudiziaria militare, la quale non ha neppure facoltà di remissione all'autorità giudiziaria ordinaria. Questa facoltà è prevista soltanto per reati previsti dalla legge penale comune (art. 233 c. p. m. g.), mentre il reato, astrattamente ipotizzabile nel fatto del partigiano che, con violenza o minaccia, impone requisizioni, contribuzioni o prestazioni arbitrarie, è previsto dall'art. 234 c. p. m. g. e non, quindi, dalla legge penale comune. Dove aggraverarsi che, anche nel caso in cui il fatto sia stato commesso a fine di lucro, il reato rimane sempre subiettivamente ed obiettivamente militare (art. 224 commi 2.º e 3.º c. p. m. g.) e, come tale, di ferma ed inderogabile competenza dei tribunali militari.

Ciò importa che l'azione penale per tali fatti non può ed anzi non deve essere iniziata dal pubblico ministero presso l'autorità giudiziaria ordinaria. L'art. 245 c. p. m. g. dispone, infatti, che l'azione penale per i procedimenti di competenza dei tribunali militari di guerra è iniziata ed esercitata in seguito a disposizione del comandante dell'unità ed esercitata in seguito a disposizione del comandante dell'unità presso cui è costituito il tribunale militare di guerra competente. E' questa una partico-

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hanno veduti dalla legge penale comune (art. 233 c. p. m. g.), mentre il reato, astrattamente ipotizzabile nel fatto del patriota che, con violenza o minaccia, impone requisizioni contribuzioni o prestazioni arbitrarie, è previsto dall'art. 224 c. p. m. g. e non quindi, dalla legge penale comune. Deve aggiungersi che, anche nel caso in cui il fatto sia stato commesso a fine di lucro, il reato rimane sempre subiettivamente ed obiettivamente militare (art. 224 commi 2° e 3° c. p. m. g.) e, come tale, di ferma ed inderogabile competenza dei tribunali militari.

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hanno veduti dalla legge penale comune (art. 233 c. p. m. g.), mentre il reato, astrattamente ipotizzabile nel fatto del patriota che, con violenza o minaccia, impone requisizioni contribuzioni o prestazioni arbitrarie, è previsto dall'art. 224 c. p. m. g. e non quindi, dalla legge penale comune. Deve aggiungersi che, anche nel caso in cui il fatto sia stato commesso a fine di lucro, il reato rimane sempre subiettivamente ed obiettivamente militare (art. 224 commi 2° e 3° c. p. m. g.) e, come tale, di ferma ed inderogabile competenza dei tribunali militari.

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neppure potuto essere iniziata dall'autorità giudiziaria ordinaria. Dalla doverosa applicazione del codice penale militare di guerra nei confronti dei patrioti derivano inoltre importanti conseguenze tra cui le principali sono:

1.º) la impunità nel caso in cui risulti che l'imputato abbia agito nella sua effettiva qualità di patriota in attuazione di servizio militare, con l'autorizzazione dei superiori, ovvero per necessità ovvero senza violare le norme stabilite dalla legge e dalle convenzioni internazionali, importando tali risultanze la esclusione del reato previsto dall'art. 224 c. p. m. g.;

2.º) la possibilità che, pur non sussistendo gli estremi per il proscioglimento, il comandante della grande unità presso cui è costituito il tribunale, valutata le circostanze di tempo, di luogo e di persona ed ogni altra peculiarità, eserciti in senso negativo la facoltà di disporre l'inizio dell'azione penale;

3.º) la possibilità che, anche ad azione penale iniziata lo stesso comandante, dopo l'esame degli atti e a seguito degli opportuni accertamenti e delle eventuali segnalazioni e proposte dei comandi e degli organi centrali e periferici delle formazioni partigiane, disponga che l'esercizio dell'azione penale sia sospeso o revocato;

4.º) la possibilità di non subire la carcerazione preventiva: secondo il codice penale militare di guerra (art. 272) la emissione dei mandati di cattura è obbligatoria solo per i reati punibili con la pena di morte;

5.º) la devoluzione del giudizio a collegi giudiziari costituiti da militari che, come tali, sono i migliori giudici di fatti avvenuti ad una concreta e specifica attività militare e possono, certo meglio del giudice ordinario, valutare e giudicare, specie se come è auspicabile, a comparire i collegi siano chiamati ufficiali che abbiano vissuta e combattuta la guerra partigiana e ne conoscano, per personale diretta esperienza, le tragiche vicissitudini e l'eroica realtà;

6.º) la possibilità che il partigiano, in caso di condanna, benefici, oltreché delle circostanze attenuanti comuni, di quelle previste dalla legge penale militare per i reati militari (art. 48 c. p. m. pace - 47 c. p. m. g.), nonché della conversione della pena della reclusione in quella della reclusione militare (art. 27 c. p. m. pace), il che ha importanza notevole agli effetti delle pene accessorie e consente di fruire della speciale estinzione del reato prevista dagli artt. 33 e 39 c. p. m. g.

In definitiva, precise esigenze di stretta legalità e di giustizia sostanziale impongono l'applicazione del codice penale militare di guerra ai partigiani. I quali ben possono pretendere che, si possi-

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La posi

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lutarli e giudicarli, specie se
come è auspicabile, a comporre
i collegi siano chiamati ufficiali
che abbiano vissuta e combattuta
la guerra partigiana e ne cono-
scono, per personale diretta espe-
rienza, le tragiche vicissitudini e
l'eroica realtà.

8.0) la possibilità che il par-
tigliano, in caso di condanna, be-
nefici, oltretutto delle circostanze
attenuanti comuni, di quelle pre-
viste dalla legge penale militare
per i reati militari (art. 43 c. p.
m. pace - 47 c. p. m. g.), nonché
della conversione della pena del-
la reclusione in quella della re-
clusione militare (art. 27 c. p. m.
pace), il che ha importanza no-
tevole agli effetti delle pene ac-
cessorie e consente di fruire del-
la speciale estinzione del reato
prevista dagli artt. 33 e 39 c. p.
m. g. /

In definitiva, precise esigenze di
stretta legalità e di giustizia so-
stanziale impongono l'applicazio-
ne del codice penale militare di
guerra ai partigiani. I quali ben
possono pretendere che, si badi,
non a titolo di grazia, conec-
sione, ma perché ciò discende
ipote dall'aver prestato un
servizio ontologicamente e finali-
sticamente militare, con la volon-
taria appartenenza a corpi o re-
parti autorizzati a prendere par-
te alla guerra.

Emme

L'Università di Pisa

Inizia l'anno accademico

Pisa, 17.
Si è iniziato ieri l'anno accade-
mico dell'Università di Pisa, pri-
mo della cultura mondiale da
più di due anni per quanto at-
tualmente danneggiata dai sacche-
gi e dalle distruzioni tedesche.
L'Università si è riaperta ufficial-
mente due mesi fa, grazie all'au-
to dei funzionari alleati addetti
all'istruzione.

Un Ente trasporti per l'assistenza al popolo

Bar, 17.
Ieri si è svolta la cerimonia di
presentazione alle autorità del-
l'Ente Trasporti Assistenza al Po-
polo. Esso è un organismo di nuo-
va costituzione, che, al di fuori
di ogni forma speculativa, si pro-
pone di creare iniziative econo-
miche atte ad incrementare spe-
cialmente le cooperative di con-
sumo.

L'idea del nuovo Ente è sorta
in conseguenza della situazione
in cui si trovano le numerose coo-
perative, sorte finora, le quali
condanno una vita difficile a
causa della deficienza dei tra-
sporti che non le mette in grado
di approvvigionarsi di conseguen-
za esse debbono attingere i pro-
dotti, nei limiti del possibile, da-
gli organi distributori governa-
tivi.

L'idea di un Ente che sopperi-
sce a tali necessità e che integri
la funzione dell'A.N.A.C., è stata
favorevolmente accolta dagli Al-
leati, che hanno promesso ogni
appoggio, limitatamente alle loro
disponibilità. L'Ente ha iniziato

12

L'Ente Trasporti Assistenza al Polo. Esso è un organismo di nuova costituzione, che, al di fuori di ogni forma speculativa, si propone di creare iniziative economiche atte ad incrementare specialmente le cooperative di consumo.

L'idea del nuovo Ente è sorta in conseguenza della situazione in cui si trovano le numerose cooperative, sorte finora, le quali conducono una vita difficile a causa della deficienza dei trasporti che non le mette in grado di approvvigionarsi, di conseguenza esse debbono attingere i prodotti, nei limiti del possibile, dagli organi distributori governativi.

L'idea di un Ente che sopprimere a tali necessità e che integri la funzione dell'ANAC, è stata favorevolmente accolta dagli Alleati, che hanno promesso ogni appoggio, limitatamente alle loro disponibilità. L'Ente ha iniziato oggi la sua attività.

Progetti di innovazione per il risarcimento dei danni di guerra

Roma, 17. La necessità della revisione della legislazione sul risarcimento dei danni di guerra si è posta da tempo e trovasi attualmente allo studio presso i competenti organi ministeriali. La legge esistente, che risale al maggio del 1940, impegnava lo Stato al risarcimento integrale dei danni subiti dal privato per effetto di offese belliche, e tale legge ha finito per renderla pressoché inoperante di fronte alla vastità degli effetti disastrosi recati dalla guerra.

Il progetto allo studio intende innovare il concetto informatore del risarcimento dei danni di guerra, rendendolo più aderente alla realtà economica ed alle possibilità finanziarie del paese, e tenendo conto dei diritti e delle aspirazioni dei danneggiati, senza tuttavia turbare tutta l'economia nazionale. Perciò al concetto del risarcimento integrale verrà sostituito, secondo quanto si apprende dai suddetti organi ministeriali, quello del contributo dello Stato all'opera di ricostruzione. Un precedente di tale nuovo indirizzo si è avuto col provvedimento relativo alla ricostruzione urgente delle abitazioni da utilizzare per dare alloggio alle persone rimaste senza tetto. Unica eccezione è stata fatta per la distruzione degli indumenti personali e delle masserizie domestiche, nonché degli attrezzi e strumenti di lavoro, per la quale vale il sistema del risarcimento del danno patito.

Altri due importanti principi di carattere innovatore, già accolti nel provvedimento di cui sopra e che saranno consacrati nel progetto allo studio, sono poi quello che la concessione del contributo debba essere subordinata alla condizione della effettiva ricostruzione e quello che ai fini di essa, si deve tener conto delle condizioni patrimoniali del danneggiato.

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I lavor la gestio

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22A

AG/4017/L.

13 Jan. 1945

Alla Signora FALLACARA Concetta

Via Domenico Urbano N. 8

B-I-T-O-R-T-O

(Prov. Bari)

In esito alla sua domanda di rimpatrio di suo figlio Benedetto ROBLES, prigioniero di guerra in Egitto, si è dolenti doverle far presente che le competenti autorità alle quali la sua richiesta è stata sottoposta, hanno comunicato che per il momento le disposizioni in atto non consentono di prendere in considerazione il caso da lei esposto.

G.G. HARRAFORD,
Lt. Colonel,
Officer i/c Italian branch,
for Chief Legal Advisor.

26

22B

TO THE LEGAL SUB COMMISSION

Resume and translation.

The undersigned FALLACARA Concetta daughter of deceased Giuseppe, widow Robles, 67 years of age living in Via Domenico Urbano No. 8, ill, asks for the repatriation of her son Robles, Benedetto, PW in Egypt on the following grounds.

She possesses ground of a small extension which has been left incultivated owing to the absence of her only son, unmarried of the class of 1921 an expert agriculturist. He has been in the Army since the beginning of hostilities and was taken prisoner in Marmarica.

He is now in a clinic in Egypt, present address being 309 P.M. Camp No. 356325 Chief Postal Center M.E.F. Cage 13.

She has no one capable of helping her or cultivate her ground.

Would you do all in your power to obtain this repatriation to help this poor woman who, ill has no-one but this son to take care of her.

Devotely

FALLACARA Concetta

25

4017
6

21A
RBD/vl

HEADQUARTERS ALLIED COMMISSION
APO 394, U.S. ARMY
WAR MATERIALS DISPOSAL AND
ITALIAN PRISONERS OF WAR SUB COMMISSION

IPW/1/1/490B
17 January 1945

To: Lt. Col. G.G. HANNAFORD, Legal Sub-Commission
Headquarters Allied Commission

Subject: Request for Repatriation of ROBLEB Benedetto.

13A

1/. Reference your letter AC/4017/L. of 5 January,
subject as above, it is regretted that this
case is not subject to repatriation under pre-
sent conditions as an Allied soldier would not
be returned to his home under similar conditions.

J. A. Campbell
J. A. CAMPBELL
Lieut.-Colonel
Director
WMD & IPW Sub-Com. .

26

Bo Lento
Via Bonem co Urbano 8

LEGAL SUB-COMMISSION	
CLO	
CIO	
Chief Counsel	
CIO	
Italian Section	←
CL RKS	
18 JAN 1945	

~~10~~

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

20A

AG/4017/L

/mt.
17 January 1945.

SUBJECT : Loss of Supplies by Theft.

TO : G-1 B. H. Q. AC.

1. Reference your letter G-1 B/77/A of 15 January 1945.
2. The matter of provisional liberty to which we assume the Area Commander referred is now having the attention of this Sub-Commission and the Ministry of Justice.
3. enclosures returned herewith.

NR

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

23

4017
Tel. Ext. 353

MEMORANDUM

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CLO

15 January 1945

17 JAN 1945

REFERENCE : G-1B/77/A

SUBJECT : Loss of Supplies by Theft

TO : Legal Sub - Commission

FROM : G-1B HQ. AC.

The attached proceedings of a Court of Inquiry concerning the loss of Supplies from 23 BSD is forwarded.

Your attention is directed to para 2 of the Area Comdra. opinion for any action you consider necessary.

Kindly return papers in due course.

FOR VICE PRESIDENT, ESTABLISHMENTS SECTION

as Yarras Thari
Sir J.E.T. RITCHIE Bt.
Major
G-1(B)

/lg

22

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/ap.

17 January 1945.

SUBJECT : Summons.

TO : REGIONAL COMMISSIONER, Toscana Region
(Attn: Regional Legal Officer for Officer i/c
Italian Courts).

1. The party addressee of the enclosed summons issued by the Court of Assize, Florence Circuit, has called at this Sub-Commission requesting a permit to proceed to Florence for a trial to be held on January 22.

2. Apart from the obvious fact that no service in an Italian court case can be permitted out of Army area into Italian Government Territory without the consent of the legal officer concerned this Sub-Commission does not propose to arrange for travel of witnesses into the Army area except upon certification of the Provincial Legal Officer concerned that the trial cannot be carried out without the presence of the witness and cannot be postponed due to its importance to Allied interests or other extraordinary circumstances. In such exceptional case this Sub-Commission will apply for the necessary permit and transportation facilities.

3. Would you please deal with the enclosed summons in accordance with the above and advise this Sub-Commission of the outcome. Your attention is drawn to the unusual signature of the "Ufficiale Giudiziario" who allegedly served the summons.

By command of Rear Admiral STONE :

31 Jan 45
1 Incl.

Self
A. R. THACKERAY,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS
FLORENCE PROVINCE
ALLIED MILITARY GOVERNMENT

Legal *17A*
pro

FL/12

5 January 1945

SUBJECT: Transmission of documents

TO : Legal Sub-Commission HQ ACC
(through R.L.O.)

1. This will acknowledge receipt this afternoon of your telegram requesting me to transmit the following message to the Primo Presidente and Procuratore Generale, Corte d'Appello Florence:

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
16 JAN 1945	

HLG/FV

"RICHIAMO PARTICOLARE ATTENZIONE DELLE ECCELLENZE LORO APPLICAZIONE NORME CONFERIMENTO OLIO AMMASSO PUNTO OLIO SEQUESTRATO CONTRAVVENTORI SIA SUBITO VERSATO AMMASSI PUNTO PREGO DARE CONFORMI DISPOSIZIONI TUTTI UFFICI DIPENDENTI GUARDASIGILLI TUPINI PUNTO"

HEADQUARTERS
15 JAN 1945
HENRY L. GLENN,
Major, JAGD.,
Legal Officer for the
Province and City of
Florence

20

1st Ind.

RMH/19/2000
Regional Legal Officer, Toscana Region, 12 January 1945.
TO: CHIEF LEGAL ADVISOR, Headquarters, AC.

1. Forwarded.

7012

John K. Weber
JOHN K. WEBER
Colonel, Infantry
Regional Legal Officer

RMH/19/2000/1031

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

16A

AG/4017/L

So/mt.
14 January 1945.

SUBJECT : Communications of the High Court of Justice.
TO : Regional Commissioner (Attn: Regional Legal Officer),
POSSANA Region for Provincial Legal Officer Grosseto
and Florence Province.

1. The High Court of Justice requests that the enclosed communications be handed to the addressees at the earliest possible date and advice be given thru this Sub-Commission of delivery.

2. Your cooperation would be appreciated.

By command of Rear Admiral STONE:

DF 2871

ccyf
13
G. S. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

15A

AC/4017/L.

MJC/pa.
13 Jan 45.

SUBJECT : Trials of persons of German or Austrian Nationality.
TO : Regional Commissioner, TOSCANA Region.
(Attn: Regional Legal Officer).

1. Ref yours 9 Jan 45 RVIII/19/3008.
2. Enclosed is copy of communication of Public Safety Sub-Commission ACC/14753/PS 24 Aug 44, which no doubt is the document to which you refer.
3. As you will observe this matter is not the concern of legal officers. The papers enclosed with your letter returned herewith.

By command of Rear Admiral STONE :

Incls.

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

13

158

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety Sub-Commission
APO 394

ACC/14753/PS

24 August 1944

SUBJECT : Arrest - Information for Protecting Power.

TO : RPSO's Reg, 1, 2, 3, 4, 5, 6, 7, 8, 9 "Z" Thro' R.C.
PPSO Foggia Province (Thro P.C.)
SCAPO 6 Army } Thro' SCAO
OPS 5 Army }

1. Security Branch ACC HQ has been requested by the Swiss Minister for Foreign Interests in Italy to supply him with information, in his capacity as representative of the Protecting Power, concerning the arrest of all persons of German or Austrian nationality in Italy.

2. The information required would be simple: Name, address and general reasons for arrest e.g. "security reasons" breach of Aliens order" etc.

3. It has been agreed by Political Section of HQ ACC that this Security Branch should be the channel for communicating what information may be made available, to the Protecting Power.

4. Similar facilities in respect of Allied prisoners were afforded the Protecting Power.

5. It is requested that particulars of any such arrests made in Regions should be forwarded to this office for onward transmission to Security Branch.

(Sgd.) PAUL G. KIRK;
Colonel, Inf.
Director Public Safety
Sub-Commission.

17

Ist. Ind.

January 45

RVIII/19/3008

Regional Legal Officer, Toscana Region
TO : CHIEF LEGAL ADVISOR, HEADQUARTERS AC.

1. It is our impression that a directive exists which requires reports of trials by Italian Courts of German and Austrian Nationals. We are not able to locate such directive in our reference files. May we be furnished with a copy of such directive if it in fact exists?

2. Because of such impression, we are forwarding the attached report for your information. If such reports are not required, may we solicit your suggestions as to what, if anything, we should do in such cases?

HEADQUARTERS
12 JAN 1945

John K. Weeber
JOHN K. WEEBER,
Colonel, Infantry
Regional Legal Officer.

LEGAL SUBCOMMISSION	
CLO	☒
DCLO	☒
Ch of Counsel	☒
CLO	☒
Italian Section	☒
CL RKS	☒
12 JAN 1945	

16

*John
Hawley*

✓
4017

File

14A

HEADQUARTERS ALLIED COMMISSION
APO 594, U.S. ARMY
WAR MATERIALS DISPOSAL AND
ITALIAN PRISONERS OF WAR SUB COMMISSION

RED/DC

IPW/A/55B

9 January 1945

To: Legal Sub-Commission.

Subject: Transmittal of Communication.

Reference your letter AC/4017/L.

The enclosed letter forwarded to me in letter mentioned above will be forwarded to the Prisoner by this Headquarters.

J. B. Campbell
J. B. CAMPBELL
Lieut.-Colonel,
Director
WD & IPW Sub-Comm.

13

~~File~~
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

13A

AC/4017/L.

ES/ap.
5 January 1945.

SUBJECT : Request for repatriation of ROBLES Benedetto.

TO : War Material Disposal and Italian P.O.W.
Sub-Commission.

Enclosed herewith the above petition for any
action you might deem necessary.

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor. 14

Incl.

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

12A

EE/PE.
4 Jan 45.

AC/4017/L.

SUBJECT : Transmittal of communication.
TO : War material Disposal and POW Sub-Commission.

It would be appreciated if the enclosed communication of the Under-Secretary of State for Justice, Sig. VERONI, could be transmitted to the addressee - POW at Bombay.

G. G. HANFORD,
Lt. Colonel,
Officer i/c Italian branch,
for Chief Legal Advisor.

Encls.

13

File 4017

10A

PROVINCIAL LEGAL OFFICER FLORENCE

9184

3 JANUARY

ROUTINE

RESTRICTED PD

PARA ONE SUBJECT IS MESSAGE OF MINISTER OF JUSTICE
PAREN TO PROVINCIAL LEGAL OFFICER FLORENCE FROM ALCOM
FROM LEGAL PAREN

PARA TWO TRANSMIT THE FOLLOWING MESSAGE TO PRIMO
PRESIDENTE AND PROCURATORE GENERALE CORTE APPELLO
FIRENZE PD RICHIAMO PARTICOLARE ATTENZIONE DELLE
ECCELLENZE LORO APPLICAZIONE NORME CONFERIMENTO OLIO
AMMASSO PUNTO OLIO SEQUESTRATO CONTRAVVENTORI SIA SUBITO
VERSATO AMMASSI PUNTO PREGO DARE CONFORMI DISPOSIZIONI
TUTTI UFFICI DIPENDENTI GUARDASIGILLI TUPINI PUNTO

11

LEGAL SUBCOMMISSION

302

File 4017

9A

PROVINCIAL LEGAL OFFICER ANCONA

9183

3 JANUARY

ROUTINE

RESTRICTED PD

PARA ONE SUBJECT IS MESSAGE OF MINISTER OF JUSTICE
PAREN TO PROVINCIAL LEGAL OFFICER ANCONA FROM ALCOM
FROM LEGAL PAREN

PARA TWO TRANSMIT THE FOLLOWING MESSAGE TO PRIMO
PRESIDENTE AND PROCURATORE GENERALE CORTE APPELLO
ANCONA PD RICHIANO PARTICOLARE ATTENZIONE DELLE
ECCELLENZE LORO APLICAZIONE NORME CONFERIMENTO
OLIO AMMASSO PUNTO OLIO SEQUESTRATO CONTRAVVENTORI
SIA SUBITO VERSATO AMMASSI PUNTO PREGO DARE CONFORMI
DISPOSIZIONI TUTTI UFFICI DIPENDENTI GUARDASIGILLI
TUPINI PUNTO

10

LEGAL SUB-COMMISSION

302

File in 4017

SA

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rlp.
31 December 1944.

MEMO TO: Public Safety S/C.

1. The attached records are all cases of men undergoing sentences from the Italian courts.
2. Presumably the Italian prison legislation provides for necessary action in such cases. As you are aware, in the cases tried in AMG Courts, the matter is covered by Art. 36 of the Consolidated Instructions.
3. Perhaps you would deal with the case and notify PLO, TOSCANA Region, of any action you take.
4. We do not require the judicial files.

Incls:

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

File

HEADQUARTERS ALLIED COMMAND OF
APO 394
LEGAL SUB-COMMISSION

7A

/r.

28 Dec. 44.

AG/4917/L.

SUBJECT : Transmission of message.
TO : Provincial Commissioner (attn: Provincial
Legal Officer), Alcona Province.

It would be appreciated if you could deliver the
enclosed message of the Ministry of Justice to the Avvo-
cates Generals at your earliest convenience.

by command of Rear Admiral BFOHE:

Alf

C. A. HANNAFORD,
Lt. Colonel,
Officer i/c Lt. Liaison Branch,
for Chief Legal Advisor.

8

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB-COMMISSION

AS/4017/.

/r.
23 Dec. 44.

SUBJECT : Transmission of message.

TO : Provincial Commissioner (attn: Provincial
Legal Officer), Florence Province.

It would be appreciated if you could deliver the
enclosed message of the Ministry of Justice to the Avvo-
cato Generale at your earliest convenience.

By command of Rear Admiral STONE:

Colly
G.C. HARNFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

5A

AC/4017/L.

/rm.
23 Dec. 44.

SUBJECT : Transmission of message.

TO : Provincial Commissioner (attn: Provincial
Legal Officer), Perugia Province.

It would be appreciated if you could deliver the
enclosed 2 messages of the Ministry of Justice to the Avvo-
cato Generale at your earliest convenience.

By command of Rear Admiral STONE:

copy
P. A. G. SASHAFORD,
Lt. Colonel,
Officer i/c Italian branch,
For Chief Legal Advisor.

Declassified E.O. 12958 Section 1.1

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

FC
AQ/4017/L.

(4A)
23 December 1944.

SUBJECT : Applications of judicial officials for permit to
carry arms.

TO : Public Safety Sub-Commission.

The enclosed documents received from the Procuratore
Generale of Rome pertaining to the above subject are transmitted
for whatever action you might deem advisable.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

5

ack
4011/10

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/ra.

16 Dec. 1944.

AC/1011/L.

SUBJECT : Complaint of DI GIROLAMO Caterina in
connection with a black market proceedings

TO : Regional Commissioner (attr. R.I.D.),
Southern Region.

Enclosed the above complaint with a synopsis in
English for investigation and such action as you may deem
necessary.

By command of Rear Admiral MOORE:

Crep

A.R. THACKERAY,
Lt. Colonel,
Italian branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4017/L.

4 December 1944. /ap.

SUBJECT : Czechoslovakian Property held by
Italian refugees.

TO : Displaced Persons and Repatriation
Sub-Commission.

1. Reference yours 2 Dec 1944 DPR/12/011 (DP)
2. We are returning herewith copy of letter enclosed with the above since the matter is one which does not concern this Sub-Commission.
3. It is suggested that Public Safety Sub-Commission would be interested in the security phase.
4. So far as the balance of the communication is concerned we suspect that the necessary contacts should be made thru Regional Commissioner, Lazio-Umbria Region, although you would better know the appropriate channels than would we.

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

1 Encl.

2B

VES/ns

HEADQUARTERS ALLIED COMMISSION
APO 394
DISPLACED PERSONS AND REPATRIATION SUB COMMISSION

DPR/12/GII (DP)

Tel. 489081 Ext. 201

2 December 1944.

SUBJECT: Czechoslovakian property held by Italian refugees
in Rome.

TO: The Legal Sub Commission, Allied Commission.

1. Please find attached herewith a copy of a letter
which has been forwarded from R.A.A.C. for any action you may
deem necessary.

For the Director:


V. E. SIMCOCK,
Major, G-2.

Encl:
as above.

? legal

1A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/mt.
21 Nov. 1944.

AC/4017/L.

SUBJECT : Transmittal of communication.
TO : SCAG AND 5th Army (attn. W/cdr Dickie)

It would be appreciated if you could have the enclosed letter delivered to the addressee.

Incl: letter.

G. G. HANFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor. 145