

1793

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

785016

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10000/142/227

10000/142/227

MISCELLANEOUS FILE
NOV. 1943 - MAR. 1947

LIAISON AND CIVIL AFFAIRS BRANCH
ROME

Legal Division

APO 794

47A
FILE

/ns

15 March 1947

OGGETTO : importazione "in franchigia" di merci dalla Svizzera da parte dell'Army Exchange Service.

AL : ministero delle Finanze.

1. Si certifica con la presente, che la merce contenuta nelle casse di cui alla sottoelencata lista, importate dalla Svizzera da parte dell'Army Exchange Service, United States Army, è di proprietà di dette Forze Armate Americane ed è destinata esclusivamente all'uso degli appartenenti di cui sopra.

2. La persona incaricata per il ritiro della partita in questione sarà munita di delega rilasciatagli dal suddetto ente e di un apposito documento di riconoscimento.

3. Si prega, pertanto, di voler imprtire sollecite disposizioni alle Autorità doganali di Chiasso, affinché venga effettuato lo svincolo in franchigia della merce in parola.(orologi).

fabbricante : Breipling Ltd.

indirizzo : La Chaux de Fonds.

marca	Casse	Quantità	Volume	Kg	Valore in Lit.	Valore in Dollari
G-L-B-475	1	60	cm .80	10	870,000	2,307.70

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

1796

785016

4518
Army Exchange Service

FILE
46

INSTALLATION No. 782-30
A.P.O. 794 - U.S. ARMY

14 March 1947

SUBJECT: Release on Franchise of P.X. Supplies.

TO : Allied Civil Affairs Liaison; G - 5.

Request that a letter be sent to the Italian Finance Ministry in order to obtain the release on franchise of the following quantities of chronographs:

Manufacture: Breipling IDT.

Address: La Chaux de Fonds.

Markings	Cases	Quantity	Volume	Kilos	Lire Value
G-L-B-474	1	60	cm .08	10	870,000.

Dollar Value

2,007.70

Robert C. Lane
ROBERT C. LANE
2nd Lt. Infantry
Exchange Officer

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5:933.11

17 August 1946

SUBJECT : Larceny of Allied Property.

TO : Chief Commissioner
Allied Commission,
APO 794.

Is any further information available of the trial of the
arrested persons? If not yet tried when is the trial likely to
take place?

BY COMMAND OF LIEUTENANT GENERAL LEE:

[Signature]
A. L. HAMBLEY
Colonel GSC
Assistant Chief of Staff, G-5

1st Indorsement

LJG/rns

83

AC/4053/1/L

HEADQUARTERS, ALLIED COMMISSION, Legal Sub Commission,
APO 794, U.S. Army, 20 August 1946

TO: Assistant Chief of Staff, G-5, APO 512, U.S. Army

Request is made for details regarding subject matter
of basic upon which reply may be based.

For the Chief Commissioner :

L. J. GILBRIDE,
Major, IGD,
Chief Counsel
for G. I. A.

ALLIED FORCE HEADQUARTERS
G-5 Section
LIAISON AND CIVIL AFFAIRS BRANCH
Legal Division

OGGETTO: Importazione "in franchigia" di merci della Svizzera dal parte dell'Army Exchange Service.

Al : Ministero delle Finanze
Roma.

1. Si certifica con la presente, che la merce contenuta nelle casse di cui alla sottoelencata lista, importate dalla Svizzera da parte dell'Army Exchange Service, United States Army, è di proprietà di dette Forze Armate Americane ed è destinata esclusivamente all'uso degli appartenenti di cui sopra.

2. La persona incaricata per il ritiro della partita in questione sarà munita di delega rilasciatagli dal suddetto Ente e di un apposito documento di riconoscimento.

3. Si prega, pertanto, di voler impartire sollecite disposizioni alle Autorità Doganali di Chiasso, affinché venga effettuato lo svincolo in franchigia della merce in parola. (orologi)

Fabbricante : S.A. Louis Brandt & Frere-Brems.

Marchio	Casse No.	Peso	Volume m ³	Quantità
L-B-F119	1	50.5	221	200
L-B-F122	1	42	221	122

Valore in Lire

4,985,000

4,620,600

Valore in Dollari

13,187,83

12,222,22



John E. Decker
JOHN E. DECKER,
Colonel, Infantry,
Chief Legal Advisor.

ALLIED FORCE HEADQUARTERS
G-5 Section
LIAISON AND CIVIL AFFAIRS BRANCH
Legal Division

OGGETTO: Importazione "in franchigia" di merci dalla Svizzera da parte dell'Army Exchange Service.

Al : Ministero delle Finanze
Roma.

1. Si certifica con la presente, che la merce contenuta nelle casse di cui alla sottoelencata lista, importate dalla Svizzera da parte dell'Army Exchange Service, United States Army, è di proprietà di dette Forze Armate Americane ed è destinata esclusivamente all'uso degli appartenenti di cui sopra.

2. La persona incaricata per il ritiro della partita in questione sarà munita di delega rilasciatagli dal suddetto Ente e di un apposito documento di riconoscimento.

3. Si prega, pertanto, di voler impartire sollecite disposizioni alle Autorità Doganali di Chiasso, affinché venga effettuato lo svincolo in franchigia della merce in parola. (orologi)

Fabbricante : S.A. Louis Brandt & Frere-Brene.

<u>Marchio</u>	<u>Casse No.</u>	<u>Peso</u>	<u>Volume m³</u>	<u>Quantità</u>
L-B-F119	1	50.5	221	200
L-B-F122	1	42	223	122

Valore in Lire

4,985,000

4,620,000

Valore in Dollari

13,187,83

12,222,22

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

Army Exchange Service

INSTALLATION No. 782-30

A.P.O. 794 - U.S. ARMY

43A

12 February 1947

SUBJECT: Release on Franchise of P.X. Supplies.

TO : Headquarters Allied Commission, Legal Sub-
Commission.

Request that a letter be sent to the Italian
Finance Ministry in order to obtain the release on
franchise of the following quantities of watches.

Manufacture: S.A. Louis Brandt & Frere-Brene

Markings	Cases	Quantity	Lire Value	Dollar Value
L-B-F119	1	200	4,985,000	13,187.83
L-B-F122	1	122	4,620,000	12,222.22

Volume	Kilos
.221	50.5
.223	42

ROBERT C. LANE
2nd Lt. Infantry
Exchange Officer

Army Exchange Service

INSTALLATION No. 782-30

A.P.O. 794 - U.S. ARMY

12 February 1947

SUBJECT: Release on Franchise of P.X. Supplies.

TO : Headquarters Allied Commission, Legal Sub-
Commission.

Request that a letter be sent to the Italian
Finance Ministry in order to obtain the release on
franchise of the following quantities of watches.

Manufacture: S.A. Louis Brandt & Freres-Erene

Markings	Cases	Quantity	Lire Value	Dollar Value
L-B-F119	1	200	4,985,000	13,187.83
L-B-F122	1	122	4,620,000	12,222.22

Volume	Kilos
.221	50.5
.223	42

ROBERT C. LANE
2nd Lt. Infantry
Exchange Officer

Army Exchange Service

INSTALLATION No. 782-30

A.P.O. 794 - U.S. ARMY

12 February 1947

SUBJECT: Release on Franchise of P.K. Supplies.

TO : Headquarters Allied Commission, Legal Sub-
Commission.

Request that a letter be sent to the Italian
Finance Ministry in order to obtain the release on
franchise of the following quantities of watches.

Manufacture: S.A. Louis Brandt & Frere-Brems

Markings	Cases	Quantity	Lire Value	Dollar Value
L-B-F119	1	200	4,985,000	13,187.82
L-B-F122	1	122	4,520,000	12,222.22

Volume	Kilos
.221	50.5
.223	43

ROBERT C. LANE
2nd Lt. Infantry
Exchange Officer

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

42A

/rs

31 January 1947.

OGGETTO : Importazione "in franchigia" di
merci dalla Svizzera da parte
dell'Army Exchange Service.

AL : Ministero delle Finanze
ROMA.

1. Si certifica con la presente, che la merce contenuta nelle casse di cui alla sottoelencata lista, importate dalla Svizzera da parte dell'Army Exchange Service, United States Army, è di proprietà di dette Forze Armate Americane ed è destinata esclusivamente all'uso degli appartenenti di cui sopra.

2. La persona incaricata per il ritiro della partita in questione sarà munita di delega rilasciatagli dal suddetto Ente e di un apposito documento di riconoscimento.

3. Si prega pertanto di voler impartire sollecite disposizioni alle Autorità Doganali di Chiasso, affinché venga effettuato lo svincolo in franchigia della merce in parola.

Casse n°	Quantità	Marchio	Fabbricante	Peso
1	10 macchine fotografiche	100	Kontuall	19 Kg

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Vol. m ³	Valore in Lire	Valore in Dollari
.2	295376	780.00

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

ARMY EXCHANGE SERVICE
PENINSULAR BASE SECTION
WAREHOUSE 782-12
APO 794 U.S. ARMY

41A

31 January 1947

SUBJECT : Release on Franchise of PX Supplies from the Italian
custom officials at Chiasso.

TO : Headquarters Allied Commission, Legal Subcommittee.

1. Request that a letter be sent to the Italian Finance
Ministry in order to obtain the release on franchise of the following
quantity of PX supplies held by the Italian Custom House officials
at Chiasso:

Cases	Tot. Units	Mark	Producer	Weight	Vol	Life Value	Dollars
1	10	100	Kentuell	19 Kg.	2m ³	295376	700.00

Item : Cameras.

2. The above listed item is for the use of American personnel.

approved: C. Lane
Robert J. C. Lane
2nd Lt. Inf
Exchange Officer
A.E.S. 782-30

Frank J. DiGestoro
Frank J. DiGestoro
WD Civ.
Manager W.hse 782-12

ARMY EXCHANGE SERVICE
PENINSULAR BASE SECTION
WAREHOUSE 782-12
APO 794 U.S. ARMY

31 January 1947

SUBJECT : Release on Franchise of PX Supplies from the Italian
custom officials at Chiasso.

TO : Headquarters Allied Commission, Legal Subcommittee.

1. Request that a letter be sent to the Italian Finance
Ministry in order to obtain the release on franchise of the following
quantity of PX supplies held by the Italian Custom House officials
at Chiasso:

Cases	Tot. Units	Mark	Producer	Weight	Vol.	Value Lira	Dollars
1	-10	100	Kentwell	19 Kg.	12m	295376	700.00

Item : Cameras.

2. The above listed item is for the use of American personnel.

Approved:
Robert C. Lane
2nd Lt. Inf
Exchange Officer
A.E.S. 782-30

Frank J. DiGostaro
WB Civ.
Manager Warehouse 782-12

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

FILE
40A

AC/4019/L.

LJG/pa.
24 Jan 1947/

SUBJECT : Reproduction of documents.

TO : Executive Commissioner.

Lt.Col.Hannaford is desirous of taking copies of Legal Opinions of the Legal Division with him to his new post at the British Embassy. The work involved in this connection involves reproduction of about 300 pages. It is believed that this may be most expeditiously done by photostat at the Microfilm Depot. If this project may be approved it is requested that necessary authorization be forwarded accordingly.

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

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HEADQUARTERS ALLIED COMMISSION
APO 79A
LEGAL DIVISION

39A

AP/IT.
24 January 1947.

SUBJECT : Importazione "in franchigia"
di merci dalla Svizzera da parte
dell'Army Exchange Service.

AL : Ministero delle Finanze

R.M.A.

1. Si certifica con la presente, che la merce contenuta nelle casse di cui alla sottoelencata lista importate dalla Svizzera da parte dell'Army Exchange Service, United States Army, e' di proprieta' di dette Forze Armate Americane ed e' destinata esclusivamente all'uso degli appartenenti di cui sopra.

2. La persona incaricata per il ritiro della partita in questione sara' munita di delega rilasciatagli dal suddetto Ente e di un apposito documento di riconoscimento.

3. Si prega pertanto di voler impartire sollecite disposizioni alla Autorita' Doganale di Chiasso, affinche' venga effettuato lo svincolo in franchigia della merce in parola.

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<u>Archio</u>	<u>Fabbricante</u>	<u>Casse</u>	<u>Franchi Sviz.</u>	<u>Dollari</u>	<u>M3</u>	<u>Rs.</u>	<u>Quantita'</u>
A29	Bunter & Co	1	19,500	4,626.17	.25	15.0	100 orologi
A30	Des Montres	1	17,000	3,971.96	.25	15.0	100 orologi

JOHN E. KIMMEL,
Colonel, Infantry,
Chief Legal Advisor.

File
 ARMY EXCHANGE SERVICE
 PENINSULAR BASE SECTION
 WAREHOUSE 202-12
 APC 734 U.S. ARMY

38A

21 January 1947

SUBJECT: Release on Franchise of PX Supplies.

TO: Headquarters Allied Commission, Legal Subcommittee.

1. Request that a letter be sent to the Italian Finance Ministry in order to obtain the release on franchise of the following quantities of watches:

Mark.	Manufacturer	Cases Sw. Fr.	Dollars	g ³	Kg.	quantity
X29	Suter & Co.	1	17,500	4,626.17	.25	15.0 100
X30	Des Pontres	1	17,000	3,571.96	.25	15.0 100

2. The watches are now held by the Customs Officials at Chiasso.

3. The watches are only for the use of American personnel.

Francis D. Murray
 Francis D. Murray
 1st Lt., Infantry
 Warehouse Officer

478441

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ARMY EXCHANGE SERVICE
 PENINSULAR BASE SECTION
 WAREHOUSE 782-12
 APO 794 U.S. ARMY

24 January 1947

SUBJECT : Release on Franchise of PX Supplies.

TO : Headquarters Allied Commission, Legal Subcommittee.

1. Request that a letter be sent to the Italian Finance Ministry in order to obtain the release on franchise of the following quantities of watches:

Mark.	Manufacturer	Cases	Sw. Fr.	Dollars	m ³	Kg.	Quantity
X29	Sauter & Co.	1	19,500	4,626.17	.25	.15.0	100
X30	Des Montres	1	17,000	3,971.96	.25	15.0	100

2. The watches are now held by the Custom Officials at Chiasso.

3. The watches are only for the use of american personnel.

Francis D. Murray
 Francis D. Murray
 1st Lt., Infantry
 Warehouse Officer

THE AMERICAN LEGATION
 LEGAL DIVISION

37A

13 January 1947.

OBJ: 1. Importazione "in franchigia"
 di armi dalla Svizzera da parte
 dell'Army Exchange Service.

al. 1. Ministero delle Finanze,
 U.S.A.

1. Si certifica, con la presente, che la merce contenuta
 nelle casse di cui alla sottoindicata lista importata dalla
 Svizzera da parte dell'Army Exchange Service, United States Army,
 e' di proprieta' di detta Forza Armata Americana ed e' destinata
 esclusivamente all'uso degli appartenenti di cui sopra.

2. La persona incaricata per il ritiro della partita
 in questione sara' munita di delega rilasciata dal soggetto
 Ente e di un apposito documento di riconoscimento.

3. Si prega pertanto di voler impartire sollecite
 disposizioni alle autorità doganali di chiasso, affinché ven-
 ga effettuato lo svincolo in franchigia della merce in parola.

Particolari	Quant.	Unità	Valore in Franchi Sv.	Ep.	Marchio	70% di ricatti	
W. Borden	2	1,550	800	60	1 to 3	X22 Watcher	
W. Burloerie	2	2,500	350	12250	150	1 to 3	X23 Watcher
Paul Sabli	2	2,000	950	20000	65	1 to 2	X24 Watcher

John E. Webb,
 Colonel, Infantry,
 Chief Legal Advisor.

40050 File

ARMY EXCHANGE SERVICE
PENTAGON BASE SECTION
WAREHOUSE 702-12
DC 794 U.S. ARMY

36A

13 January 1947

SUBJECT : Release in Franchise of PX Watches.

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

1. Request that a letter be made to the Italian Finance Department in order to obtain the release in franchise, from the custom official of Chiasso, of the following quantities of Swiss watches destined for sale in PX Stores.

Maker	# of cases	Quant.	Unit	Value Sw.Fr.	Kg.	Markings	Chart# Item
Fabrigat							
D'Porzoder	3	1,550	#00	51150	60	1 to 3	X22 Watches
H'Horlogeria							
Preclmazz	3	2,500	#50	62250	150	1 to 3	X23 Watches
Lehrli Sabid							
George Savon	2	2,000	#00	20000	65	1 to 2	X24 Bracelets

Francis D. Marroy
Francis D. Marroy
1st Lt., Infantry
Warehouse Officer

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ARMY EXCHANGE SERVICE
PENINSULAR BASE SECTION
WAREHOUSE 782-12
APO 794 U.S. ARMY

12 December 1946

SUBJECT : Release on Franchise of PX Supplies thru the Swiss Border.

TO : Allied Commission, Legal Sub-Commission.

1. Request that a letter be sent to the Italian Finance Department in order to obtain the release on franchise thru the Swiss border at Chiasso of the following quantities of PX supplies:

Manufacturer	Markings	Item	Cases	Kg.	Items	Sw. Fr.	Lire	No. of Value
Pehri Geneva	PH 21-22	Bracelets	2	68	2000	20,000	1,051,400	1.9
E. Mettler	AES 4440/1	Scarfs	2	355	1000	20,000	1,051,400	1.3
Reuge & Co.	ARY-18-1/8 825-1/8	Music Boxes	16	2540	4000	84,000	4,415,880	8.6
Montres Zodiac	Zodiac X 20-40	Watches	1	10	70	36,090	1,892,520	.5
A. Duferet	AUS X 21/5	Mus. Dishes	5	473	2000	18,700	983,059	5.0
De Robert Freres	SGS	Bracelets	8	131	2750	87,500	4,599,875	1.225

2. The above listed items are only for the use and of American personnel in MTUSA.

Francis D. Murray
1st Lt., Infantry
Warehouse Officer

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

34A

AO/6019/L

AP/BB
23 novembre 1946

SUBJECT : Importazione di orologi dalla Svizzera
da parte dell'Army Exchange Service,
United States.

TO : Ministero della Finanze,
ROME.

1. Si certifica, con la presente, che gli orologi contenuti nelle casse di cui alla sottosegnata lista importati dalla Svizzera da parte dell'Army Exchange Service, Peninsular Base Section, United States Army, sono di proprietà di dette Forze Armate Americane e sono destinate esclusivamente all'uso degli appartenenti alle Forze di cui sopra.

2. La persona incaricata per il ritiro della partita in questione sarà munita di delega rilasciatagli dal suddetto Ente e di un apposito documento di riconoscimento.

Si prega, pertanto, voler impartire sollecite disposizioni alle autorità doganali di Chiasso, affinché venga effettuato lo svincolo in franchigia della merce in parola.

Numero e marche	Volume	Valore complessivo della merce
1427 BM	250 dm ³	) Franchi Svizzeri 72.300.-
1428 BM	250 "	
1429 BM	250 "	
1430 BM	250 "	

Peso complessivo della merce 121 kg.

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- 2 -

Mittente : Ditta Baum & Mercier
Destinatario : U.S. Army WFO Exchange Service, PSS,
Livorno, Italia.

S.S. HATHAWOOD,
Lt. Colonel,
Deputy Chief Legal Advisor.

4019

ARMY EXCHANGE SERVICE
PENINSULAR BASE SECTION
WAREHOUSE 782-12
APO 794 U.S. ARMY

BBA

22 November 1946

SUBJECT : Release in franchise of PX Supplies.

TO : Legal Section, Allied Commission.

1. Request letter to the Italian Finance Department in order to obtain release on franchise of the following merchandise bought in Switzerland by Army Exchange Service, Peninsular Base Section from Baum & Mercier.

Address on merchandise: US Army MTO Exchange Service, PHS, Leghorn, Italy.

Value: Swiss Francs 72,300

Total weight: 121½ Kg.

Volume: 250 dm³ per each case.

Number of cases: 4

Case numbers: 1427EM, 1428EM, 1429EM, 1430EM.

Francis D. Murray
Francis D. Murray
1st Lt., Infantry
Warehouse Officer

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Copy in the file 4019

FILE

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISIONTRANSLATION

AP/RS

27 November 1946

AC/4005/1

SUBJECT : Entry on Franchise from Swiss Border of items
for use of American Military Personnel only.

TO : Ministry of Finance.
ROME.

1. I hereby certify that the items contained in the below listed cases, entered from Switzerland by the Army Exchange Service, U.S. Army, are the property of said American Forces and are for use of American Military personnel only.

2. The person charged with the task of clearing said goods will be furnished with an appropriate authorization and identity card issued by the above mentioned Army Exchange Service.

3. It would therefore be appreciated if you forward early instructions to the Italian Customs Duty authorities in Chiasso in order that they allow said goods to enter on franchise for the members of the above mentioned Forces.

Item: Scarfs
Number of cases 2
Number of Units per case 1,000
Total Weight: 355 Kg
Value: 20,000 Francs
Volume 650 dm³ each case

Item: Bracelets
Number of cases : 2
Number of units per case: 1,000
Total weight: 65 Kg
Value : 20,000 Swiss Francs
Volume : 450 dm³ each case.

63

ARMY EXCHANGE SERVICE
PENINSULAR BASE SECTION
WAREHOUSE 782-12
APO 794 U.S. ARMY

FILE
51A

28 November 1946

SUBJECT : Entry on Franchise from the Swiss Border of Items for Use
of American Military Personnel Only.

TO : Headquarters Allied Commission, Legal Subcommittee.

1. Request letter to the Italian Finance Department in order to
allow the entry on franchise from Switzerland of the following listed
items:

Item: Scarfs.

Number of cases 2.

Number of Units per case 1,000.

Total Weight 355 Kg.

Value 20,000 Swiss Francs.

Volume 650 dm³ each case.

Item: Bracelets.

Number of cases: 2.

Number of units per case: 1,000.

Total weight: 68 Kg.

Value: 20,000 Swiss Francs.

Volume: 450 dm³ each case.

62

Francis D. Murray
Francis D. Murray
2nd Lt., Infantry
Warehouse Officer

Enter and
File
V

HEADQUARTERS ALLIED COMMISSION
AFB 79
LEGAL DIVISION

30A

AC/4005/1

AP/BB
16 November 1946

OGGETTO : Importazione di fazzoletti dalla Svizzera da parte dell'Army Exchange Service, United States.

AL : Ministero delle Finanze.
ROMA.

1. Si certifica con la presente, che i fazzoletti contenuti nei colli di cui alla sottelen-
cata lista, importati dalla Svizzera, da parte dell'Army
Exchange Service, United States Army, sono di proprietà
di dette Forze Armate e sono destinati esclusivamente
all'uso degli appartenenti alle Forze di cui sopra.

2. La persona incaricata per il riti⁶¹
della partita in questione sarà munita di delega rila-
sciatagli dal suddetto Ente e di un apposito documento
di riconoscimento.

3. Si prega pertanto voler impartire sol-
lecite disposizioni alle autorità doganali di Chiasso
affinchè venga effettuato lo avvincolo della merce in
parola.

<u>Numero dei</u> <u>colli</u>	<u>Peso netto</u> <u>in Kg</u>	<u>Peso lordo</u>	<u>Volume in CC</u>
3200	43.16	164	62.0682
3201	42.25	167	69.0618
3202	40.10	164	66.0021
3203	42.14	164	67.3134
3204	35.1	163	69.0618

4. Il valore complessivo della merce è
di franchi svizzeri 50.000.- La stessa è diretta all'Army
Exchange Service, Headquarters F.A.S., Livorno, Italia.

G.C. HANNAFORD, Lt. Colonel,
Deputy Chief Legal Advisor.

File
C O P Y

ARMY EXCHANGE SERVICE

Installation No 782-30
APO 794 - U.S. ARMY

15 November 1946

TO: Lt. Murray.

Shipment of 5 cases containing 1000 boxes each Swiss handkerchiefs, total value Swiss Frs. 50,000.- addressed to Army Exchange Service, Headquarters P.B.S. Leghorn, Italy, shippers Rus & Co. St. Gorren, Switzeland. AES contract number X 26.

<u>Case No</u>	<u>Net Weight-Kg</u>	<u>Gross Weight</u>	<u>Volume in CC</u>
3200	43.16	164	62.0683
3201	42.25	167	69.0618
3202	40.10	164	66.0021
3203	42.14	164	67.3134
3204	35.1	163	69.0618

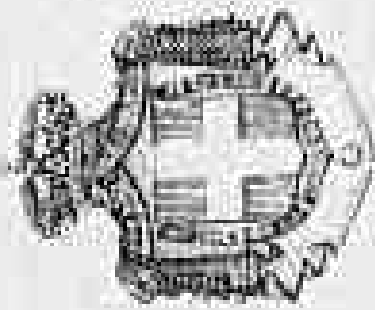
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Leghorn phoned requesting that Walter secure clearance though Customs.

Sgd.:

CARROLL P. NEWTON
Captain, Infantry

Mod 403



FILE

Roma, 17 Ottobre 1946

Ministero di Giustizia

MINISTERO DEGLI ESTERI

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

ROMA

Uff. II° A. P. - Prot. V. 165.22.3077

Riposta al p. V.

OGGETTO Uccisione del maresciallo dell'esercito tedesco,

GERHARD MEINELT.-

LEGAL SUB - COMMISSION

CJO - CLA

OCLO

CHIEF COUNSEL

ITALIAN SEC. GEN.

Rec. 221946

e per conoscenza:

ALLA COMMISSIONE ALLEATA

Sottocommissione Legale

ROMA

ALL'UFFICIO COLLEGAMENTO

SEDE

La Procura Generale della Corte di Appello di Bologna ha informato, che il 21 settembre u.s. è stato tratto dal fiume Savio (territorio di Forlì) il cadavere dello indicato straniero, con le tracce di tre colpi di arma da fuoco alla testa.

Sembra accertato che detto militare straniero sia uscito, per servizio, tre giorni prima, con un automezzo che è stato rinvenuto mancante delle ruote, donde la supposizione che lo omicidio sia stato commesso a scopo di rapina.

Nessuna notizia finora sugli autori del reato, della cui scoperta si occupa anche l'autorità Alleata.

ad un' commissione

OGGETTO

Uccisione del maresciallo dell'esercito tedesco, GERHARD MEINELT.-

LEGAL SUB - COMMISSION

CIO - CIA

OCLO

CHIEF COUNSEL

ITALIAN SEC 1334

Recd : OCT 22 1946

e per conoscenza:

ALLA COMMISSIONE ALLEATA

Sottocommissione Legale

R O M A

ALL'UFFICIO COLLEGAMENTO

S E D E

La Procura Generale della Corte di Appello di Bologna ha informato, che il 21 settembre u.s. è stato tratto dal fiume Savio (territorio di Forlì) il cadavere dello indicato straniero, con le tracce di tre colpi di arma da fuoco alla testa.-

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Nessuna notizia finora sugli autori del reato, della cui scoperta si occupa anche l'autorità Alleata.-

L. italiano militari commissioni

per il M I N I S T R O

Ry J...

No action required

Fate

25/10

1 8 2 2

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

785016

CHECK AN ROUTING SLIP		
LEGAL DIVISION		
(1) 1645	hrs	26 NOV 1946
(2)	hrs	DATE
(3)	hrs	DATE
FROM	TO	
COL. LAMAR		
LT COL. HANNA OGD		
COL. GUNN		
LT COL. HORNES		
LT COL. D. VALL		
LT COL. NYGAARD		
MAJOR GENERAL		
MAJOR MCCORM		
JUDGE THOMAS		
ITALIAN SECTION		
✓ CHIEF CLERK		
FOR		
✓ A PROPER ACTION		
INFORMATION		
SIGNATURE		
APPROVAL & C. ANDERSON		
FILE ATTCH		

27A
 Sir, I found
 these papers
 in different
 places. It
 looks as though
 you intended
 for a letter to
 go to PS Div.
 as per draft.
 As you have
 dealt with this
 before, you will
 recognize it &
 know what action
 is appropriate now.
 Sgt Wells

3 copies ~~4~~ 0017

Subject: Stolen baggage of Gen.
Maloney and party.

To Public Safety, Pub. Commissioner.

1. This office maintains
no records from which information
may be furnished to D-5 G-2
regarding the present status of
cases of persons apprehended
by Italian authorities in connection
with subject theft.

2. A letter of inquiry regarding
the matter was directed to
the Secretary of State and Justice
yesterday. The reply, together
together with the papers per-
taining to the case, will be
forwarded upon receipt.

J. B. W.

4019



Roma 18 novembre 1946

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIOALLA COMMISSIONE ALLEA-
TA - Sottocommissione Ie
ale ROMA

Ufficio II A.P.

Ripresenta il f. del 26 agosto c. a. e.

Prot. N° 138416. 19.2759

Dir. AC L. 14019/4

OGGETTO: Bagaglio rubato al Gen. MALONEY e seguito

for final
disposition
see 45 433.11

e per conoscenza:

ALL'UFFICIO DI COLLEGAMENTO

- Gabinetto -

SEDE

Il Procuratore Generale delle Corti di
Appello di Napoli informa che quel Giudice Istrut-
tore, con sentenza 19 ottobre u.s., ha rinviato
al giudizio di quel Tribunale MODINARI Mario, NAP-
PI Antonio, D'AMIELLO Gino, TORTORA Antonio, FORTE
Pasquale, DI GENARO Giuseppe, DE SANTIS Vincenza,
ENRICO Concetto, FAZI Giovanni, per rispondere del
delitto di associazione per delinquere, furti va-
rri in danno delle Armate Alleate e ricettazione.

Sarà comunicato l'esito del giudizio. 56

d'ordine del MINISTRO



TRANSLATION

26A

18 Nov 1946

MINISTRY OF PARDON AND JUSTICE

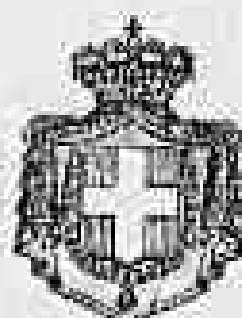
SUBJECT : Stolen baggage of General Maloney and party.

The Procuratore Generale of the Court of Appeal of Naples informs that the case of MOLINARI Mario, NAPPI Antonio, D'ANIELLO Ciro, TORTORA Antonio, FORTE Pasquale, DE GENNARO Giuseppe, DE SANTIS Vincenza, ERRICO Concetta and FAZI Giovanna, charged with association for criminal purposes, various thefts to the detriment of the Allied Forces and receiving, was referred to the Tribunale of Naples by the inquiry judge of the Court of Appeal on the 19th Oct 1946.

The result of the proceedings will be communicated later.

signature illegible.

51



4019

Roma, 4 ottobre 1946

Mod. 404

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIOAlla COMMISSIONE ALIATA
Sottocommissione Legale

ROMA 22A

Ufficio TI° A.F.

Prot. N° 138 bis/19/2759

Proposta al Fedel. 25.9.1946

Dire. Luc. N° 4019/L.

OGGETTO: Bagaglio rubato al Generale MALONEY
e al suo seguito.-

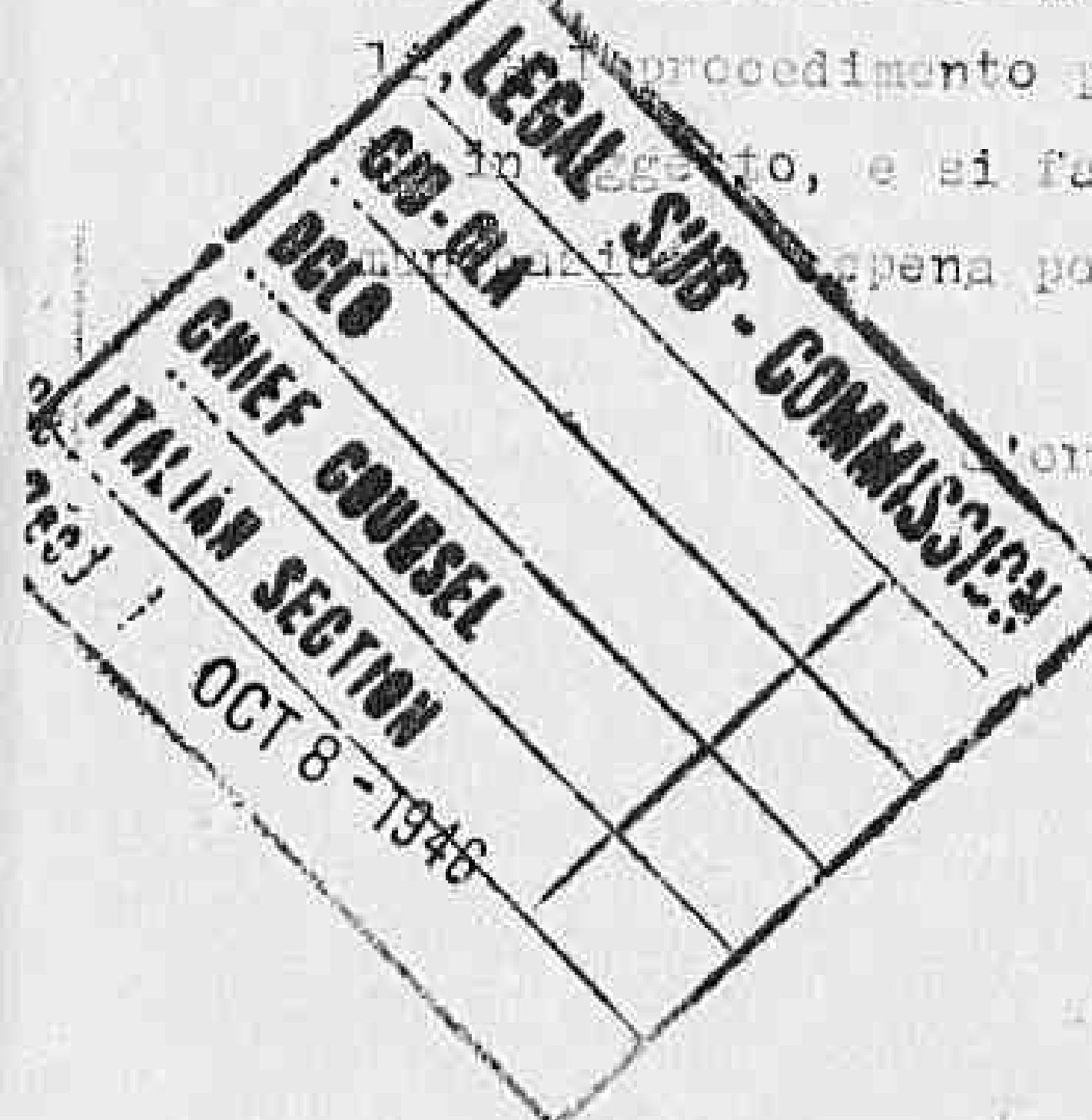
All. n. I

e per conoscenza:
ALL'UFFICIO COLLEGAMENTO

S E D R

Per notizia, si invia a codesta Sottocommissione Legale, copia del rapporto n° 1416/46, in data 24 settembre u.s., del Procuratore Generale della Corte di Appello di Napoli, in riferimento al procedimento penale per il reato indicato in oggetto, e si fa riserva di ulteriori comunicazioni, appena possibile.-

In ordine del MINISTRO



COPIA
fl.

25A
PROCURA GENERALE DELLA REPUBBLICA presso la Corte
Appello di NAPOLI

Div. 2ª n° 1416/46 Risposta a nota 6 settembre 1946 n° 138 bis/19.2759
OGGETTO: Procedimento penale contro MOLINARO Mario ed altri per furto
in danno del Generale Americano Maloney.-

Napoli 24 settembre 1946

AL MINISTERO DI GRazia E GIUSTIZIA
Direzione Generale affari Penali Uff. III°

R O M A

In relazione alla nota sopra distinta, si comunica che il processo in oggetto è a carico di: MOLINARO Mario di Pietro, NAPPI Antonio fu Giorgio, D'ARISTO Ciro di Giovanni, TORTORA Antonio fu Antonio, FORTE Pasquale di Pietro, DI GENNARO Giuseppe fu Gustavo, tutti detenuti; DE SANTIS Vincenza fu Francesco, ERNICO Concetta di Salvatore e PAZI Giovanna fu Salvatore, libere.-

I primo sei sono imputati di associazione a delinquere, per commettere furti in danno delle Forze Armate Alleate, e di concorso in furto aggravato di 4 valigie, contenenti indumenti vari e documenti militari in danno del maggiore Generale MALONEY, del Colonnello PATTERSON, del Tenente BOWEN e del Sig. Dorman, mentre le altre debbono rispondere di ricettazione di indumenti (art. 416 = 110 = 624 = 625 n° 4, 5 e 6 C.P. e 4 D.I.L. 10 maggio 1945, n° 234.-

Il processo è assegnato alla 1ª Sezione dell'Ufficio d'istruzione e durante l'attuale periodo feriale alla XIII Sezione.-

La relativa istruttoria volge al termine e non si mancherà di

In relazione alla nota sopra distinta, si comunica che il processo in oggetto è a carico di: MOLINARO Mario di Pietro, NAPPI Antonio fu Giorgio, L'AVITELLO Ciro di Giovanni, TORTORA Antonio fu Antonio, FORTE Pasquale di Pietro, LI GENNARO Giuseppe fu Gustavo, tutti detenuti; DE SARTIS Vincenza fu Francesco, ERNICO Concetta di Salvatore e PAZI Giovanna fu Salvatore, libere.-

I primo sei sono imputati di associazione a delinquere, per commettere furti in danno delle Forze Armate Alleate, e di concorso in furto aggravato di 4 valigie, contenenti irriducibili vari e documenti militari in danno del maggiore Generale MALONEY, del colonnello PATTERSON, del Tenente BUEVTS e del Sig. Lorman, mentre le altre debbono rispondere di ricettazione di irriducibili (art. 416 = 110 = 624 = 625 n° 4, 5 e 6 C.P.) e 4 D.L.L. 10 maggio 1945, n° 234.-

Il processo è assegnato alla 1ª Sezione dell'Ufficio d'istruzione e durante l'attuale periodo feriale alla XIII Sezione.-

La relativa istruttoria volge al termine e non si mancherà di comunicare, appena possibile, l'esito di essa.-

Si rende l'acclusa copia della lettera inviata a codesto Ministero dalla Commissione Alleata.-

IL PROSECUTORE GENERALE
P.to illeggibile

PER COPIA CONFORME
Roma 3 Ottobre 1946

IL DIRETTORE CAPO DELL'UFFICIO II° AFFARI PENALI



Subject:

Luggage stolen to General MALONEY
and his suite.

The Ministry of Sardinia and Justice,
IInd Office A. P., forwards to this legal S/C
copy of report N^o 1416 / 46, dated 24th September
inst., of the General Prosecutor, Court of
Appeal, Naples, relating to the a/m offence,
and will send as soon as possible fur-
ther information.

Signature illegible. 52

Sir - Reply to your letter of 28 Aug 46.

The Ministry of Sardinia and Justice,
IInd Office A.P., forwards to this legal S/C
copy of report N° 1416/46, dated 24th September
inst., of the General Prosecutor, Court of
Appeal, Naples, relating to the a/m offence,
and will send as soon as possible further
information.

Signature illegible.

52

Sir - Reply to your letter of 28 Aug 46.

General Prosecutor of Republic

Court of Appeal of Naples

Answer to letter N° 138 bis 19 127591 of the
6th September 1946.

Genal proceeding against MOLINARO
Subject: MARIO and others, for theft to the de-
partment of American General MALONEY.

Naples, the 24th September 1946.

To the Ministry of Garden and Justice
General Arcection of Genal affairs,
Office IIIrd.

Rome

51

With reference to the above letter, I inform
that the following persons were charged with

Naples, the
To the Ministry of Garden and Justice
General Direction of Genal affairs,
Office IIIrd.

51

Rome

With reference to the above letter, I inform
that the following persons were charged with

you the a/m. offence:
MOLINARO MARIO, son of PIETRO;
NAPPI ANTONIO, son of the late GIORGIO;
Q'ANIELLO CIRO, son of GIOVANNI;
TORTORA ANTONIO, son of the late ANTONIO,
all imprisoned;

t.o.p.

(2)

DE SANTIS VINCENZA, daughter of
the late FRANCESCO;
ERRICO CONCETTA, daughter of SALVATORE,
all at liberty.

The first six mentioned persons are being accused for criminal association, for having committed thefts to the detriment of the Allied Forces and for complicity in aggravated rape of four suit-cases, which contained to the various items and military documents, to the detriment of Maj. Gen. MALONEY of Col. PATTERSEN, of Lt. BIRNES and the DORMAN.

The other accused persons are charged with receiving of personal belongings (articles 41C, 110, 624, 625, No 4, 5 and 6 C.P. and 54 G. L.L. No 234, dated 10th May 1945.

First section of the Investigating

forces of four suit-cases, which contained various items and military documents, to the detriment of Maj. Gen. MALONEY of Col. PATTERSEN, of Lt. BIRNES and Mr. DORMAN.

The other a/m. accused persons are charged with receiving of personal belongings (articles 41C, 110, 624, 625, No 4, 5 and 6 C.P. and 849

G. L.L. No 234, dated 10th May 1945. Investigating

The Ist Section of the proceedings Office is entrusted with the holiday period, - and, during the actual holiday period, - the XIIIth Section.

t. o. p.

The investigation is coming to its end, and you will be informed as to the outcome, as soon as possible.

Herewith enclosed copy of a letter, addressed by the A. C. to this Ministry.

General Prosecutor

Signature illegible

This is a true copy.

49

Rome, the 3rd October 1946.
Director Chief of the IInd Office of
Genal Affairs

Signature illegible.

FILE

HEADQUARTERS ALLIED COMMISSION
APO 734
LEGAL SUB-COMMISSION

24A

AC/4019/L.

LJG/pa.
30 Sept 46.

SUBJECT : Stolen Baggage of General Maloney and Party.
TO : The Minister of Pardon and Justice.

1. Reference is made to letter of this Office AC/4019/L dated 28 August 1946 and letter of your Ministry No.19.2759 to the Prosecutor General, Court of Appeal, Naples, dated 6 Sept 1946, subject as above.

2. It will be appreciated if the information requested therein may be provided at an early date.

L. J. GILBRIDE,
Major, G.I.D.,
Chief Counsel.

for final
disposition
on 933.11

48



fm

Roma, 6 settem. 1946

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

Al PROCURATORE GENERALE
presso la Corte d'Appello di
NAPOLI

Ufficio III A.P.
Prot. N° 138b1s.19.2759

Respett. Fedel.
Duc. Loe. N°

Oggetto Procedimento penale contro MOLINARO Mario
ed altri, detenuti a Napoli (Fog. Iorale), per
furto in danno del Generale Americano MALONEY
e del suo seguito.

e per conoscenza:

ALLA COMMISSIONE ALLEATA - Sottocom/Legale

4019/R of 28 Aug. ROMA
ALL'UFFICIO DI COLLEGAMENTO - Gabinetto

S E D E

Si prega codesto Generale Ufficio di
voler informare, con cortese urgenza sugli e
estremi e sullo stato del procedimento penale
indicato in oggetto, precisando le generalità
di tutti gli imputati e l'attuale posizione di
ciascuno di essi.

Appena possibile, poi, vorrà comunica-

./.

re l'esito dell'istruttoria e, se del caso,
la data fissata pel dibattimento e quindi
l'esito di questo.

Si comunica, per ogni buon fine, copia
della lettera inviata, sull'oggetto, a questo
Ministero della Commissione Alleata.

pel MINISTRO
(~~segretario~~)

J. L. L...

Translation :-

MINISTRY OF PARDON AND JUSTICE

Rome, 6 September 1946

Ufficio III A.P.

138 bis 19.2759

TO : Prosecutor General,
Court of Appeal
Naples.

23A

SUBJECT : Penal proceeding against SOLINARO Mario and others,
imprisoned at Naples, Poggioreale, for theft for
detriment of the American General Maloney and his
suite.

and for information:

TO: The Allied Commission
Legal Sub Commission

(ref AC/4017/L
dated 28 Aug 46
folio 22 A)

TO: Liaison Officer

R O E

S E D E

This Ministry of Justice, General Direction of Penal Affairs,
requests on the 6th September 1946 to be informed as soon as possible
on the particulars and position on the above mentioned penal proceed-
ing, indicating the particulars of all accused persons and the actual
position of each of them.

The results of investigations should be communicated at the earliest
possible date, on which the trial will be heard and its decision. ^{LB}
~~as well as the date~~

Copy of letter, which was sent on this subject to the Ministry
by the Allied Commission is herewith enclosed.

FILE

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

22A

AC/4019/L

LJG/ns
28 August 1946

SUBJECT : Stolen baggage of Gen. Maloney and party.

TO : Ministry of Grace and Justice.

1. On 19 April 1946 in the vicinity of Capodichino Airport near Naples, certain articles of the baggage of General Maloney, U.S.A., and his party, were stolen, some of which have been since recovered. One Molinaro Mario is reported to have confessed to the commission of this offence, and on 25 May 1946 he was being held in the Poggioreale Prison at Naples awaiting trial. At that time two other Italian boys were also held in the same prison as possible accomplices in this connection.

2. By letter of the Ministero dell'Interno No 10.31829/13052.10.230 dated 17 June 1946 it was reported to this Sub-Commission that all perpetrators of this theft, as well as the receivers of the stolen property, had been arrested. ⁴⁵

3. It is requested that this Sub-Commission be informed in detail of the present status of the cases of all persons apprehended in connection with this matter as soon as may be practicable.

4. Please consider this request as urgent.

for final
disposition see
file 95 933.11

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

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
UDINE PROVINCE
Telephone - Udine 1516
Extension 16

23 August 1946.

4019 ✓
SUBJECT: Prestento Arms Case
TO : Chief Legal Advisor,
Hq Allied Commission,
Rome.
REF. : SLO/HQ AG/AGG/11

The records of trials in these cases are forwarded herewith. No question for application for review arises but in view of their political background it is thought that copies of the records should be in your possession.

In the case marked "A" there were 24 defendants and the charge was the same for each case.

AUG 27 1946

LEG. SUB COMMISSIONER	
CHIEF LEGAL ADVISOR	
DEPUTY CHIEF LEGAL ADVISOR	
CHIEF COUNSEL	
STAFF OFFICER	
ITALIAN SECTION	
MEMBERS REVIEW BOARD	

By order of the Provincial Commissioner.

C. L. P. Stashenan
C.L.P. Stashenan, Major,
Senior Legal Officer,
A.M.G. Udine Province.

1843

Governo Militare A.Cato

FOGLIO DI ACCUSA

Place Prestento

Luogo

NAME of Defendant BENATI Venusto (16 Years old)

Name of Defendant

Nome dell'accusato

Date 4/5 June '46

Date

Data 4/5 Giugno '46

Address Prestento of Torrens

Indirizzo

(No. Street)

Udine

(Commune, Province)

Is hereby charged with the following offenses:

e qui accusato delle offese seguenti:

First charge

UNlawful possession of firearm Con:Proc.I Art.4/51

Particulars: On the 5th June at Prestento was found in possession of a

German Mauser rifle.

Second charge

Particulars:

TRADUZIONE

Prima accusa: Possesso illegale di armi da fuoco. Con: Proc. I Art. 4, Sec. 5.

Dettagli Il 5 Giugno a Prestento fu trovato in possesso di un fucile

Mauser tedesco.

Seconda accusa:

Dettagli

HO ACE 83

Valentin Dinger

Giudice, Tribunale Militare Inferiore o altro individuo autorizzato

CITAZIONE

Particulars:

TRADUZIONE

Prima accusa: Possesso illegale di armi da fuoco. Cons. Uro. I Art 4. Sec. 5.

Dettagli Il 5 Giugno a Prestento fu trovato in possesso di un fucile 42

Mauser tedesco.

Seconda accusa:

Dettagli

HO ACCE83
Valter Draper
Giudice Tribunale Militare Inferiore o altro individuo autorizzato

CITAZIONE

Data 10. 21. 46

Nome (Nome) BENAFI Venusto

Address (indirizzo) Prestento di Torrence (Udine)

Voi siete a mezzo di ciò citato e richiesto di presentarvi personalmente davanti un Tribunale Inferiore

a L. Tribunale di Udine

Indirizzo della Corte Address of Court

addi 16 Luglio '46

Data Day

alle ore 10

M. sotto le suddette accuse:

ore hour

Valter Draper
Firma dell'individuo autorizzato

Se non tradotto dall'Ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura.

Ogni accusato di fronte ad un Tribunale Militare ha diritto:

- Di avere in anticipo una copia delle accuse sotto le quali egli sarà processato, se egli così desidera;
- Di consultare un avvocato prima del processo e di avere un avvocato in sua difesa durante il processo. In ogni causa che porta con se la pena di morte il Tribunale Militare Generale, se l'accusato lo richiede, gli assegnerà un Ufficiale addetto alla Giustizia del Governo Militare Alleato per assistere nella difesa della causa oltre a tale altro avvocato che egli potrà scegliere;
- Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa, richiesta che il Tribunale può concedere o rigettare a propria discrezione;
- Di farsi accompagnare dinanzi al Tribunale da testimoni a sua difesa, se così desidera, o far richiesta di farli comparire per ordine del Tribunale;
- Di fornire evidenze a suo vantaggio durante il processo, ma non potrà essere costretto a fornire;
- Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprendere altrimenti.

HEADQUARTERS A.G. CASE NO. 83

REPORTO DI CITAZIONE

Data

Luogo

Io riconosco di aver ricevuto la citazione di cui questa è una copia conforme.

Firma dell'accusato

PROOF OF SERVICE

I hereby certify that I have this
pay of 194 at M (hour) served the summons of which this is

personally

a copy by leaving copy at the above address
by mailing it to his address

Signature of officer Serving Summons

* SUMMARY OF EVIDENCE (Plea of not guilty) or OUTLINE OF FACTS (Plea of guilty)

Prosecution

Defense (including any statement in mitigation)

8/49 (CASE No.)		25/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		36 (AGE OF ACCUSED)	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months				
II			suspended				
III							

Defense (including any statement in mitigation)

8/49 (CASE No.)		25/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		36 (AGE OF ACCUSED)	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months				
II			suspended				
III							

Other orders (suspension of sentence to imprisonment, (with reasons for suspension), confiscation of property, etc.):

Prison to which committed

Announce and fill in where imprisonment is awarded on more than one charge:

The above sentences of imprisonment are consecutive / concurrent / partly concurrent:

The total term of imprisonment is

Use extra sheets where facts or evidence are lengthy or complicated.

REVIEW

Judge, Summary Court

Date

194

Signature

Udine
25 July 1946
Superior Court
C.L.P. Gilshenan, Major.

5/49

BENATI, VENUSTO and others

Prosecutor - Major Cotton
Interpreter - Liliana Stenico
Avvocati - MARTUCCI, FELIZZO, and CAMPEIS

Convened - 10:30

ALL PLEA GUILTY

Outline of Case by Prosecuting Officer

On 4th June, arms and ammunition were received by a man at Torreano. He gave instructions to 3 other persons to take the arms to Prestento and distribute them amongst certain persons. Transport was by horse and cart and arms were in sacks. During the distribution it appears that two men suspected what was taking place. They referred this to the Auxiliary Police who informed the Allied Police. In consequence during the night of 4 and 5 June, civilian and Allied police went to Prestento and raided several houses. 25 Mauser rifles were found, one in possession of each accused. Two automatic rifles and one heavy machine gun, and 6 percussion bombs were also found.

In favour to accused, the police who made the raid say that when they stated the reason for the search, the arms were surrendered at once. No other arms were found. I cannot offer evidence that the possession of these arms was hostile to Allied Forces. All the accused made frank and candid statements.

NO EVIDENCE FOR PROSECUTION

Evidence for Defences (in mitigation).

BENATI Gino. Sworn.

On the night of the 4th of June, I distributed arms to the accused. They were all together at the same time. I told the accused I was authorized to distribute these arms. I assured them they would run no danger by being in possession of the arms. I formed a band of police who consisted of the accused. I told them they were to be a band of police and were to act with the Allied Forces.

No cross-examination.

002 -
Summarizing up of Avvocato for Defence.

The accused are guilty of a technical offence,

The witness, BENATI Gino, has said that he told all the accused they were entitled to have the arms. He gave this assurance to each of them and told them they were being formed into a band of police for defensive purposes, not offensive. - defensive against strangers - but certainly not defensive against Allied Forces with whom they were to collaborate. No secrecy. No arms were distributed publicly. The arms were spontaneously handed in when called for. by the Allied Police. This shows the offence to be a purely technical one with no illegal intentions.

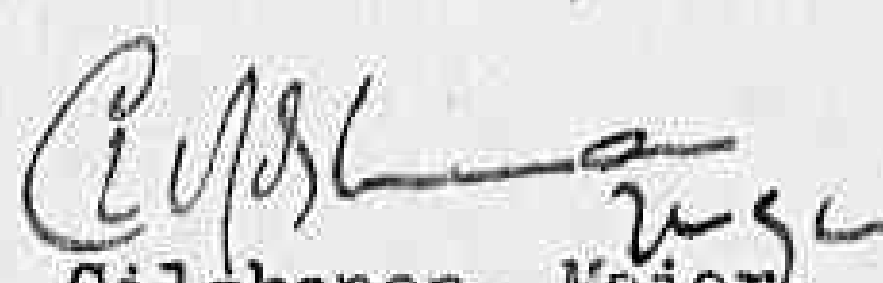
Prosecution by Major Cotton.

I have no observations to make in reply.

FINDINGS

GUILTY of the offence. THREE MONTHS - Suspended

Comments of Judge - I am satisfied that you had no hostile intentions towards Allied Forces, and further that you did not intend to act illegally. You were persuaded that these arms were placed in your possession to preserve law and order.


C.L.P. Gilshenan, Major,
Senior Legal Officer,
A.M.G. Udine Province.

41

5/49
1

Governo Militare Alleato

FOGLIO DI ACCUSA

Place Prestanto
Luogo
Date 4/5th June '46
Data
Name of Defendant GOMELLI Dime -21 years old
Nome dell'accusato
Address Tagliando (Udine)
Indirizzo (No., Street)
Udine (Commune, Province)

Is hereby charged with the following offenses:
e qui accusato delle offese seguenti:

First charge procured the Commission of an offence: Can. Proc. I Art. VI
Sec. I.
Particulars: on 4/5th June was responsible for the distribution of arms

to unauthorised persons.

Second charge

Particulars:

TRADUZIONE

Prima accusa: Preparò l'offesa contro il Proc. I. Art. VI. Sec. I. -
60
Dettagli Responsabile della distribuzione di armi a persone non autorizzate
a portarle, nella notte fra il 4 e 5 giugno.

Seconda accusa:

Dettagli:

[Signature]

Second charge

Particulars:

TRADUZIONE

Prima accusa: Prosserà l'offesa contro il Proc.I.Art.VI. Sec.I.- **40**

Dettagli Responsabile della distribuzione di armi a persone ^{non} autorizzate
e portarle, nella notte fra il 4 e 5 giugno.

Seconda accusa:

Dettagli:

[Signature]
Giudice Tribunale Militare Inferiore e altro individuo autorizzato

CITAZIONE

Data 10 7 46

Name (Nome) COVELLI DINO

Address (Indirizzo) Correaro (Udine)

Voi siete a mezzo di ciò creato e richiesto di presentarvi personalmente davanti un Tribunale Inferiore

addi 15 luglio 1945 Date

al Tribunale di Udine Address of Court

M sotto le suddette accuse:

alle ore 10 one hour

[Signature]
Firma dell'individuo autorizzato

Se non tradotto dall'Ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura

Ogni accusato di fronte ad un Tribunale Militare ha diritto:

- Di avere in anticipo una copia delle accuse sotto le quali egli sarà processato, se egli così desidera;
- Di consultare un avvocato prima del processo e di avere un avvocato in sua difesa durante il processo. In ogni causa che porta con se la pena di morte il Tribunale Militare Generale, se l'accusato lo richiede, gli assegnerà un Ufficiale addetto alla Giustizia del Governo Militare Alleato per assistere nella difesa della causa oltre a tale altro avvocato che egli potrà scegliere;
- Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa, richiesta che il Tribunale può concedere o rigettare a propria discrezione;
- Di farsi accompagnare dinanzi al Tribunale da testimoni a sua difesa, se così desidera, o far richiesta di farli comparire per ordine del Tribunale;
- Di fornire evidenze a suo vantaggio durante il processo, ma non potrà essere costretto a fornire;
- Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprenderli altrimenti.

RAPPORTO DI CITAZIONE

Data

Luogo

Io riconosco di aver ricevuto la citazione di cui questa è una copia conforme.

Firma dell'accusato

PROOF OF SERVICE

I hereby certify that I have this M (hour) served the summons of which this is
day of 194 atpersonally
a copy by leaving copy at the above address
by mailing it to his address
Signature of officer Serving Summons

* SUMMARY OF EVIDENCE (Plea of not guilty) or OUTLINE OF FACTS (Plea of guilty)

Prosecution

Defense (including any statement in mitigation)

S/49 (CASE No.)		25 & 26/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		21 AGE OF ACCUSED)	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months.				
II			suspended				

Defense (including any statement in mitigation)

1852

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

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S/49 (CASE No.)			25 & 26/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		21 AGE OF ACCUSED	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIFE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON	
I	G.	G.	3 months.					
II			suspended					
III								
Other orders (suspension of sentence to imprisonment, (with reasons (or suspension), confiscation of property, etc.)								
Prison to which committed								
Announce and fill in where imprisonment is awarded on more than one charge:								
The above sentences of imprisonment are consecutive/concurrent, partly concurrent:								
The total term of imprisonment is								

Use extra sheets where facts or evidence are lengthy or complicated.

REVIEW

Judge, Summary Court

Date

194

Signature

1 8 5 3

5/49

Governo Militare Alleato

FOGLIO DI ACCUSA

Place Prestento Date 4/5 June '46.-
Luogo Prestento Data 4/5 June '46.-
Name of Defendant BRNATI Gino (26 years old) Address Prestento 02 Torrens
Nome dell'accusato BRNATI Gino (26 years old) Indirizzo Prestento 02 Torrens
Udine (No., Street)
Udine (Province)

Is hereby charged with the following offenses:
e qui accusato delle offese seguenti:

First charge Assisted in the Commission of an offence. Art. I. Art. VI. Sec. I.-

Particulars: On the night of 4th/5th June at Prestento distributed firearms and ammunitions to unauthorised persons.

Second charge Unlawful possession of firearms. Proc. I. Art. IV/V.

Particulars: On the 5th June at Prestento was found in possession of a

Mausser German rifle and 5 or 6 cartridges, without an A.M.G. permit.-

TRADUZIONE

Prima accusa: Partecipazione alla preparazione di una offesa contro il Preci. 34 Art. VI. Sec. I.-

Dettagli Distribuiti armi da fuoco e munizioni a persone non autorizzate ad averle, nella notte fra il 4 e 5 Giugno.-

Seconda accusa: Possesso illegale di armi. Preci. Art. IV/V.

Il 5 Giugno in Prestento fu trovato in possesso di un fucile Mauser tedesco con 5 o 6 cartucce, senza il permesso dell'A.M.G.-

J. Colaninno

Giudice Tribunale Militare-Inferiore e altro individuo autorizzato

CITAZIONE

Particulars:

Mausser German rifle and 5 or 6 cartridges, without an A.M.G. permit.-

TRADUZIONE

Prima accusa: Partecipò alla preparazione di una offesa contro il Proci. 3^a

Art. VI. Sec. I.-

Denagli Distribui armi da fuoco e munizioni e persone non autorizzate

ad averle, nella notte fra il 4 e 5 Giugno.-

Seconda accusa: Possesso illegale di armi. Proci. Art. IV/V.

Il 5 Giugno in Prestento fu trovato in possesso di un fucile Mauser

tedesco con 5 o 6 cartucce, senza il permesso dell'A.M.G.-

J. Colaninno

Giudice, Tribunale Militare Inferiore o altro individuo autorizzato

CITAZIONE

BENATI Gino

Name (Nome)

Address (Indirizzo) Prestento di Torreano (Udine)

Voi siete a mezzo di ciò citato e richiesto di presentarvi personalmente davanti un Tribunale Inferiore

a 1 Tribunale di Udine

Indirizzo della Corte Address of Court

alle ore 10

ore hour

M sotto le suddette accuse:

addì 16 Giugno 1945:

Data Day

J. Colaninno

Firma dell'individuo autorizzato

Se non tradotto dall'Ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura.

Ogni accusato di fronte ad un Tribunale Militare ha diritto:

- Di avere in anticipo una copia delle accuse sotto le quali egli sarà processato, se egli così desidera;
- Di consultare un avvocato prima del processo e di avere un avvocato in sua difesa durante il processo. In ogni causa che porta con sé la pena di morte il Tribunale Militare Generale, se l'accusato lo richiede, gli assegnerà un Ufficiale addetto alla Giustizia del Governo Militare Alleato per assistere nella difesa della causa oltre a tale altro avvocato che egli potrà scegliere;
- Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa, richiesta che il Tribunale può concedere o rigettare a propria discrezione;
- Di farsi accompagnare dinanzi al Tribunale da testimoni a sua difesa, se così desidera, o far richiesta di farli comparire per ordine del Tribunale;
- Di fornire evidenze a suo vantaggio durante il processo, ma non potrà essere costretto a fornirne;
- Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprenderli altrimenti.

RAPPORTO DI CITAZIONE

Data _____
 Luogo _____

Io riconosco di aver ricevuto la citazione di cui questa è una copia conforme.

PROOF OF SERVICE

Firma dell'accusato

I hereby certify that I have this _____
 pay of _____ 194 _____ at _____ M (hour) served the summons of which this is
 personally _____
 a copy by leaving copy at the above address
 by mailing it to his address _____

Signature of officer Serving Summons

* SUMMARY OF EVIDENCE (Plea of not guilty) or OUTLINE OF FACTS (Plea of guilty)

Prosecution

Defense (including any statement in mitigation)

S/49		25 & 26/7/46		UDINE		26
(CASE No.)		(DATE OF TRIAL)		(PLACE OF TRIAL)		AGE OF ACCUSED
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT
I	G.	G.	3 months)			FINE PAID ON
II	G.	G.	(suspended. 3 months.)			
III						

Defense (including any statement in mitigation)

85

1856

S/49 (CASE No.)		25 & 26/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		26 (AGE OF ACCUSED)	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIFE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months)	(suspended.)			
II	G.	G.	3 months.)				
III							
Other orders (suspension of sentence to imprisonment, (with reasons for suspension), confiscation of property, etc.)							
Prison to which committed							
Announce and fill in where imprisonment is awarded on more than one charge:							
The above sentences of imprisonment are consecutive/ concurrent/ partly concurrent:							
The total term of imprisonment is							

Use extra sheets where facts or evidence are lengthy or complicated.

REVIEW

Judge, Summary Court

Date

Signature

Governo Militare Alleato

FOGLIO DI ACCUSA

Prestanto

Place
Luogo

Date 4/5 June '46.

Name of Defendant
Nome dell'accusato

BENATI Siro (29 years old)

Data 4/5 Giugno '46

Address of Defendant
Indirizzo

Prestanto of Tortona
(No., Street)

Udine
(Commune, Province)

Is hereby charged with the following offenses:
e qui accusato delle offese seguenti:

First charge Assisted in the Commission of an offence. Can. Proc. I. Art. VI.
Sec. I.

Particulars: On the night of 4th/5th June at Prestanto distributed fire-
arms and ammunitions to unauthorised persons.

Second charge Unlawful possession of firearms. Can. Proc. I. Art. 4/5

Particulars: He was in possession of an automatic rifle and 9 hand bombs.

TRADUZIONE

Prima accusa: Partecipò alla preparazione di una offesa Can. Proc. I. Art. VI
Sec. I.

Dettagli Nella notte dal 4 al 5 Giugno, in Prestanto, distribui armi e
munizioni a persone non autorizzate.

Seconda accusa: Possesso illegale di armi. Can. Proc. I. Art. 4/5.

Dettagli Era in possesso di un fucile automatico e 9 bombe a mano.

Giudice, Tribunale Militare Inferiore o altro individuo autorizzato

CITAZIONE

TRADUZIONE

Prima accusa: Partecipò alla preparazione di una offesa con. Rese. I. Art. 378 Sec. I.-
 Dettagli Nella notte dal 4 al 5 Giugno, in Prestento, distribui armi e munizioni a persone non autorizzate.

Seconda accusa: Possesso illegale di armi. Con. Preci. Art. 4/5/.
 Dettagli Era in possesso di un fucile automatico e 9 bombe a mano.

[Signature]
 Giudice, Tribunale Militare Inferiore o altro individuo autorizzato

CITAZIONE

Data 16 giugno '46

Name (Nome) BENATI Siro

Address (indirizzo) Prestento di Torreano (Udine)

Voi siete a mezzo di ciò citato e richiesto di presentarvi personalmente davanti al Tribunale Inferiore di Tribunale di Udine addì 16 giugno '46

Indirizzo della Corte Address of Court

alle ore 10 M sotto le suddette accuse:

[Signature]
 Firma dell'individuo autorizzato

Se non tradotto dall'Ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura.

Ogni accusato di fronte ad un Tribunale Militare ha diritto:

- Di avere in anticipo una copia delle accuse sotto le quali egli sarà processato, se egli così desidera;
- Di consultare un avvocato prima del processo e di avere un avvocato in sua difesa durante il processo. In ogni causa che porta con sé la pena di morte il Tribunale Militare Generale, se l'accusato lo richiede, gli assegnerà un Ufficiale addetto alla Giustizia del Governo Militare Alleato per assistere nella difesa della causa oltre a tale altro avvocato che egli potrà scegliere;
- Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa, richiesta che il Tribunale può concedere o rigettare a propria discrezione;
- Di farsi accompagnare davanti al Tribunale da testimoni a sua difesa, se così desidera, o far richiesta di farli comparire per ordine del Tribunale;
- Di fornire evidenze a suo vantaggio durante il processo, una non potrà essere costrutto a fornire;
- Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprenderli altrimenti.

REPORTO DI CITAZIONE

Data _____
Luogo _____

Io riconosco di aver ricevuto la citazione di cui questa è una copia conforme.

Firma dell'accusato

PROOF OF SERVICE

I hereby certify that I have this _____
pay of _____ 194 _____ at _____ M (hour) served the summons of which this is
personally
a copy by leaving copy at the above address
by mailing it to his address

Signature of officer Serving Summons

* SUMMARY OF EVIDENCE (Plea of not guilty) or OUTLINE OF FACTS (Plea of guilty)

Prosecution

Defense (including any statement in mitigation)

S/49 (CASE No.)		25&26/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		29 (AGE OF ACCUSED)	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months	suspended.			
II	G.	G.	3 months.				
III	G.	G.	3 months				

Defense (including any statement in mitigation)

S/49 (CASE No.)		25&26/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		29 AGE OF ACCUSED	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months)	suspended.			
II	G.	G.	3 months.)				
III	G.	G.	3 months)				
Other orders (suspension of sentence to imprisonment, (with reasons for suspension), confiscation of property, etc.)							
Prison to which committed							
Announce and fill in where imprisonment is awarded on more than one charge:							
The above sentences of imprisonment are consecutive * concurrent, partly concurrent:							
The total term of imprisonment is							

Use extra sheets where facts or evidence are
lengthy or complicated.

REVIEW

Judge, Summary Court

Date

194

Signature

Governo Militare Alleato

FOGLIO DI ACCUSA

Place Presentato
Luogo
Name of Defendant
Nome dell'accusato
Date
Data
Address
Indirizzo
Udine
(Commune, Province)

Is hereby charged with the following offenses:
e qui accusato delle offese seguenti:

THIRD charge
Did an act prejudicial to the safety of members of the Allied Forces. Con. no. I. Art. V. Sec. 45.
Particulars: On 5th June '46, throwing percussion bombs in the vicinity of the presence of Allied Soldiers.

Second charge
Particulars:

TRADUZIONE

Prima accusa: Peccò un atto pregiudiziale contro la sicurezza di membri delle Forze Alleate. Con. Proc. I. Art. V. Sec. 45.
Dettagli: Il 5 giugno '46, lanciò bombe a mano vicino a militari Alleati.

Seconda accusa:
Dettagli:

Giudice, Tribunale Militare Inferiore o altro individuo autorizzato

CITAZIONE

3 S/49

Particulars:

TRADUZIONE

31

Prima accusa: Pece un atto pregiudiziale contro la sicurezza di membri
delle forze Alleate. Con. Proc. J. Art. V. Sec. 45.
Dettagli: Il 5 Giugno '46, lancio bombe e lancio vicino a Militeri Alleati.

~~Seconda accusa:~~

Dettagli

Giudice, Tribunale Militare Inferiore e altro individuo autorizzato

CITAZIONE

Data

Name (Nome) Benati Siro

Address (indirizzo) Preteento di Treviso (Udine)

Voi siete a mezzo di ciò citato e richiesto di presentarvi personalmente davanti un Tribunale Inferiore

a il Tribunale di Udine

Indirizzo della Corte

addi

16 Luglio 1946

alle ore 10 M sotto le suddette accuse:

ore hom

Firma dell'individuo autorizzato

Se non tradotto dall'Ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura.

Ogni accusato di fronte ad un Tribunale Militare ha diritto:

- Di avere in anticipo una copia delle accuse sotto le quali egli sarà processato, se egli così desidera;
- Di consultare un avvocato prima del processo e di avere un avvocato in sua difesa durante il processo. In ogni causa che porta con se la pena di morte il Tribunale Militare Generale, se l'accusato lo richiede, gli assegnerà un Ufficiale addetto alla Giustizia del Governo Militare Alleato per assistere nella difesa della causa oltre a tale altro avvocato che egli potrà scegliere;
- Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa, richiesta che il Tribunale può concedere o rigettare a propria discrezione;
- Di farsi accompagnare dinanzi al Tribunale da testimoni a sua difesa, se così desidera, o far richiesta di farli comparire per ordine del Tribunale;
- Di fornire evidenze a suo vantaggio durante il processo, ma non potrà essere costretto a fornire;
- Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprenderli altrimenti.

RAPPORTO DI CITAZIONE

Data _____
Luogo _____
Firma dell'accusato _____

Io riconosco di aver ricevuto la citazione di cui questa è una copia conforme.

PROOF OF SERVICE

I hereby certify that I have this _____
pay of _____ 194 _____ at _____ M (hour) served the summons of which this is
personally _____
a copy by leaving copy at the above address
by mailing it to his address _____
Signature of officer Serving Summons _____

* SUMMARY OF EVIDENCE (Plea of not guilty) or OUTLINE OF FACTS (Plea of guilty)

Prosecution

Defense (including any statement in mitigation)

(CASE No.)		(DATE OF TRIAL)		(PLACE OF TRIAL)		AGE OF ACCUSED	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I							
II							
III							

Defense (including any statement in mitigation)

(CASE No.)		[DATE OF TRIAL]		[PLACE OF TRIAL]		AGE OF ACCUSED	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I							
II							
III							

Other orders (suspension of sentence to imprisonment, (with reasons for suspension), confiscation of property, etc.):

Prison to which committed

Announce and fill in where imprisonment is awarded on more than one charge:

The above sentences of imprisonment are consecutive - concurrent, partly concurrent:

The total term of imprisonment is

Use extra sheets where facts or evidence are lengthy or complicated.

Judge, Summary Court

REVIEW

Date

194

Signature

Governo Militare Alleato

FOGLIO DI ACCUSA

Place ~~Benati~~ ~~Gerardo~~ ~~Gerardo~~
Luogo PRESTENTO

Name of Defendant BENATI Gerardo Giordano
(25 years old)
Nome dell'accusato

Date 4/5 June '46
Data 4/5 Giugno '46
Address Prestento of Torreano
Indirizzo

Udine
(Commune, Province)

Is hereby charged with the following offenses:
e qui accusato delle offese seguenti:

First charge Unlawful possession of firearm Con. Proc. I. Art. 4/5.

Particulars On the 5th June at Prestento was found in possession of a German Mauser rifle, without an A.M.G permit.

Second charge Did an act prejudicial to the safety of members of the Allied Forces, CON. Proc. I. Art. V. Sec. 45.
Particulars: On 5 Giugno 1946, firing a rifle in the vicinity of the presence of Allied Soldiers.

TRADUZIONE

Prima accusa: Possesso illegale di armi da fuoco. Con. Proc. I. Art. 4/5.

Dettagli: Il 5 Giugno, a Prestento, fu trovato in possesso di un fucile Mauser tedesco, senza il permesso dell'A.M.G.

Seconda accusa: Fecce un atto pregiudiziale contro la sicurezza di membri delle Forze Alleate. Con. Proc. I. Art. V. Sec. 45.

Dettagli: Il 5 Giugno 1946, esplose con un fucile, vicino a soldati Alleati.

Alto
Giudice, Tribunale Militare Inferiore contro individuo autorizzato

CITAZIONE

10 n. 10

Forces, CON. Proc. I. Art. V. Sec. 45. 45.
Particulars: Da 5 Giugno 1946, firing a rifle in the vicinity of the presence of Allied Soldiers.

TRADUZIONE

Prima accusa: Possesso illegale di armi da fuoco. Con. Proc. I. Art. 4/5.
Dettagli: Il 5 Giugno, a Prentento, fu trovato in possesso di un fucile Mauser tedesco, senza il permesso dell'A.M.G.

Seconda accusa: Fecce un atto pregiudiziale contro la sicurezza di membri delle Forze Alleate. Con. Proc. I. Art. V. Sec. 45.
Dettagli: Il 5 Giugno 1946, esplose con un fucile, vicino a soldati Alleati.

leati.

[Signature]
Giudice, Tribunale Militare Inferiore o altro individuo autorizzato

CITAZIONE

Data: 10 mf. 46.

Nome (Nome): BENATI Corrado Giordano

Address (indirizzo): Prentento di Torreano (Udine)

Voi siete a mezzo di ciò citato e richiesto di presentarvi personalmente davanti un Tribunale Inferiore al Tribunale di Udine addì 16 6^{to} Luglio 1946.

Indirizzo della Corte Address of Court

Data Date

alle ore 10 M sotto le suddette accuse:

ore hour

[Signature]
Firma dell'individuo autorizzato

Se non tradotto dall'Ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura.

Ogni accusato di fronte ad un Tribunale Militare ha diritto:

- Di avere in anticipo una copia delle accuse sotto le quali egli sarà processato, se egli così desidera;
- Di consultare un avvocato prima del processo e di avere un avvocato in sua difesa durante il processo. In ogni causa che porta con se la pena di morte il Tribunale Militare Generale, se l'accusato lo richiede, gli assegnerà un Ufficiale addetto alla Giustizia del Governo Militare Alleato per assistere nella difesa della causa oltre a tale altro avvocato che egli potrà scegliere;
- Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa, richiesta che il Tribunale può concedere o rigettare a propria discrezione;
- Di farsi accompagnare dinanzi al Tribunale da testimoni a sua difesa, se così desidera, o far richiesta di farli comparire per ordine del Tribunale;
- Di fornire evidenze a suo vantaggio durante il processo, ma non potrà essere costretto a fornire;
- Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprendere altrimenti.

RAPPORTO DI CITAZIONE

Data _____
Luogo _____

Io riconosco di aver ricevuto la citazione di cui questa è una copia conforme.

Firma dell'accusato

PROOF OF SERVICE

I hereby certify that I have this _____
pay of _____ 194 _____ at _____ M (hour) served the summons of which this is
personally
a copy by leaving copy at the above address
by mailing it to his address

Signature of officer Serving Summons

* SUMMARY OF EVIDENCE (Plea of not guilty) or OUTLINE OF FACTS (Plea of guilty)

Prosecution

Defense (including any statement in mitigation)

S/49 (CASE No.)		25 & 26/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		25 AGE OF ACCUSED	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months				
II	G.	G.	3 months	suspended			
III							

Defense (including any statement in mitigation)

S/49 (CASE No.)		25 & 26/7/46 (DATE OF TRIAL)		UDINE		25 AGE OF ACCUSED	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY (PLACE OF TRIAL)	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months				
II	G.	G.	3 months	suspended			
III							
Other orders (suspension of sentence to imprisonment, (with reasons for suspension), confiscation of property, etc):							
Prison to which committed							
Announce and fill in where imprisonment is awarded on more than one charge:							
The above sentences of imprisonment are consecutive/concurrent, partly concurrent:							
The total term of imprisonment is							

Use extra sheets where facts or evidence are lengthy or complicated.

REVIEW

Judge, Summary Court

Date

194

Signature

1869

5/49

5

Governo Militare Alleato

FOGLIO DI ACCUSA

Prestanto Date 4/5 June '46
Place Data 4/5 giugno '46
Lago
Name of Defendant Prestento of Torreano
Nome dell'accusato (No. Street)
Udine (Commune, Province)

PONTARINI Annibale (27 years old)

Is hereby charged with the following offenses:
e qui accusato delle offese seguenti:

Establishing in the Commission of an offence. Con. Proc. I Art. VI. Sec. I.

Particulars: On the night of 4th/5th June, at Prestento, distributed film
rearms and ammunitions to unauthorized persons.

Second charge Unlawful possession of firearms. Con. Proc. I. Art. 4/5.

Particulars: On the 5th June at Prestento was found in possession of ~~firearms~~.

Machine gun, without an A.M.G. Permit.

TRADUZIONE

Prima accusa: Partecipazione alla preparazione di una offesa contro il Proc. I.
Art. VI. Sec. I.

Dettaglio: notte dal 4 al 5 giugno, distribuiti armi da fuoco e munizioni
a persone non autorizzate.

Seconda accusa: Possesso illegale di armi da fuoco. Con. Proc. I. Art. 4/5.

Dettagli: Il 5 giugno, a prestento fu trovato in possesso di un mitra,
senza il permesso dell'A.M.G.

Calisto Tanzi

Giudice, Tribunale Militare Inferiore o altro individuo autorizzato

CITAZIONE

Calisto Tanzi

Second charge Unlawful possession of firearm. Can. Proc. I. Art. 4/5.
 On the 5th June at Presento was found in possession of rifle.
 Particulars:

machine gun, without an A.M.G. Permit.

TRADUZIONE

Prima accusa: Partecipazione alla preparazione di una offesa contro il Proc. I. Art. VI. Sec. I.
 Dettaglio la notte dal 4 al 5 Giugno, distribui armi da fuoco e munizioni a persone non autorizzate.

Seconda accusa: Possesso illegale di armi da fuoco. Can. Proc. I. Art. 4/5.

Dettaglio il 5 Giugno, a presento fu trovato in possesso di un mitra,

senza il permesso dell'A.M.G.

[Signature]
 Giudice Tribunale Militare Inferiore e altro individuo autorizzato

CITAZIONE

Data: 10. 11. 46

Name (Nome) PONTARINI Arnibale

Address (indirizzo) Presento di Torreano (Vine)

Voi siete a mezzo di ciò citato e richiesto di presentarvi personalmente davanti un Tribunale Inferiore

a 1 Tribunale di Vine, addì 10. 11. 46

Address of Court

alle ore 10 M sotto le suddette accuse:

ore hour

[Signature]
 Firma dell'individuo autorizzato

Se non tradotto dall'Ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura.

Ogni accusato di fronte ad un Tribunale Militare ha diritto:

- Di avere in anticipo una copia delle accuse sotto le quali egli sarà processato, se egli così desidera;
- Di consultare un avvocato prima del processo e di avere un avvocato in sua difesa durante il processo. In ogni causa che porta con se la pena di morte il Tribunale Militare Generale, se l'accusato lo richiede, gli assegnerà un Ufficiale addetto alla Giustizia del Governo Militare Alleato per assistere nella difesa della causa oltre a tale altro avvocato che egli potrà scegliere;
- Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa, richiesta che il Tribunale può concedere o rigettare a propria discrezione;
- Di farsi accompagnare dinanzi al Tribunale da testimoni a sua difesa, se così desidera, o far richiesta di farsi comparire per ordine del Tribunale;
- Di fornire evidenze a suo vantaggio durante il processo, ma non potrà essere costretto a fornire;
- Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprenderli altrimenti.

RAPPORTO DI CITAZIONE

Data _____
Luogo _____

Io riconosco di aver ricevuto la citazione di cui questa è una copia conforme.
Firma dell'accusato _____

PROOF OF SERVICE

I hereby certify that I have this _____
pay of _____ 194 _____ at _____ M (hour) served the summons of which this is

personally _____
a copy by leaving copy at the above address _____
by mailing it to his address _____
Signature of officer Serving Summons _____

* SUMMARY OF EVIDENCE (Plea of not guilty) or OUTLINE OF FACTS (Plea of guilty)

Prosecution

Defense (including any statement in mitigation)

S/49 (CASE No.)		25 & 26/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		27 AGE OF ACCUSED)	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
1	G.	G.	3 months)				
II	G.	G.	3 months)	suspended			
III							

Defense (including any statement in mitigation)

S/49 (CASE No.)		25 & 26/7/46 (DATE OF TRIAL)		UDINE (PLACE OF TRIAL)		27 (AGE OF ACCUSED)	
CHARGE	PLEA	FINDING	IMPRISONMENT	LIRE FINE	TO BE PAID BY	TERM IN DEFAULT	FINE PAID ON
I	G.	G.	3 months	suspended			
II	G.	G.	3 months				
III							
Other orders (suspension of sentence to imprisonment, (with reasons (or suspension), confiscation of property, etc.)							
Prison to which committed							
Announce and fill in where imprisonment is awarded on more than one charge:							
The above sentences of imprisonment are consecutive "concurrent", partly concurrent:							
The total term of imprisonment is							

Use extra sheets where facts or evidence are lengthy or complicated.

REVIEW

Judge, Summary Court

Date

194

Signature

Udine
25 July 1948
Superior Court
Major C.L.F. Gilshenan

S/49

ACCUSED~~XXXXXXXXXXXXXXXXXXXX~~

BENATI Gino - 26 " "

BENATI SIRO - 29 " "

BENATI Corrado - 25 " "

PONTARINI Annibale - 27 years old - Absent because of illness
as per attached medical certificate. *Exhibit "B"*

Prosecution - Major Cotton

Interpreter - Liliana Stenico

Avvocati - MARTUCCI, CAMPEIS, PELIZZO

Convened - 15:00 hours

BENATI Gino	- FIRST CHARGE	PIEA	NOT GUILTY
	SECOND "	"	GUILTY
BENATI Siro	+ FIRST CHARGE	"	NOT GUILTY
	SECOND "	"	GUILTY
	THIRD "	"	NOT GUILTY
BENATI Corrado	-FIRST CHARGE	"	NOT GUILTY
	SECOND "	"	GUILTY
PONTARINI Annibale	- FIRST CHARGE	"	NOT GUILTY
	SECOND "	"	GUILTY

EVIDENCE FOR PROSECUTION

34

Bernardino Erminio - Sezione Commissariato di Pubblica Sicurezza, Cividale. Sworn.

I remember the night of 4/5 June. I went to Prestento. I was with other police officers, a corporal of the Civilian Police, Caisutti, and a sergeant of the Allied Police, named Stipa. I went to Prestento on orders of Tenente Dimorra. We reached Prestento about 1 a.m. and went to the Benati's House. We understood arms had been left there. We knocked at the door. No one replied. The house was lit. We opened the door, saw no one, so came out again. We called out and a woman came out on to the balcony. We asked if there were men at home. She said there were none. She was alone with her mother. We asked her to come down because we wanted to talk to her. We said we were members of the Italian and Allied Police. She said she wouldn't come down because it was too late and told us to come back next day. She repeated she would not come downstairs. We asked where was the staircase and that one of us would come up and talk to her. She replied, "Go and find it." There was a ladder in the courtyard and we put it against the wall of the

house. As soon as the ladder was put against the wall, three objects came down and a fourth which exploded; there was no shouting in the house before the bombs were thrown. Another bomb came down and exploded and I fired my automatic at the window. Further bombs came from the house; there was also some firing from about 130 meters away.

After the firing the American police went to call for help. I saw the accused next morning at 5 a.m. I did not take any statement from them.

CROSS-EXAMINATION

We went to the village to find and arrest the people in possession of arms. The order was given by our Lieutenant. The door of the house was open. We broke down the door of the stable to take cover from the bombs. We had received information that there were arms in the house.

CROSS-EXAMINATION

I know the village of Prestento. I was informed by civilians of the house where the Benati lived. We were not accompanied to the house by inhabitants of Prestento. We were in the company of 2 civilians for a moment or two when we asked the information. I knew one of the civilians by sight. I did not know he was a pro Yugo-Slav. I saw other people about in the village.

By the Court.

I was dressed in uniform - a military uniform similar to that of a Guardia di Finanza.

2nd Witness - CAISUTTI Bruno - Agente di Pubblica Sicurezza Cividale. 33

I remember the night of 4/5 June. I was on duty - the duty was recovery of arms at Prestento. There were 4 of the Italian P.S. and 3 of the American police in company with me. We had received information that arms were concealed at Prestento. We did not know exactly where the arms were. I had no other information. I was in charge of the Italian group. When we got to Prestento, we got further information from people at Prestento. On that information we made a general investigation of the roads; eventually we came to a house near which two men were standing. We did not talk to these men. I did not know who occupied the house (i.e. the name of the family) until the next morning. The two men did not come with us. I had never seen them before or since. We reached the house, 4 of us, 2 Italians and 2 Americans. We knocked at the door. The house was lit. No one answered. We went into the kitchen. Not Upstairs. We came out and called

- 3 -

out. A woman came on to the balcony. We asked if there were men. She said, "No." We said we were Italian and American police. She said she did not care. We asked her to come downstairs. She refused. We said if she didn't come we would arrest her. She said she wasn't afraid and we couldn't arrest anyone. We saw a ladder in the courtyard and placed it against the wall. The woman started to shout for help. Bombs were then thrown from the window upstairs. One of the Italians fired at the window. More bombs came down. We fired again at windows. We then took cover. After the firing stopped 2 men and 2 women came out of the house. I did not see the accused. We did not find any arms that night. Next morning I saw the accused. They did not make a statement.

CROSS-EXAMINATION - We divided into different groups at Prestento. I was with Bernardini Erminio and Sgt. Stipa. We saw some civilians. We did not search them. We did not speak to any civilian in the Village Square. We saw about five civilians when we arrived. Two of them were informers and directed us to the part of the village where they thought the arms were. I was dressed as an Auxiliary Policeman. We asked the Allied Police to help us. We did not notify the Carabinieri.

Court Rose 17:45 hours. Case adjourned till 26/7/1946.

26 July 1946 at 11:00 hours.

Adjourned hearing of Benati Gino and others, and hearing of the case of Commelli Dino.

COMMELLI Dino - PLEA - GUILTY

32

After the Plea of Guilty by Commelli, Prosecuting Officer stated that he had that morning received a statement in writing from an Allied Military Source; if that statement had been in possession of the Prosecution at an earlier date, it would have made a considerable difference. However, in accordance with the traditions of British Courts, it was the duty of the Prosecution to place before the Court all relevant evidence irrespective of whether it favoured the Prosecution or the Defence. This statement completely altered the view which the Prosecution took of the case and Prosecuting Officer submitted it in evidence.

Statement handed in and marked Exhibit A and after perusal by Court was read out in Italian.

The Avvocato for the Defence was asked by the Court whether the submission of this statement by the Prosecution affected the Conduct of the Defence. Avv. for Defence replied that in view of the statement, he withdrew the Pleas of Not Guilty and substituted Pleas of Guilty. His clients would plead

- 4 -

5/99

Guilty to technical infringements and he would address the Court on mitigation.

The Prosecuting Officer stated that he did not propose to offer any further evidence for the Prosecution.

FINDINGS.SENTENCE

COMELLI Dino - FIRST CHARGE :	GUILTY	3 months impris.
BENATI Gino - FIRST CHARGE :	GUILTY	" "
SECOND CHARGE:	GUILTY	" "
BENATI Siro - FIRST CHARGE :	GUILTY	" "
SECOND CHARGE:	GUILTY	" "
THIRD CHARGE :	GUILTY	" "
BENATI Corrado-FIRST CHARGE :	GUILTY	" "
SECOND CHARGE:	GUILTY	" "
PONTARINI Annibale- FIRST CHARGE :	GUILTY	" "
SECOND CHARGE:	GUILTY	" "

All sentences suspended

With regard to the charges of distribution and possession of arms, I am satisfied that the accused acted in good faith, without hostility to the Allied Forces and without any intention to do wrong. They believed honestly, but mistakenly, that their actions were approved by the Allied Authorities.

With regard to the charges against the two Benatis of bomb throwing and firing, the incident occurred during a period of great fear and tension. Their house was raided in the small hours of the morning without any previous notification to the Carabinieri or the local police; and I am satisfied that they really believed they were being attacked by hostile elements, and in the panic of the moment, fired and threw bombs in self defence.

C. L. P. Gilshenan
C.L.P. Gilshenan, Major,
~~Senior~~ Legal Officer,
A.M.C. Udine Province.

DEFENSE AVVOCATO MARTUCCI

§49

The facts are well known and so I won't lose time in explaining them. I shall make a few observations. Prestento is a small village, isolated in the mountains. Its population has undergone every kind of misfortunes. Abuses have been committed by extreme elements, which were at times outsiders. Many people had disappeared. Because of this situation, the people were alarmed and during the early days of June were even afraid of an occupation of the village by outsiders. In short, they were in an abnormal state of mind. This explains how, at the first shouts by frightened women, they shot and threw bombs. This error was brought about ~~xxx~~ by the abuses suffered previously on the part of armed elements, so that they mistook the regular police for strangers disguised purposely. This caused the confusion, the throwing of bombs.

According to Italian law and ~~and~~ the general principles of criminal law, I believe that such a mistake should not be considered a crime. I remember the teachings of a great professor of criminal law at the University of Rome, FERRI, who, when discussing the "legittima difesa putativa," used to give the example of a man who during the night, in an area infested with bandits, meets another armed man and believing to be attacked, he shoots and kills him. According to FERRI, the man who believed (hence, the expression "putativa" from the Latin verb, putare which means "to believe") he was attacked, can't be charged.

In consideration of the peculiar circumstances of the case under process; i.e., the general state of mind, the shouts of women, the night hour, we must assume that those who fired did it for legitimate "putativa" defense. 30

With regard the possession, I ask that the accused will be treated as those tried yesterday for the same charge under the same circumstances.

As for the distribution of arms; I ask the Court to be satisfied with the good faith in the offence caused by a misunderstanding, and beg that consideration be taken of the statement made by an Allied official which is attached to the record.

COMELLI was anxious to collaborate with the Allied Forces and committed the offence under a misunderstanding.

Dott. GIUSEPPE MARANCON
TORREANO

Medico - chirurgo - ostetrico
Ufficiale Sanitario

Torreano, li

24.7.46

5/49

Exib. B

Città di Ponbalei Amabile, 1°
Anno, 1° anno 27, 2° anno 1°
Torreano.

è stato da
visti l'esperienza / affondare e
prevedere)
non più subire per non
alcun danno.

[Signature]

La causa lib. ne per tutti.
per cui causando alla legge.

TRIESTE, 13 July 1946.

5/49

SUBJECT: Seizure of firearms at PRESTENTO

With reference to the statements made by COMELLI
Dino and others:

Some time ago we were approached through an official Italian agency with the view of formation of an Italian CIVIL POLICE FORCE in the PRESTENTO area. It was pointed out that people had to depend on Carabinieri and Allied Forces stationed at Cividale for law and order.

Allegations had been made of armed extremist elements coming over the mountain range and terrorizing the local population. These rumours became very persistent early in the month of June and very strong propaganda was put about that an occupation of the area would take place by certain elements from Gorizia; the occupation was supposed to coincide with the signing of the agreements on the Venezia Giulia question by the Great Four.

As a formal request for Carabinieri or Allied Troops could not be met, many discussions did in fact take place with a view to the formation of a legal, armed Civil Police force in that area.

29

It would appear that the favourable views expressed by us were taken as an indication that the Civil Police Force could be formed. Unfortunately it was presumption on the part of these Italian agencies and they were falsely guided by the indications of the former discussions.

We are well aware that the formation of any Civil Police, armed or otherwise, must go through the usual official channels, A.M.S. in the first place.

We believe that those responsible received and delivered these arms in good faith; it cannot be suggested that there was any intention of hostility towards the Allied Military Government or the Allied Forces.

00-2-

00

5/18

In view of the circumstances great care will be taken in the future against the possibility of any such misunderstanding.

Signed

..... 

Col CARNES 4019

FILE

FROM: NYSE TCHYP-GM/A/18

TO : ***** CONGENMED *****

SUBJECT: Dependents aboard THOMAS H. BARRY

5 July 1946

E X T R A C T

* * * * *

Following dependents sailed 3 July aboard THOMAS H. BARRY for NAPLES, ITALY:

NAME	MAJ COMD
ATKINSON, FRANCIS D Maj	Hq MTOUSA
Thelma B (wife)	
Mary W (f) 18 yrs	
Frances G (f) 15 yrs	
Thelma B (f) 13 yrs	
Grace (f) 9 yrs	
BARGER, ROSCOE C CWO	Hq MTOUSA
Lillian E (wife)	
BROOKE, JEFFERSON P 1st Lt	Rome Area
Margaret (wife)	
BYRNE, HAROLD E Capt	Rome Area
Katherine H (wife)	
CAMP, BENJ L Lt Col	Rome Area
Dallas I (wife)	
CARNES, JAMES J Col	Rome Area
Naomi C (wife)	
Ruth K (f) 16 yrs	
James J (m) 8 yrs	
George P (m) 6 yrs	
FOGELBERG, ARVID E M Col	Rome Area
Lela C (wife)	
Ann E (f) 18 yrs	
Alan E (m) 11 yrs	
HOLLINGSHEAD, ROGER H MD Civ	Rome Area
Inge (wife)	
MADEK, FRANK E Lt Col	Rome Area
Ann M (wife)	

27

Passenger List of Dependents Aboard THOMAS H BARRY Sailing for Naples, Italy

MOREMA, GOMO Lt Col

Phyllis F (wife)

Hq Comd atch
to Rome Area

OCHILTREE, JAC A 2d Lt

Harriett R (wife)

Stuart (m) 4 yrs

Hq MTOUSA atch
to Rome Area

RICHARDSON, EDWARD H

Sybil M (wife)

Jacquiline A (f) 9 yrs

William S (m) 5 yrs

Rome Area

SQUIERS, HORACE M 2d Lt

Josephine F (wife)

Barbara A (f) 9 yrs

Carol J (f) 0 yr 6 mos

Rome Area

A TRUE EXTRACT COPY:
C. B. MURPHY

Major, AGD

Adjutant General

1883

785016

4019

BRUNTON, MILLER, ALEXANDER & MARTIN,
WRITERS.J. W. MARTIN
J. G. PHILLIP, B.L.TELEPHONES.
DOUGLAS 0257/8.

1 file plan 17

194

146 West Regent Street.

Glasgow.

10th June

19 46

C2.

JGP/ACM

The Chief Legal Adviser,
Headquarters Allied Commission,
APO 794
Legal Sub Commission.

13A

Dear Sir,

Mr. Fedele Todisco
AC/4019/L DDMC/ns

Please accept our thanks for your letter of 1st inst. from which we note with regret that as our client is an Italian subject, the Commission is unable to offer any assistance in the matter for him.

Yours faithfully,
Brunton, Miller, Alexander & Martin

J. G. Phillip

Partner.

26

Chief Counsel

C19

Italian Section

CL RKS

24 June 46

ARMY EXCHANGE SERVICE
PENINSULAR BASE SECTION
APO 762 U.S. ARMY

18A

4 June 1946

Approximately three weeks ago Colonel Howard B. Row, Exchange Officer, purchased 1,000 wrist watches and 250 traveling alarm clocks for sale by Army Exchange Service (Post Exchange) Stores in Italy to American Military Personnel only.

To facilitate delivery, this merchandise was consigned to Sorveglianza S.A.I., an Italian Agency with offices in Milano and Roma, to be picked up by Lt. Henderson, Fiscal Officer, Army Exchange Service, at the office of said Agency in Milano.

We have been advised that the Italian customs officials at Chiasso will not release this merchandise without an import franchise or notification from the Customs Office in Rome that it is in order to admit the merchandise "Duty Free".

The undersigned contacted the "Direzione Generale delle Regie Dogane" in Rome who stated that, in view of the terms of Memorandum 83 of the Italian Armistice, they will require some written advice from the Allied Control Commission that the merchandise is for American Military consumption only.

Below is the information on this merchandise as given to the undersigned by Sorveglianza S.A.I.

A.E.S. #	Markings	Quantity	Weight Kg.	Volume m ³	Value (SF)	Value Lit.
10006	SF 3122/23	2 cases	104.0	.328	12,072	640,000
10004	PSE 20	1 case	14.6	.050	14,300	758,000
10001	PJ 315	1 case	46.0	.120	19,980	1,060,000
10003	JL 12122	1 case	20.0	.0852	7,425	394,000
10005	IEF 92	1 case	9.5	.040	16,000	848,000
10002	KWC 142	1 case	5.5	.021	7,000	371,000
	Totals	7 cases	199.6	.6442	76,777	4,071,000

William J. Ruppel
Capt., Infantry
Exchange Officer

4019

23603/OET
JUN. 191230B

H/4035
JUN. 200900B

ROUTINE

MIDEAST

ALCOM ROME

UNCLASSIFIED.

Letter addressed by this Branch to HQ Alcom Legal Sub-Commission.
APO 394 CMF has been returned marked disbanded unit by British
base APO CMF. Please advise what authority has assumed responsi-
bility for matters left outstanding by this Sub-Commission.

AC DIST

ACTION LEGAL SC
INFO CHIEF COMMISSIONER
C A S
FILE
FLOAT 2

Legal SC
Bullin till C 17
Base 68
not add 24
JUN 21/6



HEADQUARTERS
20 JUN 1946

2/June 46

RESTRICTED LEGAL SUB-COMM AREA ROUTINE ORDERS

by

Brigadier R.A.T. Eve, CBE

Commanding 36 Area

GENERAL STAFF

Telephone Section

CL RKS

1. Military telephones are being used to make civilian calls to the UK. For the payment of these calls the unit on whose charge the telephone is will be responsible, unless the unit can trace the individuals and make them pay.

2. This practice will cease forthwith. The civilian exchange has been warned to refuse all calls of this nature.

G.18/1

107. TELEPHONE COMMUNICATIONS 36 AREA

1. Applications for new telephone installations or for the use of telephones taken over from other units or civilians must be made to GSO II, this HQ, as per proforma at appx 'A'.

2. Immediately premises are vacated or a telephone is no longer required for military use advise GSO Signals, 36 Area.

3. To report a telephone faulty ring GSO Clerk Tele: 51069.

4. Complaints and requests for information should be made to Supervisor, Westre Long Distance Exchange - Tele: 51007.

G.18/1

108. TELEPHONE Nos

In the event of fire if the fire station numbers are unknown it is sufficient to dial 03 (WESTRE MILITARY) and say 'FIRE'. The caller will first be connected to 20 1st CLARK Fire Line and then the Civilian Fire Pde, VENICE.

23

G.18/1

109. TELEPHONE DIRECTORIES - MEMBERS

Attached as appx 'B' to this Order are amendments to Telephone Directories.

G.18/2

110. M.F.S

VENICE
13 Jun 46

Serial No 9

Nos 105 - 123

1. Applications for new telephone installations or for the use of telephones taken over from other units or civilians must be made to GSO II, this HQ, as per proforma at appx 'A'.
2. Immediately premises are vacated or a telephone is no longer required for Military use advise GSO Signals, 28 area.
3. To report a telephone faulty ring this Office Tele: 51069.
4. Complaints and requests for information should be made to Supervisor, Mestre Long Distance Exchange - Tele: 51007.

G.18/1

108. TELEPHONE NOS

In the event of WRE if the fire station numbers are unknown it is sufficient to dial 03 (Mestre Military) and say 'FIRE'. The caller will first be connected to 20 1st Civil Fire Bde and then the Civilian Fire Bde, VENICE.

23

G.18/1

109. TELEPHONE DIRECTORIES - AMENDMENTS

Attached as appx 'A' to this Order are amendments to Telephone Directories.

G.18/2

110. MAPS

Maps are becoming increasingly difficult to obtain and supplies are limited. Units will ensure that maps already issued do not deteriorate through carelessness.

G.32

111. SECURITY - CIVIL LABOUR. VETTING OF

1. The attention of all GSO units employing civilian labour is drawn to "Regulations for the Employment of Civilian Labour (IT.IV, SICILY and SARDINIA)" of 1945, Part III, para 17 - SECURITY PRECAUTIONS.

2. Field Security Section vetting must be obtained. Applications will be made to 13. Branch, this HQ, or direct to 47 Port Security Sec, VENICE, 426 FSS, TREVISO and 53 FSS, FALUN.

G.55

Major,
General Staff.

ADMINISTRATION112. VACCINATION AND INOCULATION STATE

1. All Units will render to Medical Branch, this HQ, a Vaccination and Inoculation State as at 10 Jun 46, and thereafter the position on the last day of each month.

/The.....

- 2 -

2. The return will be rendered in the following form :-

<u>Unit</u>	<u>Strength</u>	<u>Vaccination</u>	<u>T.B</u>	<u>TET</u>	<u>TEV</u>
		%	%	%	%

113. STERILIZATION OF UTERUSES

M.55

The attention of all OES units is drawn to GHO 515/46 for strict compliance.

114. TRAVEL TO AUSTRALIA FROM GEF - WIVES OF SERVICE PERSONNEL

M.63

1. Wives of Service personnel travelling from GEF to Australia, for any reason, must be in possession of an Allied Force Permit.
2. Application for Allied Force Permits should be made to Q Branch, this HQ, at least fourteen days before the date on which it is required to travel.
3. Applications will be submitted in the following form :-

- (a) Desired period of validity.
- (b) Destination.
- (c) Object of journey.
- (d) Rank, rate or unit of husband.
- (e) Name of wife in full.
- (f) Nationality.
- (g) No and type of identity document and/or passport.

Q.7

115. FOOD ECONOMY

1. Attention is drawn to Corps Routine Order 87/46, paras 1 - 5, of which are repeated below :

"1. In spite of considerable publicity it is thought that the genuine gravity of the world food situation is not sufficiently realized by all ranks. The Prime Minister has directed that stringent precautions must be taken to prevent any form of food wastage, and the Army Council has instructed that renewed efforts must be made to improve the economy measures already applicable in this theatre.

2. All ranks will have seen that, even through Black Market channels, civilian populations are existing on the barest minimum of food and this situation is likely to become worse. Large areas are liable to be reduced to near famine conditions and the results may cause not only widespread disease and starvation but may also entail the spreading of disease to British and Commonwealth troops by contact with the civilian population.

9.7

115. - FOOD ECONOMY

(g) No type of identity document and/or passport.

(a) Desired period of validity.

(b) Destination.

(c) Object of journey.

(d) Rank, name of unit or husband.

(e) Name of wife in full.

(f) Nationality.

1. Attention is drawn to Corps Routine Order 67/46, paras 1 - 5, of which are repeated below :

"1. In spite of considerable publicity it is thought that the genuine gravity of the world food situation is not sufficiently realized by all ranks. The Prime Minister has directed that stringent precautions must be taken to prevent any form of food wastage, and the Army Council has instructed that renewed efforts must be made to improve the economy measures already applicable in this theatre.

2. All ranks will have seen that, except through Black Market channels, civilian populations are existing on the barest minimum of food and this situation is likely to become worse. Large areas are liable to be reduced to near famine conditions and the results may cause not only widespread disease and starvation but may also entail the spreading of disease to British populations; this is quite apart from the serious political factors involved among all countries.

3. The UK is privileged in having the support of the British Empire for its food supplies. In spite of this, rations in the UK have lately been particularly reduced.

4. The Army is particularly privileged in having its food supply guaranteed in a very adequate ration scale, and in addition is given latitude to provide meals in Clubs and Canteens. Any abuse of this privilege, in failing to prevent waste or to economise every penny, can therefore only be regarded as a breach of trust which will reflect adversely on the civilian ration at home and the availability of food to meet the minimum requirements of other countries in order to prevent famine and disease.

5. It may not appear to the individual that an isolated instance of waste or extravagance can effect the overall situation but the cumulative effect of individual actions can have far reaching results. Every member of His Majesty's Army must realize that he has a duty to effect every possible economy and negligence will be treated as a very serious offence."

/2.....

2. Oso units will ensure that paras 6 - 8 of the above CPO are fully complied with.

Q.11

116. AUTHORITIES FOR SPECIAL ISSUES

1. Applications are frequently received for retrospective authorities for special issues of rations for civilian labour and for excess full. In most cases these are due to the expiry of the existing authorities before application is made for renewal.

2. With effect from the date of this order applications for renewal will be initiated to reach this by 24 days before the expiry of the old authority. Depots have been instructed to refuse issue in all cases where there is no current authority.

3. If it is desired to renew authorities under CPO 214/45 at a greater strength than previously, full reasons for the increase must accompany the application.

Q.11/4

117. MONTHLY RETURN OF COOKS

1. The following return of cooks will be rendered monthly to DCA, 6 (Br) Army Div :-

	For Month Ending 28.....
Unit.....	Under Command of.....
1. No. in Mess.....	No. of Messes.....
2. _____	S/Sgts, Sgts, Cpls, Ptes, Remarks (a)&(b)

W.I.

ACC
Regt

Strength

ACC
Regt

Surpluses (a)

ACC

Deficiencies (b)

ACC

(a) & (b) State No. Rank Name and Trade Classification

3. SETS RECEIVED SINCE LAST RETURN

22

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 Army Div :-

RETURN OF UNIT COOKS

For Month Ending 28.....

Unit.....

Under Command of.....

1. No. in Mess.....

No. of Messes.....

2. S/Sgts, Sgts, Cpls, Ptes, Remarks (a)&(b)

W.E.

ACC
Regt

Strength

ACC
Regt

Surpluses (a)

ACC

Deficiencies (b)

ACC

(a) & (b) State No. Rank Name and Trade Classification

3. APTS RECEIVED SINCE LAST RETURN

4. DECREASES SINCE LAST RETURN

5. NO. OF CIVILIAN OR SEE COOKS EMPLOYED (a) Total (b) Increase over last month.

NOMINAL ROLL OF ALL COOKS HELD

ACC Cooks

Trade

RG

REGIMENTAL COOKS (LEARNERS)

RG

2. Army Routine Order 511/45 is hereby cancelled.

COOKS COURSES

Q.17

1. In view of the great shortage of ACC reinforcements, units are recommended to avail themselves of any vacancies possible on cooks courses.

/2.....

2. The Courses running are as follows :-

(a) ACC Trg Centre C.F.F

- (i) Basic cooks courses of two months duration for potential ACC Tradesmen, assemble every Sunday.
- (ii) Upgrading and Refresher Courses ACC.
- (iii) Sgts cooks courses may be attended by Cpls and Ptes specially recommended.

(b) 204 Adv Cooks School 13 Corps

- (i) Regt cooks courses of 6 weeks duration for trg up to the standard of N/T C1 II.
- (ii) Upgrading and Refresher Courses of 3 weeks duration.

3. Applications for vacancies on all Courses should be made direct to the DCA, HQ 6 Armd Div.

119. STORES

Q.17

Reference GHO 143/46.

Cookers portable Nos 1 and 2 will not be used by units in static circumstances, nor will containers 6-gallon be used for cooking purposes. Kettles, camp, will be used for this purpose.

120. RE STORES

Q.19

Electric light bulbs are in very short supply and replacements will only be made on a one for one basis.

121. RE STORES ON LOAN

Q.48/1

All whitewash and paint brushes issued on loan from 15 Stores Section RE will be returned immediately on completion of work. Failure to do this means that other units are handicapped through lack of brushes.

122. PETROL

Q.48/7

All future inquiries on pet within this Area will be addressed to GRASCO 13 Pet Insts and not GRASCO 29 CF Coln as previously.

123. RATIONS - UNDERDRAWAL

Q.56

1. It is evident from recent inspections within the Area that units are failing to underdraw commodities not required for unit consumption on the ration scale. As a result many units are accumulating large stocks of unwanted commodities in their ration stores, thus defeating the purpose of the food economy campaign and counterproductive instructions laid down

Reference GRQ 143/46.

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1. It is evident from recent inspections within the Area that units are failing to underdraw commodities not required for unit consumption on the ration scale. As a result many units are accumulating large stocks of unwanted commodities in their ration stores, thus defeating the purpose of the food economy campaign and contravening instructions laid down.

2. OSC Units will, in future, give this their personal attention and will include in the appropriate space on the ration indent (AB 55) the details of any items of the ration not required.

ST.2

Lt Col,
AA & QMG.

NOTICES

LOST : AB 64 Pts 1 and 2, belonging to No.14643977 Pte HEWITT.K. Finder please return to 7 N.Staffs.

On 28 May 46, small golden brown 2-months old PUPPY - white fore-paws, black nose, dark patch on back and tail. Name of "Paddy". Finder to return to SSAFA Office FADUA (in Main 6 Armd Div bldg) or telephone 22143.

/Appendices...

APPX 'A' to Area NO
107/46.

APPLICATION FOR A TELEPHONE

G II
HQ 86 Area

Unit.....
Location.....
Requirement.....
Reason for above.....
.....
Existing telephones (if any).....
.....
(Signed).....
Comd.....

APPX 'A' to Area NO
109/46

TELEPHONE AMENDMENTS, CANCELLATIONS AND NEW NUMBERS

New Nos. Canceled

HQ 86 Area
'Q' French Clerks

27203

Royal Artillery
51 Hy Hm Regt
3 C.O.D 322 Bty

PADUA 90072
51090

RE
991 Port Op Coy Det LIDO
991 Port Op Coy (Officers Mess)

60781
27305

Royal Signals

HQ 1 L of C Sigs (COMS)
HQ 1 L of C Sigs (CO)
3 Coy 8 Air Fm Sigs

HESTRE HIL 13
" " 14

21
51025
(all detail)

RASC
303 BESS RASC (IOL Office)
303 BESS RASC (HQ & Coy Office)

51049
51048

RMMC
22 Gen Hqs (Br OC's Residence)

27286

TELEPHONE AMENDMENTS CANCELLATIONS AND NEW NUMBERS

Cancelled

HQ 86 Area
101 Branch Clerks

New Nos.

27203

Royal Artillery

51 Hy Hm Regt
3 C.O.D 322 Bty

PADUA 90072
51090

RE

991 Port Op Coy Det LIDO
991 Port Op Coy (Officers Mess)

60781
27305

Royal Signals

HQ 1 L of C Sigs (CQS)
HQ 1 L of C Sigs (CO)
3 Coy 8 Air Tmn Sigs

MESTRE Mil 13
" " 14

22
51025
(all detail)

RASC

303 BPSS RASC (POL Office)
303 BPSS RASC (HQ & Coy Office)

51049
51048

RAMC

22 Gen Hosp (Br 00's Residence)

27286

77 Hospital Train

27404

CMP

6 Br Armd Div Pro Coy LIDO

60327

EPI & REST CAMP

CWL Canteen, VENICE
EMI Store MESTRE

27102
51064

MISC

13 Corps LRD

TREVISO 1913

1 8 9 6

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

785016

Legal Sub. Commission APO 394

Rare

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

14A

HJA/ns
3 June 1946.

AC/4019/L
MEMO : to Colonel Norman E. Fiske, Col, Cav.

SUBJECT : Mounts at Livorno.

1. It is believed that approximately 80 or more mounts, left by Germans, or obtained from other sources, are now stabled at Livorno.

2. Lt.Col. Lafayette of the Army of the U.S. is in direct charge of these horses under Colonel George H. Bare, Q.M.C.

3. These mounts include many good riding horses and some jumpers.

4. It is suggested that Col. Bare be consulted concerning possible allocation of some of these mounts to Cavalry Officers in Rome Area.

20

H.J. ATKINSON,
Lt.Col., IGD, (Cav),
Chief Counsel,
Legal Sub Commission.

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

13A

AC/4019/L

DDMcC/ns
1 June 1946.

Messrs. Brunton, Miller, Alexander and Martin
Writers
146 West Regent Street

GLASGOW C 2

Reference your letter of 24th May on the affairs of your client Mr. Fedele TODISCO, it is regretted that the Allied Commission cannot offer any assistance in the matter.

Your client notwithstanding his long residence in Scotland is an Italian subject and the Italian Courts, while in the circumstances the procedure may necessarily be slow, are functioning normally to adjudicate on such problems.

D.D. Mc COLM,
Major,
for Chief Legal Advisor,

19

4019

BRUNTON, MILLER, ALEXANDER & MARTIN,
WRITERS.J. W. MARTIN
J. G. PHILLIP, B.L.TELEPHONES
DOUGLAS 0257/8

LEGAL

116 West Regent Street,
Glasgow, C2.

24th May

1946

JGP/ACM

The Secretary,
Allied Control Commission,
ROME.

Dear Sir,

We have been asked by our client, Mr. Fedele Todisco of 27 Chisholm Street, Glasgow, to write to you to invoke the assistance of the Commission in connection with a dispute regarding the sale of a house belonging to our client known as Via Colle, Vallerotonda, Frosinone, Italy.

Our client is an Italian subject who has been resident in this country for fifty years. He is in business here and has been so for the whole of his period of residence in this country.

At the beginning of 1939 our client was anxious to dispose of his house in Vallerotonda and entered into negotiations for the sale of it to Dr. Amerigo Rongione of Vallerotonda. So far as we can ascertain, our client was then prepared to sell the house to Rongione at a price of 14,000 lire which was a valuation placed on it by a local building contractor. Rongione wrote back to our client that he thought the price was too high and suggested that another valuer should be appointed. To this our client did not agree. Meantime, pending these negotiations Rongione had advanced to our client a sum of 4000 lire and had sent to him a contract for signature. So far as we can ascertain, in the absence of a copy of the contract, either party was entitled to withdraw from the bargain, but if he did so, he was to pay as damages a sum of 4000 lire. Owing to lack of agreement between them, our client intimated to Rongione that he was not going on with the bargain and would repay the 4000 lire and if necessary would pay the damages assessed at a further 4000 lire in respect/

respect of the breaking of the contract.

At that time our client's interests were being looked after by a lawyer in Casino named Cicchelli, but our client lost confidence in him and withdrew his instructions.

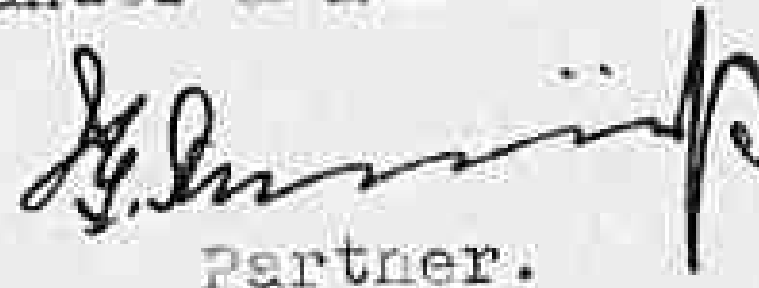
It appears that about this time in 1939, Rongione, in order to enforce the contract had recourse to the Civil Tribunal at Casino. But these proceedings were not intimated to our client, as intimation was apparently made by affixing the citation notices at the door of another house in Vallerotonda belonging to our client. In any event, it now appears as if the Tribunal at Casino decided in the absence of our client that Rongione was entitled to be regarded as the purchaser of the house at a price of 5000 lire.

Due to the intervention of the war, it is only recently, of course, that our client has been able to resume correspondence about this matter and he has placed all the papers in connection with it in the hands of a lawyer Amaldo Massini of Corte Bertolini 51, Lucca and has now received a letter from Massini to the effect that the decree of the Tribunal at Casino granted in 1939 is unjust and erroneous.

To have recourse to the Civil Courts in Italy to have these proceedings re-opened would, we are informed, be a long-drawnout affair and it has been suggested that if the circumstances are placed before the Control Commission, they might be able to investigate it in a much more expeditious fashion.

We should be glad to have your views on the subjects. If the Commission desires to investigate it, Signor Massini will be able to furnish all necessary information.

Your obedient servants,
Brunton, Miller, Alexander & Martin


Partner.

40191

Regals/ (11/17)

?

TRANSLATION

The undersigned, member of the Board of Directors of the Primoli Foundation, authorizes Prof. Robert Valentini in his quality of Director of said Foundation to sue the Marchioness Erminia Sabucchi - De Felici for failure to pay the rent of the apartment occupied by her on the 2nd floor of Via Zanardelli 1.

/s/ RANIERI DI CAMPELLO

Il sottoscritto, membro del Consiglio di Amministrazione della Fondazione Primoli, autorizza il Proi. Roberto Valentini, nella sua qualità di Direttore della Fondazione stessa, a convenire in giudizio la M.sa Erminia Sabucchi - De Felici per morosità sul pagamento del fitto del piano II° di Via Zanardelli n. 1, dalla stessa occupato.

Primoli di Lampello

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4019/L

Al/ns
6 May 1946.

SUBJECT : Legal Fee - Avv. Franco Leopoldo

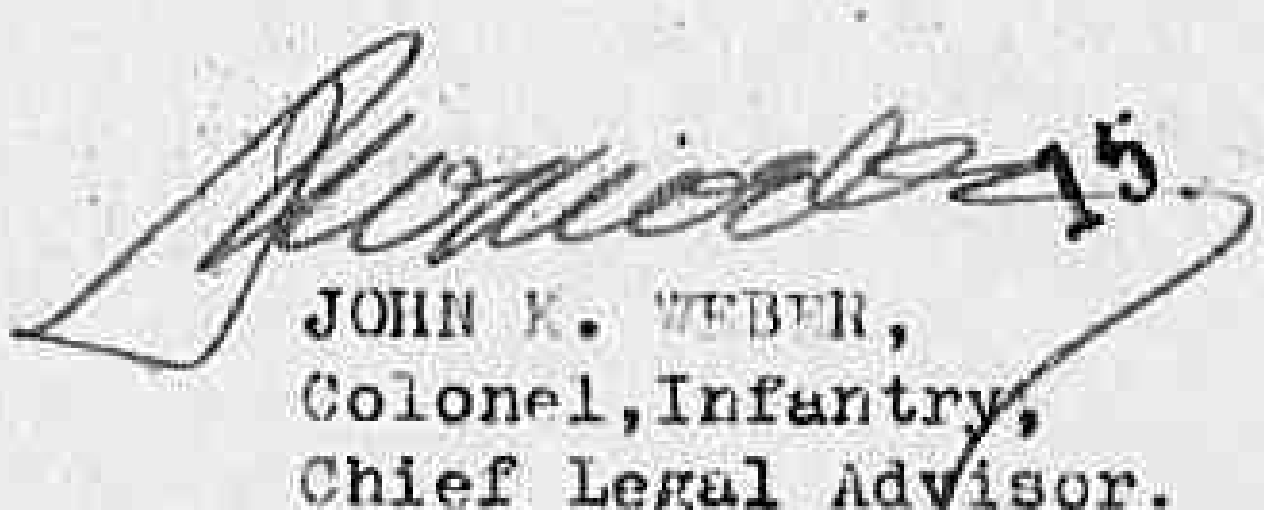
TO : A.P.A. Financial Accounting Unit
Banca d'Italia.

1. Reference letter HQ c/9 of 30 April 1946, copy of which was sent to you for information by Purchases and Contracts Officer.

2. Please be advised that the amount of 4000 lire was paid to the Avvocato in question for a legal opinion prepared by him in connection with the review of an Allied Military Court case in which a death sentence was imposed in application of Italian law.

3. Authority for payment was duly requested and approval of Hq Comdt. AC, obtained by letter AC/4019/L of 31 December 1945 of this Sub Commission.

By command of Rear Admiral STONE:


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

Copy to: Capt .H. Brown
Purchases and Contracts

1904

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

785016

HEADQUARTERS ALLIED COMMISSION

OFFICE OF THE HEADQUARTERS COMMANDANT

APO 394

JA

HQC/9

30 April 1946

SUBJECT : Legal Fee

TO : Legal S/C.

Bortelli Bortelli

Avv. Franco Leopoldo:

The above named was paid 4.000 lire on 26/I/46 for a legal opinion in connection with a review of an A.M.G. case.

Allied Financial Agency require a letter giving some information on the case and authority for payment.

Please reply direct to A.F.A. Financial Accounting Unit, copy to this office.

M. H. Brown
 M. H. BROWN Captain
 Purchases & Contracts

COPY TO : A.F.A., Fin. Acctg. Unit,
 LEOPOLD SUBCOMMISSION Banca d'ITALIA.

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

2 May 46

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4019/L.

SUBJECT : Payment of account.

TO : Hq Comdt, AC.

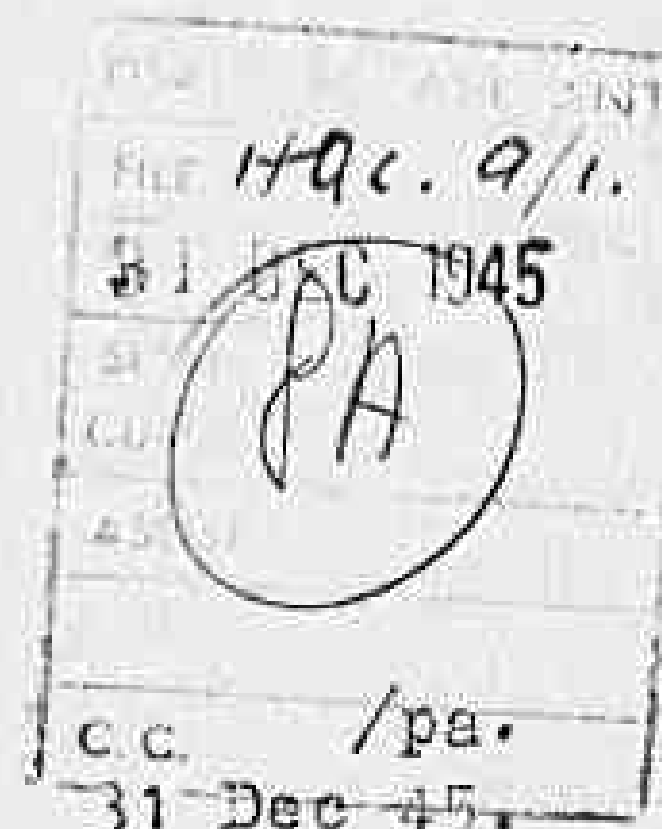
May approval please be given for the payment of 4000 lire to FRANCO LEOPOLDO, First President of the Supreme Court of Cassation, Rome. This amount is the fee for a legal opinion prepared by the above Italian judge in connection with the review of an Allied Military Court case in which the death sentence was pronounced in application of Italian law.

APPROVED

A. G. Graham
A. G. GRAHAM, Lt. Col
Headquarters Commandant

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

13



1906

785016

4019
FROM : LEGAL SUB-COMMISSION

(4A)
25 March 1946.

MEMO TO DISPLACED PERSONS AND REPATRIATION SUB-COMMISSION

The proposed draft has been examined, and appears to be unobjectionable, with the observation however that the last paragraph, No. 8, could be more specific, and limited to those cases wherein by the Armistice Terms or other commitment, the Allies stand pledged against deportation by force.

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

1907

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

785016

CONFIDENTIAL

HEAD QUARTERS ALLIED COMMISSION
APO 334
DISPLACED PERSONS AND RE-ENTRY SUB COMMISSION

DPR/11/PA

Tel: 489081 Ext 392

23 March, 1946.

SUBJECT: Illegal Entry into ITALY

TO : Public Safety Sub-Commission
Legal Sub-Commission
Local Government
POLAD (A)
POLAD (B)

1. Would you kindly comment on the attached draft asking such suggestions or alterations as you may wish. This document will be submitted to the Chief Commissioner for approval and onward transmission to A.F.H.C.

2. As the whole question is urgent would you kindly send your reply by at latest 27 March '46.

For the Director:

11
(B. H. H. H.)
O.E. F. H. H. H.,
Lieut-Colonel,
Deputy Director.

NOTE:

This letter should be read in conjunction with letter AC/14756/5/PB dated 5 Feb copy to POLAD A and B not to Local Government and Legal, but can be seen on file AC/14756/5/PB, Public Safety.

CLO

DCLO

Chief Counsel

CJO

OFF/PA

CJO

Red. 25 March 46.

4019
Ref: AC/14756/5/PS.

copy
5 February 1946.

My dear Mr. Prime Minister:

I have received your letter 18/00368/47 dated 5th January 1946, written from the Ministry of Foreign Affairs, in which you raise the question of the authority of the Italian Government to deport undesirable aliens. Some weeks ago this same question was presented to us by the Ministry of Interior and the matter has been under consideration with higher authority.

It is agreed in principle that the Italian Government has the right to deport undesirable aliens, but the exercise of the right must of necessity be limited at present.

For instance, the Italian Government would obviously be required not to apply deportation laws to persons in the following categories without agreement with the authorities concerned:

- (a) aliens in the custody of the Allied;
- (b) aliens in the care of Allied Commission or of UNRRA;
- (c) aliens whose presence in Italy has already been approved by the Allies and who continue to be so sponsored.

Moreover, the Allies have contracted not to return political refugees by force to their countries of origin. Numbers of these persons are presently at large in Italy. The Italian Government would no doubt wish to adopt the same policy as the Allies to such people.

Subject to the above, my dear Mr. Prime Minister, there is no objection to the Italian Government exercising the right to deport undesirable aliens.

Yours very truly,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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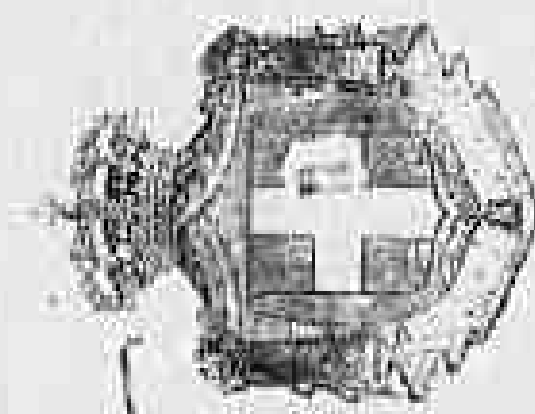
Yours very truly,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dott. Alcide de Gasperi
President of the Council of Ministers,
Italian Government,
R O M E.

Copy to: Chief Commissioner
Ex. Commissioner
Polad (A) & (B)

Mod. 1347 MG.



Ministero di Grazia e Giustizia

LEGAL 3/6

DIREZIONE GENERALE AFFARI PENALI
Uff. I.° A.P. - prot. n. 131.58.119

CIRCOLARE N. 3134

Roma, 13. 17 gennaio 1946

AI PROCURATORI GENERALI presso le Corti d'Appello
del

R E C N O

OGGETTO: Cittadini sovietici nelle carceri civili.

Il Comand. Alleato ha chiesto a questo Ministero di essere informato se attualmente siano detenuti nelle carceri civili italiane cittadini sovietici, e di avere, in ogni caso affermativo, comunicazione delle loro generalità, della località in cui si trovano detenuti, e del motivo della detenzione.

E' stato fatto presente che agli effetti di tale richiesta per cittadini sovietici deve intendersi una persona la cui dimora si trovava entro le frontiere sovietiche del 1939.

Si prega di voler fornire le dette notizie, con la massima urgenza, avendo la Commissione Alleata fatto premure per una sollecita risposta.

Al PROCONSULATO ITALIANO presso la Corte d'Appello
di

R E C N O

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LEGAL ATTACHE

CLO

→ DCLO

J. C. E. Chief Counsel

W. L. E. Chief Counsel

W. L. E. Chief Counsel

20 Jan 40.

per M I N I S T E R O
(A. Spellenzen)

A. Spellenzen

1912

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

785016

5A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

10 January 1946.

AC/4019/L.

SUBJECT : Payment of account.

TO : Hq. Comdt. AC.

May approval please be given for the payment of Lire 18,000 to Professor Giuliano VASSALLI. This amount is the fee for examining and giving written opinions in each of 28 cases of persons sentenced to death by Extraordinary Courts of Assize Northern Italy who had submitted petitions for clemency.

Payment has been approved by the Chief Commissioner.

8

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4019/L.

/pa.
31 Dec 45.

SUBJECT : Payment of account.

TO : Hq Comat, AC.

May approval please be given for the payment of 4000 lire to FRANCO LEOPOLDO, First President of the Supreme Court of Cassation, Rome. This amount is the fee for a legal opinion prepared by the above Italian judge in connection with the review of an Allied Military Court case in which the death sentence was pronounced in application of Italian law.

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

1914

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

785016

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

10 December 1945

File: I.O. 1733/B.16.
Subject: Zone Order No. 1.
To: Headquarters, Allied Commission, APO. 394.
(Attn: Chief Legal Advisor, Legal Sub-Commission).

1. Inclosed herewith find copy of Zone Order No. 1 with translation thereof, for your information.
2. Italian Police agencies are instructed to start enforcing the Order as of 18 December 1945.

For the Zone Commissioner:



Lt. ERIC FELDMAN

Exec. Asst. to the Zone Legal Officer.

Incl. 2.

CIO	
DCIO	
Chief Counsel	✓
CIO	
Italian	
Q	
3 DEC 1945	

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

Z O N E O R D E R N O . 1

HYGIENE, CLEANNESS AND DECORUM OF THE CITY'S STREETS

Deeming it necessary to regulate the services of hygiene, cleanliness and decorum of the city's streets throughout this Zone:

I, HAROLD V. REILLY, Lt. Col., A.U.S., Zone Commissioner of Livorno Zone, Allied Military Government, by virtue of the powers vested in me, hereby

O R D E R

Article 1
Offences

Public ground opposite to buildings which are being reconstructed may not be occupied with rubbish, debris, broken stines, plasters, sweepings and any other material which may in any way be of danger or damage to pedestrians' transit or vehicles' traffic.

The owner of the building, or, in his absence, the tenant, or any person being temporarily in the possession under any title whatsoever, by reason of lease, sub-lease, or custody, is personally responsible for failure to remove said materials.

Article 2

No rubbish, debris, broken stones and alike materials shall be transported nor shall they be removed from buildings which were not damaged in connection with war operations, if the vehicle being used is not sufficiently fit for the purpose.

The carrier must arrange, under his personal responsibility, to forthwith remove the materials which fell down from the vehicle when being transported.

Article 3

All the residues of constructions, factories and demolitions shall be immediately transported to and piled up in the places which the respective Communes will indicate.

To all the effects, the person referred to in Art. 1, Para. 2, shall be held responsible.

Article 4

1916
sweepings and damage to pedestrian transit or vehicles, the tenant, or the owner of the building, or, in his absence, the tenant, or any person being temporarily in the possession under any title whatsoever, by reason of lease, sub-lease, or custody, is personally responsible for failure to remove said materials.

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To all the effects, the person referred to in Art. 1, Para. 2, shall be held responsible.

Article 4

No sweepings and wastes of any kind, coming from dwellings, factories, stores, etc., shall be thrown on the streets or in premises either public or open to the public, nor shall they be deposited or transported without the prescribed vehicles.

Only for road necessities and for exceptional requirements of certain localities which do not enjoy yet road service, sweepings may be kept in the special vessels placed by the Commune in properly established places.

Article 5

It is hereby strictly prohibited to commit the needs of nature outside the proper places or in any way to dirty walls, public ground or ruined buildings.

- 2 -

Article 6

Penalties

Any person violating the provisions of this Order shall be liable to arrest up to one year, or fine up to £. 50,000 or both, as the Judicial Authority may determine.

Article 7

Enforcement

Italian Police agents shall fully enforce this order and cause it to be strictly complied with.

Article 8

Extension of the Order and Effective Date

This Order shall extend to each Commune within the Zone of Livorno (Communes of Livorno, Pisa and Collesalveti) and shall become operative on the date of the first publication thereof.

OFFICIAL:

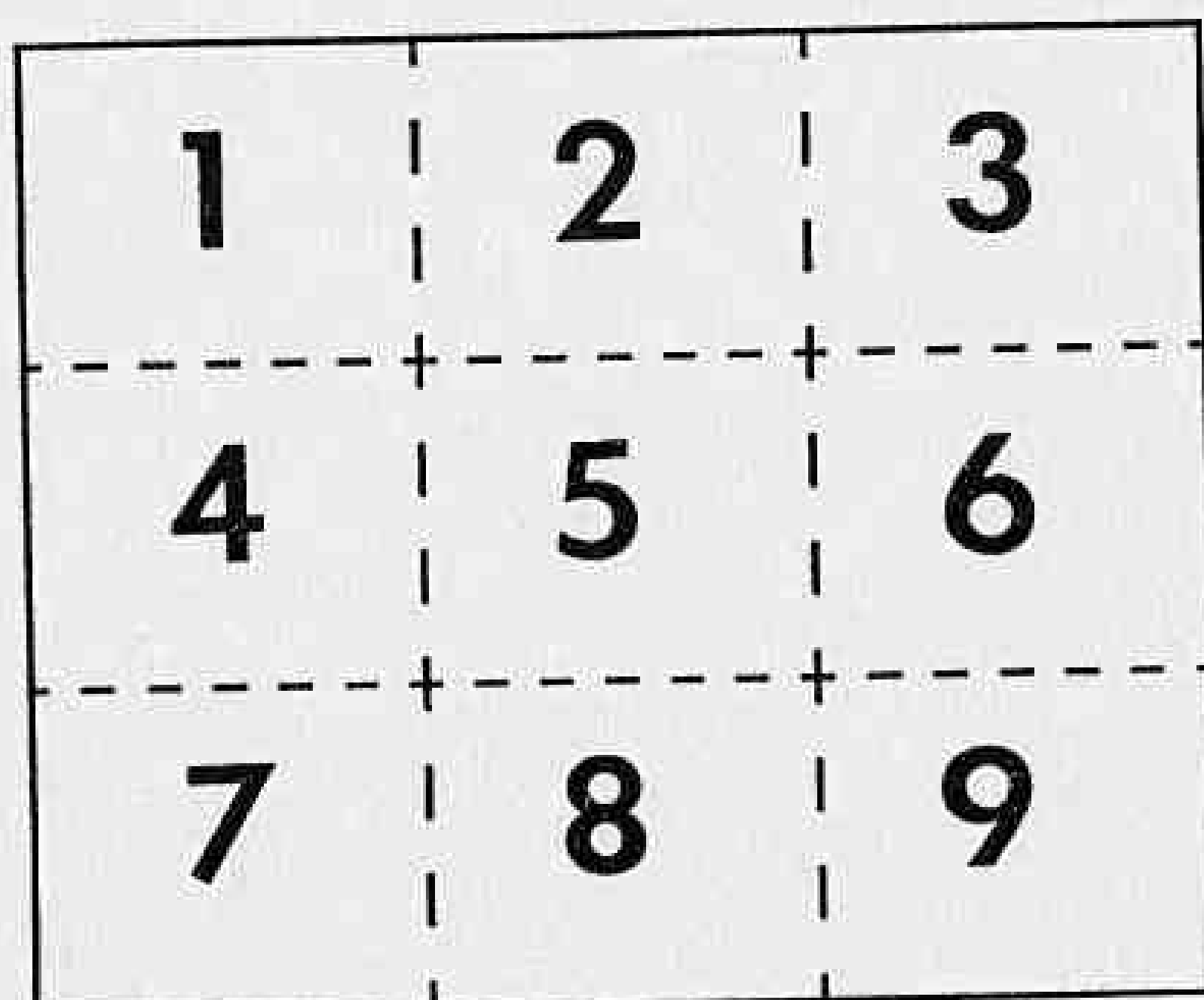
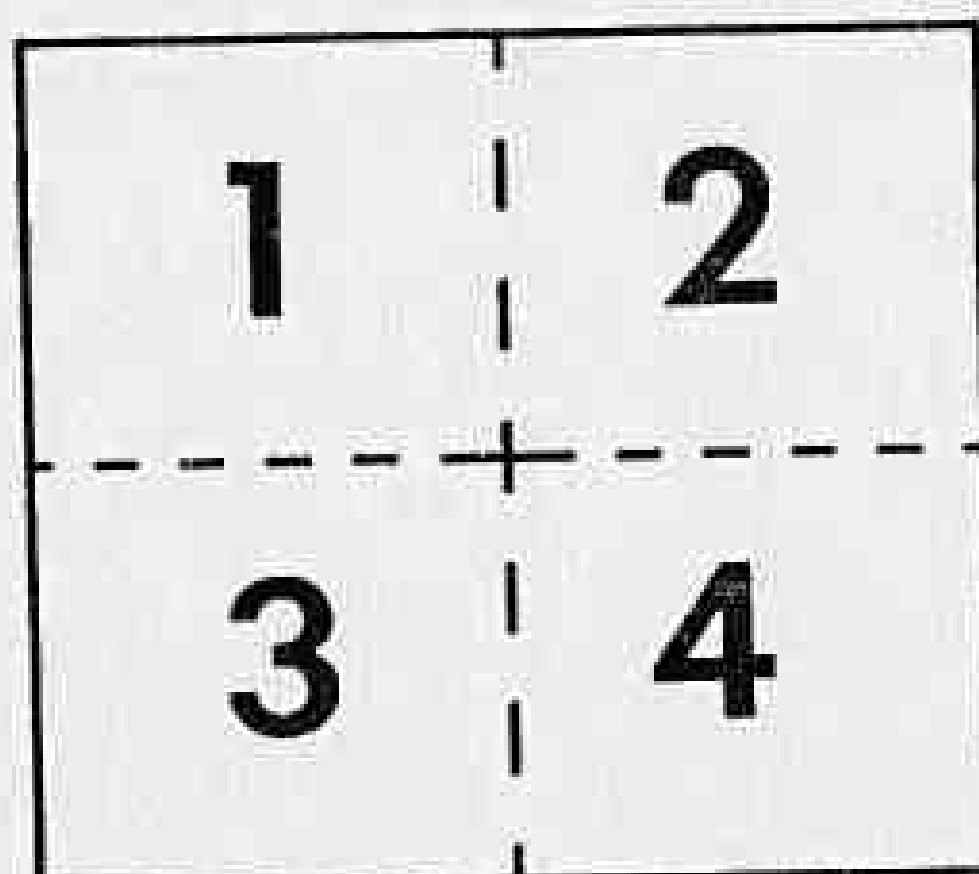
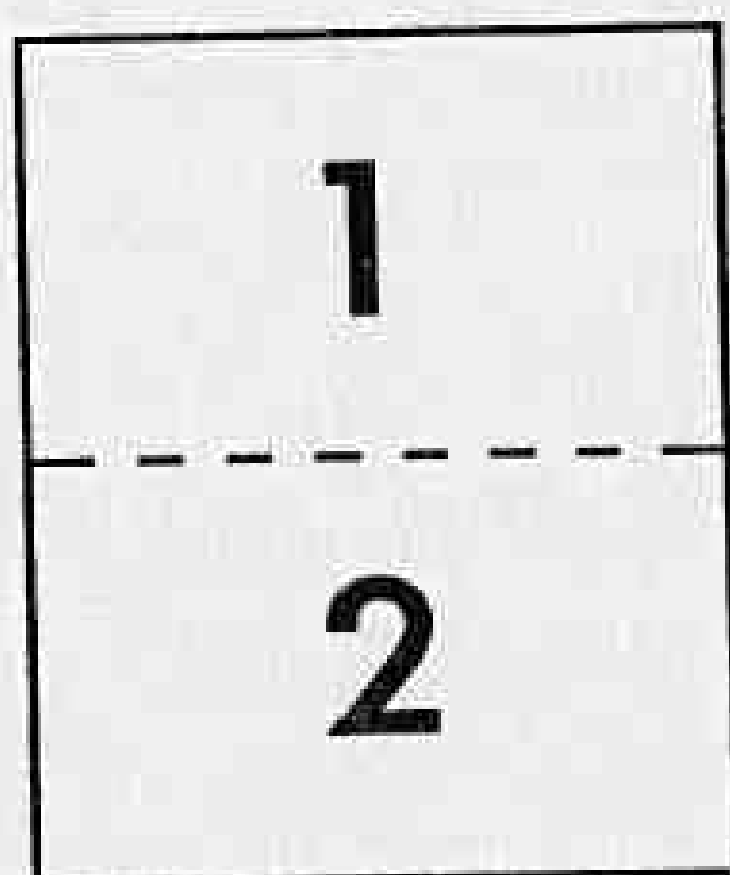
STANLEY BEATTY, Capt.
AMG Police Officer

HAROLD V. REILLY
Lt. Col., A.U.S.
Commissioner
Livorno Zone AMG.

3 December 1945.

MAPS AND CHARTS TOO LARGE TO FILM
ON ONE EXPOSURE ARE FILMED CLOCKWISE
BEGINNING IN THE UPPER LEFT CORNER,
LEFT TO RIGHT, AND TOP TO BOTTOM.

SEE DIAGRAMS BELOW.



1919

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

785016

**GOVERNO MILI
COMA
ZONA DI**

ORDINE DI

IGIENE, PULIZIA E DEC

1920

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

785016

**COMANDO
MILITARE ALLEAT
NA DI LIVORNO**

DI ZONA N. 1

DECORO DELLE VIE URB

1921

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

785016

**ANDO
ARE ALLEATO
VORNO**

ZONA N. 1

RO DELLE VIE URBANE

IGIENE, PULIZIA E D

Considerando la necessità di regolare e disciplinare il servizio d'igiene
della pulizia e del decoro delle vie urbane di questa Zona,

Io, Ten. Col. HAROLD V. REILLY, Commissario del Governo
Militare Alleato della Zona di Livorno (Comuni di Livorno, Pisa e
lesalveti), in virtù dei poteri a me conferiti,

ORDINO

Art. 1.

REATI

E' vietato tenere occupato il suolo pubblico prospiciente ad edificio

con macerie, rottami, pietrame, calcinacci, materie

DECORO DELLE VIE URBANE

Art. 4.

E' vietato gettare per istrada o nei luoghi pubblici od aperti al pubblico, depositare o trasportare senza i prescritti veicoli, spazzature di ogni genere provenienti da abitazioni, fabbriche, magazzini, ecc.

Solo per le necessità della strada e per eccezionali esigenze di località che non fruiscano ancora del servizio di nettezza urbana possono essere collocati negli appositi recipienti piazzati a cura del Comune nei luoghi stabiliti.

Art. 5.

E' assolutamente vietato soddisfare i bisogni naturali fuori dei siti luoghi o comunque imbrattare i muri, il suolo pubblico o rovinati.

Art. 6.

PENALITÀ

U DELLE VIE URBANE

Art. 4.

E' vietato gettare per istrada o nei luoghi pubblici od aperti al pubblico, depositare o trasportare senza i prescritti veicoli, spazzature e rifiuti di ogni genere provenienti da abitazioni, fabbriche, magazzini, ecc.

Solo per le necessità della strada e per eccezionali esigenze di igiene e salubrità che non fruiscono ancora del servizio di nettezza urbana, i rifiuti possono essere collocati negli appositi recipienti piazzati a cura del Comune in luoghi stabiliti.

Art. 5.

E' assolutamente vietato soddisfare i bisogni naturali fuori degli appositi luoghi o comunque imbrattare i muri, il suolo pubblico o gli edifici con urina.

Art. 6.

PENALITÀ

Art. 1.

REATI

E' vietato tenere occupato il suolo pubblico prospiciente ad edificio in corso di ricostruzione con macerie, rottami, pietrami, calcinacci, materiali di scarico ed ogni altro materiale che possa essere comunque di pericolo o danno per il libero transito dei pedoni e per la circolazione dei veicoli.

Il proprietario dell'edificio, o, in sua assenza, l'inquilino, o chiunque sia a qualsiasi titolo temporaneo possessore, per ragione di locazione, sublocazione, o custodia, risponde personalmente della omessa rimozione dei materiali.

Art. 2.

E' altresì vietato trasportare macerie, rottami, pietrame e materiali di risulta, anche rimuovendoli da edifici non colpiti da offese belliche o già distrutti, se il veicolo adibito non sia all'uopo sufficientemente attrezzato.

E' fatto obbligo, sotto la personale responsabilità del vettore, di provvedere all'immediato sgombero dei materiali caduti durante le operazioni di trasporto.

siti luoghi o comunque imbrattare i muri, il suolo pubblico o rovinati.

Art. 6.

PENALITÀ

Chiunque viola qualsiasi disposizione del presente ordine sarà punito con la pena di arresto fino ad un anno o di ammenda fino a L. 50.000 o con le pene, secondo la decisione dell'Autorità Giudiziaria.

Art. 7.

APPLICAZIONE

Gli Agenti della Polizia e della Forza Pubblica Italiana sono tenuti a fare puntualmente osservare ed applicare in tutta la sua forza l'ordine.

Art. 8.

DATA DI ENTRATA IN VIGORE E VALIDITÀ

Questo ordine si estende a tutti i Comuni della Zona (Comuni di Livorno, Pisa e Collesalveti) ed entra in vigore il

luoghi o comunque imbrattare i muri, il suolo pubblico o gli edifici
nati.

Art. 6.

PENALITÀ

Chiunque viola qualsiasi disposizione del presente ordine sarà passibile
arresto fino ad un anno o di ammenda fino a L. 50.000 o di entrambe
pene, secondo la decisione dell'Autorità Giudiziaria.

Art. 7.

APPLICAZIONE

Gli Agenti della Polizia e della Forza Pubblica Italiana sono tenuti a
e puntualmente osservare ed applicare in tutta la sua forza il presente
ordine.

Art. 8.

DATA DI ENTRATA IN VIGORE E VALIDITÀ

Questo ordine si estende a tutti i Comuni della Zona di Livorno
(Comuni di Livorno, Pisa e Collesalveti) ed entra in vigore il giorno della

ni, anche rimuovendoli da edifici non colpiti da offese belliche o già rati, se il veicolo adibito non sia all'uopo sufficientemente attrezzato.

E' fatto obbligo, sotto la personale responsabilità del vettore, di vedere all'immediato sgombero dei materiali caduti durante le operazioni di trasporto.

Art. 3.

Tutti i residui delle costruzioni, delle fabbriche e delle demolizioni devono essere immediatamente trasportati e accumulati nei luoghi che sono indicati dai rispettivi Comuni.

A tutti gli effetti saranno ritenute responsabili le persone indicate nel secondo comma dell'Art. 1.

Art. 8.

**DATA DI ENTRATA IN VIGORE
E VALIDITA'**

Questo ordine si estende a tutti i Comuni della Zona
(Comuni di Livorno, Pisa e Collesalveti) ed entra in vigore
sua prima pubblicazione negli stessi.

*3 Dicembre 1945.***HAROLD V**Ten. Col. A.
Commissario**STANLEY BEATTY**

Cap. Ufficiale di Polizia, A. M. G.

Art. 8.

**DATA DI ENTRATA IN VIGORE
E VALIDITA'**

Questo ordine si estende a tutti i Comuni della Zona di Livorno (Comuni di Livorno, Pisa e Collesalveti) ed entra in vigore il giorno della prima pubblicazione negli stessi.

3 Dicembre 1945.

HAROLD V. REILLY

Ten. Col. A. U. S.
Commissario di Zona.

TANLEY BEATTY

Cap. Ufficiale di Polizia, A. M. G.

1931

785016

4019

Legal

MFA/lja

2A

ALLIED FORCE HEADQUARTERS
APO 512

AG 001.1/213 GEG-0

17 November 1945

SUBJECT: Inquires Concerning the Whereabouts and Welfare of Individuals

TO: All Concerned

Paragraph 3, letter, this headquarters, file and subject as above, dated 13 August 1945, is amended to read as follows:

"Whereas originated by persons in Italy, Corsica and that part of North Africa under G.I.F. Control will be addressed to:

Record Bureau
AFM (Italy)
Headquarters, Allied Commission
APO 394, 12 Army"

3

THE COMMISSION OF LIEUTENANT GENERAL MORGAN:

20 NOV 1945

C. T. CHRISTENSEN
Colonel, A.D.
Adjutant General

DISTRIBUTION:

Plus
5 - AFM Corps
5 - AFM
100 - C-5

LEGAL SUB-COMMISSION	
CLO	
DCLO	pt
Chief Counsel	AM
CJO	
Italian Section	Am
CL RKS	
20 NOV 1945	
Adj. Gen.	LC

4019 ✓

OFFICE OF A.C. LIAISON OFFICER
c/o NOB - NAVY 157
PALERMO-SICILY

11A

AC/S/003

3 November 1945.

Subject:- Sale of Motor-Cycle at Lampedusa.

To :- H.Q. Allied Commission, APO 394
Legal Sub-Commission
Finance Sub-Commission.

1. The attached is copy of an A.M.G. Receipt Voucher which was produced at this office by an Italian civilian who was previously located at Lampedusa, but transferred to Sicily in May 1945.
2. This civilian desired to obtain a circulation permit in respect of the motor-cycle and submitted the Receipt Voucher to the Italian Authorities as proof of ownership, but they did not consider the Receipt valid and the civilian made a request that the Receipt be overwritten in ink.
3. Considering the date of the Receipt Voucher and the situation regarding captured enemy property at that time, this office is not satisfied with the man's story.
4. Can any records or orders show that this was a legally conducted sale, and/or could Lieut. Ingrassia be questioned about this and any information which might be obtained forwarded to us.

W J MacCallum
W.J. MacCALLUM, ED, Lt.Col.
A.C. L.O., SICILY.

Encls: copy ANGOT Receipt Voucher No 71469 dated 15 November 45.

Ken, I do not
think this can be
a legal matter.
WJ 1/11

N.A.

8/11/45
A.M.

1 9 3 3

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

785016

C O P Y

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

Governo Militare Alleato del Territorio Occupato

RECEIPT VOUCHER

ORIGINAL

Nº 71469

Quietanza

Date 15 November 1943

RECEIVED FROM : Ricciardi Basilio
Ricevuto da

THE SUM OF (in words) : Eight thousand Lire
La somma di (scritte in lettere)

IN PAYMENT OF : Cycle - Guzzi 500
In pagamento di

AMOUNT (in figures) : 8000
La somma di (in cifre)

DISTRICT: Lampedusa

Sgt. A. Ingrascia 1st Lt. C.E.

Receiving officer's signature & rank

1934