

0350

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

785016

ACC

10000/142/307

HQ OFFICERS' I
AUG. 1943 - AP

10000/142/307

HQ OFFICERS' REPORTS ON COURT INSPECTIONS, TOURS, ETC.
AUG. 1943 - APR. 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4032/L.

8 April 1945

SUBJECT : Request visit of DOLA.

TO : HQ, IV Corps (Attn SCAO)

1. I am hoping to visit IV Corps on Friday 13 April during the afternoon or evening to see if there are legal problems which you would like to discuss. I hope also to meet Col. D. F. Kiechel during my visit.

2. If it is possible without too much inconvenience to you I should like to spend Friday night in Lucca.

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

FROM : COLONEL W. E. BIRCH

AC/4032/L.

LEGAL SUB-COMMISSION,

HEADQUARTERS,

ARMED COMMISSION,

A. P. O. 394.

7th April, 1945.

Dear Colonel Weber,

This is to advise you that I am hoping to be in Montecatini on Friday, 13 April to discuss matters generally with you.

I should like if possible to spend Friday night with you.

Will you also please notify Major Woodward that on Saturday afternoon I will be in Livorno, where I intend spending the night. If you would care to do so and it is not inconvenient to you I should be delighted to have you accompany me to Livorno.

Yours

96 Colonel J. P. WEBER,
Regional Legal Officer,
TOSCANA REGION.

Colonel Weber,

FROM : Colonel W. E. BERRING.

LEGAL SUB-COMMISSION

HEADQUARTERS

ALLIED COMMISSION

A.P.O. 394

9 March 1945.

Dear

We shall of course put you up in Rome at 1 Via Ferdinando di Savoia.

We shall expect you when we see you, but if you could give some notice we should be glad.

I am arranging accommodation for your driver, but the same remark applies.

I particularly want to discuss personnel problems with you.

Yours

35
Colonel H. G. WILLMER,
Regional Legal Officer,
VENETIA Region.

70A

HEADQUARTERS VENEZIA REGION
Allied Commission
APO 394

5 March 1945

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

SUBJECT: Proposed visit to Rome and Naples.

FILE No: RXII/LE/Reg/E/06.

1. I have been requested by Brigadier DUNLOP to visit him in Naples, for the purpose of further consultation with him, and also for the purpose of conferring with Lt. Col. DAWSON about Venezia Giulia.

2. I propose to make the trip round about the 16th or 17th of the present month. I cannot unfortunately give an exact date, as my movements are contingent upon the completion of a General Court case which commences on the 6th, and which I am informed will be a long case likely to take a week or so to try.

3. I intend to break the journey and stop the first night in Rome, and I should like to call upon you to discuss any outstanding matters with you before proceeding on to Naples. I hope this will be convenient to you.

4. I wonder if you would be good enough to request the Billetting Officer to ensure accommodation for me for one night - probable date Friday-Saturday, the 16th-17th. I shall also require accommodation for my driver (an Italian Soldier). The latter, in accordance with orders that have been given, will be in possession of rations, and will bring his blankets with him.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Section	
CL RYS	
9 MAR 1945	

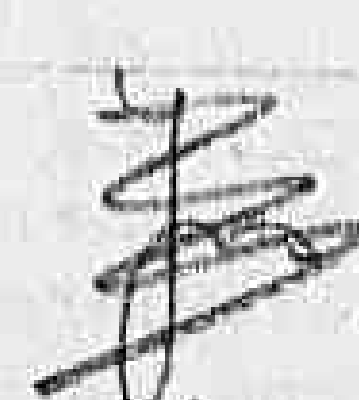
H. L. Wilmer

Colonel,
Regional Legal Officer,
VENEZIA Region.

Dear

We shall be glad to put you up in
Rome at Via, Ferdinando di Savoia -

We shall expect you when we see you, but
if you could give some notice we should be
glad.


I am anxious to accommodate you
direct, but to some extent applies.

I particularly want to discuss personnel
problems with you

Yours

MEMORANDUM

TO : VP CA Sec.

1. The following minor points (apart from those concerned with the real object of my visit) arise out of my visit to U.K.:
- a) I gave your message to Senior Comd. Stones ^{on} "tactful replies": that is well round the C.A. directorate by now.
 - b) I saw Col. DREW and Lt. Col. PITT. I gave the latter your message about GAYRE. He sent an apology for using you as a post-office for transmitting cultural magazines: but he did not appreciate your answer declining to be used as such.
 - c) I sent your letter to Mr. ODDIAM returning the article on War Crimes.
 - d) WILLIAMS is not coming as a civilian member of this staff: he has called it off. In this connection I saw Mr. ALEXANDER of C.10. The War Office (Montague House Annex Block F Room 7: WHI 9400 ext 149) who is the man responsible for finding civilians. He did not understand why we wanted a civilian or for what we wanted him. I explained: but if you want a civilian you should write to him stating (a) the degree of urgency (they are in very short supply): and (b) the nature of the work for which he is required.
 - e) I could not get a Who's Who, but I have got another directory (1944) which is coming out by post. A law list may also be following.
 - f) I saw Roger Bacon: he also had got a minute from ALEXANDER about WILLIAMS and also did not understand what it was all about.
2. I will give you a verbal account of my dealing with Allied Commission AUSTRIA on your return.

LEGAL SUB-COMMISSION
3 March 1945.

I. G. H. CAMPBELL,
Lt. Colonel.

Copy to : Deputy Chief Legal Advisor.

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.O. & I.C. SECTION
APO 394

Ref/457/21/CA.

25 September 1944

SUBJECT : Reports on Road Conditions.

TO : Distribution as below.

1. From time to time reports are required as to condition of roads, bridges etc., and as the winter approaches it will be even more necessary to have the latest information covering roads before setting out.
2. The best way of gathering this information is from officers who have returned from tours. To enable information in the reports to be collated, a pro-forma has been prepared. Officers should complete these on their return and forward direct to Public Works Sub-Commission.

3. The pro-forma should give information as to route taken, state of roads, bridges and any detours necessary. It need not go into details but should contain enough information to guide others who may be taking the same route.

4. A Road Reports Bureau will be set up by Public Works Sub-Commission where officers may get up-to-date information before proceeding on a journey.

5. A copy of this Memorandum is being forwarded to Regional Commissioners in the expectation that they have or will set up similar Regional arrangements for collection of road information and place one of their headquarters officers in charge. Visiting officers would find information of this nature at Regional headquarters most helpful.

6.92 Attached are ten copies of the pro-forma for your use. Additional copies may be secured from Road Reports Bureau, Public Works Sub-Commission.

LEGAL SUB-COMMISSION

CLO

NORMAN E. ITSE
Colonel

Legal (684)

132
401

9359

SUBJECT : Reports on Road Conditions.

TO : Distribution as below.

1. From time to time reports are received as to condition of roads, bridges etc., and as the winter approaches it will be even more necessary to have the latest information covering roads before setting out.
2. The best way of gathering this information is from officers who have returned from tours. To enable information in the reports to be collated, a pro-forma has been prepared. Officers should complete these on their return and forward direct to Public Works Sub-Commission.
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5. A copy of this memorandum is being forwarded to Regional Commissioners in the expectation that they have or will set up similar Regional arrangements for collection of road information and place one of their headquarters officers in charge. Visiting officers would find information of this nature at Regional headquarters most helpful.

6.92 Attached are ten copies of the pro forma for your use. Additional copies may be secured from Road Reports Bureau, Public Works Sub-Commission.

W. J. P. 1.1.1

MORGAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

LEGAL SUB-COMMISSION

→ CIO

→ CIO

Chief Counsel

CIC

Deputy Chief

C. E. P.

DISTRIBUTION

" C " Plus Group 2 List A.

21

ROAD CONDITION REPORT

Date:

Journey From:		To:							
From	To	Route No.	Hours Running Time	Surface Good Fair Poor	Interruptions or Detours specify which and give map ref.	P.O.L. Map ref.	Repairs Major Minor	Acc Pos Car Que	

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

0362

66

ROAD CONDITION REPORT

Date:

Journey From:		To:					Date:	
From	To	Route No.	Hours Running Time	Surface Good Fair Poor	Interruptions or Detours specify which and give map ref.	P.O.L Map ref.	Repairs Major Minor	Accommodations Position Capacity Quality

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

0364

89

ROAD CONDITION REPORT

Journey From:		To:		Date:				
From	To	Route No.	Hours Running Time	Surface Good Fair Poor	Interruptions or Detours specify which and give map ref.	P.O.L. Map ref.	Repairs Major Minor	Account Positio Capacit Quality

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

To:

[illegible]

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

NOTE: In event of a change of itinerary, please advise the nearest U.S. Customs and Border Protection office.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

Date:

To:		From:		Date:		
Route No.	Hours Running Time	Surface	Interruptions or Detours	P.O.L.	Repairs	Accommodations
		Good Fair Poor	specify which and give map ref.	Map ref.	Major Minor	Position Capacity Quality (Good (Fair (Poor

opposite appropriate section of the journey above.

28

ROAD CONDITION REPORT

Journey From:		To:		Date:				
From	To	Route No.	Hours Running Time	Surface Good Fair Poor	Interruptions or Detours specify which and give map ref.	F.O.L Map ref.	Repairs Major Minor	Accommod Position Capacity Quality

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

ROAD CONDITION REPORT

To:

Date:

ent of major road blocks or serious detours, signal Headquarters at once.

details opposite appropriate section of the journey above.

100

0370

785016

33

ROAD CONDITION REPORT

Journey From:		To:		Date:			Repairs		Accommodations
From	To	Route No.	Hours Running Time	Surface Good Fair Poor	Interruptions or Detours specify which and give map ref.	P.O.L. Map ref.	Major Minor	Position Capacity Quality	

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

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

ROAD CONDITION REPORT

Date:

To:

Journey From:

[illegible]

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

NOTE: In event of major changes, please advise the nearest U.S. Consulate.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

ROAD CONDITION REPORT

Journey From:		To:		Date:				
From	To	Route No.	Hours Running Time	Surface Good Fair Poor	Interruptions or Detours specify which and give map ref.	P.O.L Map ref.	Repairs Major Minor	Accommodations Position Capacity Quality

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

63
64

To:

Date:

[illegible]

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

0378

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

785016

ROAD CONDITION REPORT

Journey From:		To:		Date:				
From	To	Route No.	Hours Running Time	Surface Good Fair Poor	Interruptions or Detours specify which and give map ref.	P.O.L. Map ref.	Repairs Major Minor	Accommo- Position Capacity Quality

NOTE: In event of major road blocks or serious detours, signal Headquarters at once.

Please enter details opposite appropriate section of the journey above.

GENERAL REMARKS:

4032

File

(67A)

HIO REGION 2

HQ AOC

1726

12/8/74

RESTRICTED

ROUTINE

LEGAL. SUB-COMMISSION

I SHALL BE AT REGION TWO HEADQUARTERS SEVENTEEN FORTY EIGHT WEDNESDAY ONE SIX
 AUGUST PD PARISH TO HIO REGION TWO FROM HQ AND LEGAL PART I WILL WANT TO SEE
 YOU FRANKLIN GERRIN AND GENERAL TRAINA THAT MAY PD FROM WINTER ACLO

664

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

ACO/4032/L.

6 August 1944.

SUBJECT : Return of Officers' Field Trips.

TO : Administrative Section.

Reference your memo dated 9 March 1944 a nil return is
submitted for week ending 2359 hours 5 August 1944.

Summary for two weeks ending 5 August 1944.

Region :	1	2	3	4	5	6	7	8	5th Army	8th Army
Legal	-	-	1/3	-	-	-	-	-	-	-

RICHARD H. WILMER,
Colonel, OAC,
Acting Chief Legal Officer.

4032 *zlu*

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

Tel. No. 679

~~am~~/ap

(65A)

29 Jul 44

SUBJECT : Memorandum

TO : Chief Legal Officer.

1. Herewith brief report, for record purposes, of my visit to Naples on 26-28 Jul 44: I have already told you further details verbally.

2. The A.M. Court situation in Naples is generally satisfactory. There are 3 courts sitting - 2 Superior Courts and 1 Arraignment and Summery Court. At present the officers sitting on these Courts are Major ROLFE and GILSHENNAN and Capt. BLACKLOCK.

3. There are no arrears: one or two General Court cases remain to be tried: there were, on 27 Jul, 32 Superior Court cases awaiting trial: the summary court is up to date.

4. In addition to the above courts, there is a "Post-Post Court" presided over by Lt.Col. CLAIRE (P.B.S.). I did not see the court, but I did see his very excellent weekly return of cases tried. The court disposes of 30-40 very petty cases daily, the normal sentences being from 2 or 3 days to 30 days imprisonment: in fact it is doing the work of an ordinary magistrate's court.

5. The main question was that of personnel.
The officers scheduled to remain with Region 3 were:-

23

Major Bamlet
Major Parlin
Major Rolfe
Capt. Kerr
Capt. Gold
Capt. Blacklock
Lieut. Banno

Those scheduled to leave were :-

zlu

Lt.Col. Ainslie
Maj. Holt
Maj. Gilshennan
Lieut. Cahn
Lieut. Sabatino (left to-day with me)

5. The RLO was of opinion that he could work the region with 7 officers(as scheduled). He himself would be at HQ: Lt.BANNO would do liaison with Primo Presidente: Capt. KERR would be in control of A.M. Courts, leaving 4 officers for duty as judges and other purposes (these 4 to remain immediately under control of RLO).

As to personalities: for reasons already discussed verbally, RLO asks as follows:-

Major HOLT to be posted from Region 3 as soon as possible.

Capt.BLACKLOCK to be posted away (preferably Lt. CAHN to remain in his place).

Major PARLIN to be posted away.

(Note : I understand you are arranging for Major HOLT to go to Region 8 as asked by Col. WEBER; for Lt. CAHN to remain in place of Capt.BLACKLOCK and Major GILSHENNAN to remain in place of Major PARLIN)

78 6. RLO regrets that the required report as at 20 Jul is late : this is because he is presiding over a General Court. It will be coming soon.

1 Campbell LTCR
Chief Judicial Officer

0384

HQ ACC REGION TWO

4032

64A

HQ ACC LEGAL

RESTRICTED

ROUTINE

1262

Legal Sub-Commission

2

PLEASE MAY CAR MEET ME AT AIRBORNE PAREN TO HQ ACC REGION TWO
FROM HQ ACC FROM LEGAL FROM RLO REGION TWO PAREN SEVENTEEN
FIFTEEN HOURS THIRD AUGUST

77

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

30 July 1944.

ACC/4032/L.

SUBJECT : Return of Officers' field Trips.

TO : Administrative Section.

Reference your memo dated 9 Mar 44 herewith return required for week ending 2359 hours 29 Jul y 1944 :-

<u>Name and Rank.</u>	<u>Places.</u>	<u>Dates.</u>	<u>Duty.</u>
Lt.Col. I.G.H. Campbell. Naples.		Dep. 26.7.44. Ret. 28.7.44.	Inspection of A.M.C. Court situation in Naples.

Summary for two weeks ending 29 July 1944.

Region:	1	2	3	4	5	6	7	8	5th Army.	8th Army.
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Legal :	-	-	1/3	-	-	-	-	-	-	-
---------	---	---	-----	---	---	---	---	---	---	---

RICHARD H. WILMER.
Colonel, C.A.C.,
Acting Chief Legal Officer.



OUTGOING

62A

TURKISH

/1983

1/13

2908

JUNE 13/12/83

RESTRICTED

ROUTINE

ACC REAR

DISTWO

U. S. RESTRICTED
Equals British RESTRICTED

CONFIRM ACCUMULATION PAPER TO LISTED FOR ADD REGION TWO FOR HQ CIA
 LT COL COULDER FROM ACC REAR FROM LEGAL STAFF MAJORIANE PAPER
 RESERVE THURSDAY ON AGOS

AUTHENTICATED:

E. J. Chiocca
 E. J. CHIOCCA
 CIO USA
 Asst Adj

DISTRIBUTION:

- 1 File
- 1 Float
- 1 DOC
- 1 Legal ✓
- 1 Adj Main

75

U. S. RESTRICTED
Equals British RESTRICTED

sub file

4032

61A

REGIONAL LEGAL OFFICER REGION EIGHT

ACC ADV FROM LEGAL

ADV 347

10 JULY 1944

RESTRICTED

ROUTINE

LEGAL

NOW IN HOME PD PAREN TO REGIONAL LEGAL OFFICER REGION EIGHT FROM ACC ADV FROM
LEGAL SIGNED WILMER PAREN PD WOULD LIKE TO SEE YOU IN THE NEAR FUTURE IN HOME
CONCERNING YOUR LEGAL PROBLEMS PD PLEASE WIRE WHEN YOU CAN BE HERE

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
A.P.O. 394

26 Jul 44

ACC/4032/L

SUBJECT: Return of Officers' Field Trips

TO : Adm Sec

Reference your memo dated 9 Mar 44 herewith return required for
week ending 2359 hrs 1 Jul 44

Name and rank	Places	Dates	Duty
Lt. Col. Mark J. Grossman	Santa Maria, Capua and Viterbo in Reg 3	Dep. 25/6/44 Ret. 27/6/44	Presiding at a General Military Court.

Summary for two weeks ending 1 Jul 44

Regions	1	2	3	4	5	6	7	5th Army	8th Army
Legal :	-	-	1/13	-	-	-	-	-	-

R. H. WELSH,
Colonel CAC
Acting Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

/pa

60A

REFERENCE : AGC/4033/L.

25 Jun 44

SUBJECT : Return of Officers' Field Trips.

TO : Administrative Section.

1. Reference your memo dated 9 March 1944 a nil return is submitted in respect of this Sub-Commission for week ending 2359 hours 24 June 1944.

2. Summary for fortnight ending 24 June 1944 :-

Region	1	2	3	4	5	6	7	5th Army	8th Army
Legal	-	1/7	-	-	1/3	-	-	-	-

1. 72

GERALD R. UPJOHN,
Colonel,
Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

(59)
18 June 1944.

REFERENCE : ACC/4052/.
SUBJECT : Return of Officers' Field Trips.
TO : Administrative Section.

Reference your memo dated 9 March 1944 herewith return required for week ending 2359 hours 17 June 1944 :-

NAME AND RANK.	PLACES.	DATES.	DUTY.
Lt. Col. F. G. M. GAZDAR	CAMPORASSO	Depart 9/6/44. Return 11/6/44.	Tour of Inspection - Region 5.
Major HARG. J. GROSSMAN	LEGOE	Depart 5/6/44. Return 11/6/44.	Attending Allied Military Court - Region 2.

Summary for fortnight ending 17 June 1944 :-

Region	1	2	3	4	5	6	5th Army	6th Army
Legal	-	1/7	-	-	1/3	-	-	-

71

Gerald R. Upjohn,
Colonel,
Chief Legal Officer.

/wom.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

11 June 1944.

REFERENCE : ACC/1032/L.
SUBJECT : Return of Officers' Field Trips.
TO : Administrative Section.

Reference your memo dated 9 March 1944 herewith return required for week ending 2559 hours 10 June 1944 :

NAME AND RANK	PLACES	DATES	DUTY
Lt.Col.I.C.H. CAMPBELL	CAMPORASSO	Depart 9/6/44	Tour of inspection Region 5. Still with Region 5.
Major MARK J. CRIGGS	INCE	Depart 5/6/44	Attending Allied Military Court. Still with Region 2.

Summary for fortnight ending 10 June 1944.

Region	1	2	3	4	5	6	5th Army	8th Army
Legal	-	1/14	-	-	1/2	-	-	-

70

GERALD R. WILSON,
Colonel,
Chief Legal Officer.

/vow.

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

Ref/750/2/CA

5 June 1944

SUBJECT: Visits of Members of the Allied Control Commission to the
City of Rome.

TO : Distribution below.

1. The attached instructions are forwarded. (Not to all)
2. Until further orders, no member of this Commission, except those assigned to Rome Sub-Region, Region IV, AMG 5 and 8 Armies, will be permitted to visit the city of Rome without the express permission of the Chief Commissioner.
3. Applications for such permission will be submitted in writing to the Security Branch of the R.C. & M.G. Section by heads of Sections, independent Sub-Commissions, Branches and Regions concerned, certifying that the visit of the member is essential in the interests of this Commission, stating his name, rank, serial number, and appointment and specifying the inclusive dates and purpose of the visit.
4. If the Chief Commissioner approves, a permit in a special form will be forwarded to the Adjutant of this HQ. who will issue the necessary Travel Orders and forward them, with the permit, to the member concerned. Without this permit, the Adjutant will not issue Travel Orders to Rome. On completion of the visit, the permit will be returned to the Security Branch.
5. ~~Any member~~ to whom a permit is granted will report to the S.C.A.O. Rome Sub-Region upon arrival and departure and, at the conclusion of his duty, will return immediately to his proper station.

69

Handwritten signature

Brigadier
Executive Commissioner
For Chief Commissioner

DISTRIBUTION:
"A"

INSTRUCTIONS ATTACHED TO:-
R.C. Region I

Admin Section

5 June 1944

SUBJECT: Visits of Members of the Allied Control Commission to the City of Rome.

TO : Distribution below.

1. The attached instructions are forwarded. (Not to all)
2. Until further orders, no member of this Commission, except those assigned to Rome Sub-Region, Region IV, AMG 5 and 8 Armies, will be permitted to visit the city of Rome without the express permission of the Chief Commissioner.
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5. ~~Key number~~ to whom a permit is granted will report to the S.C.A.O. Rome Sub-Region upon arrival and departure and, at the conclusion of his duty, will return immediately to his proper station.

DISTRIBUTION:
"A"

INSTRUCTIONS ATTACHED TO:-

R.C. Region I
R.C. Region II
R.C. Region III
R.C. Region IV
R.C. Region V
R.C. Region VI
R.C. Region VII
R.C. Region VIII
R.C. Region IX
S.C.A.O's 5 & 8 Armies.

Admin. Section
Economic Section
Secretary General
Displaced Persons Sub-Commission
Army Sub-Commission
Navy Sub-Commission
Air Force Sub-Commission
Communications Sub-Commission

Brigadier
Executive Commissioner
For Chief Commissioner

REGION HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

4 June 1944.

REFERENCE : AGO/432/L.
SUBJECT : Return of Officers' Field Trips.
TO : Administrative Section.

Reference your memo dated 9 March 1944 herewith return required for week ending 2500 hours 3 June 1944 :

NAME AND RANK	PLACES	DATES	DUTY.
Lt. Col. G. G. HARTFORD	Dala	Depart 23/5/44.	"3" Force.
Major Maxo. J. GROSSMAN.	Beal	Depart 21/5/44. Return 3/6/44.	Returned from temporary duty with Region 2.

Summary for fortnight ending 3 June 1944.

Region	1	2	3	4	5	6	5th Army	8th Army.
Legal	-	1/15	-	-	-	-	1/11	-

GERALD R. HAYDEN,
Colonel,
Chief Legal Officer.

CRU/COM.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ACC/4632/1

28 May 1944

SUBJECT: Return of Officers' Field Trips.

TO : Administrative Section.

Reference your memo dated 9 March 44 herewith return required for week ending 2359 hours 27 May 1944.

NAME & RANK	PLACES VISITED	DATES	DUTY
Lt. Col. G. G. Hamford	Bela	Depart 23/5/44	Proceeding to "B" Force.
Major Marc J. Grossman	Bari	Depart 21/5/44	Attached for temporary duty to Region 2, for purpose of sitting on Allied Military Court. (Still at Region 2).

Summary for fortnight ending 27 May 1944.

Region	1	2	3	4	5	6	5th Army	8th Army
Legal	1/5	1/7	-	-	-	-	3/10	-

G. R. UPJOHN
Colonel
Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

400/4032/L.

/rip.
21 May 1944.

SUBJECT : Return of Officers' Field Trips.

TO : Administrative Section.

Reference your memo dated 9 March 44 herewith return required for week ending 2359 hours 20 May 1944:

NAME & RANK	PLACES VISITED	DATE	DUTY
Maj A.R. Thackrah	Reggio di Calabria Messina	Depart 14/5/44 Return 18/5/44	Accompanying Judicial Official of Ministry of Justice for tour of Inspection of Italian Courts.
Maj G.G. Hannaford	Caserta	Depart 18/5/44 Return 19/5/44	Visiting Hq AMG 5th Army for the purpose of discussing Italian judicial personnel for ROME and also the exe- cution of death senten- ces pronounced by AMG Courts in Army areas.
Maj I.G.F. Campbell	Caserta	Depart 14/5/44 Return 16/5/44	Attending Hq AMG 5th Army-Spionage Trial.

Summary for fortnight ending 20 May 1944.

66

Region	1	2	3	4	5	6	5th Army	8th Army
Legal	1/5	-	-	-	2/2	-	5/10	-

G. R. UPJOHN,
Colonel,
Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ACC/4032/L

14 May 1944

SUBJECT: Return of Officers' Field Trips.

TO : Administrative Section.

1. Reference your memo dated 9 March 44 herewith return required for 14 days ending 2359 hours 13 May 1944.

Region	1	2	3	4	5	6	5th Army	8th Army
Legal	-	-	-	-	2/2	-	3/5	-

2. The above is in respect of:

(a) Lt. Col. R.H. Wilmer's and Capt. J. More's two days visit to HQ AMG 5th Army on 9 & 10 May 1944 and their two day visit to HQ Region 5 on 11 & 12 May 1944.

(b) Lieut. W.G. Bryce's three day visit to HQ AMG 5th Army from 11 to 14 May 1944 inclusive.

G. R. UPJOHN, Colonel
Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

7 May, 1944.

ACC/4032/L.

SUBJECT : Return of Officers' Field Trips.
TO : Administrative Section.

1. Reference your memo dated 9 March 44 herewith return required for 14 days ending 2359 hours 6 May 1944 :-

REGION	1	2	3	4	5	6	5th Army	8th Army
Legal	-	2/1	-	-	-	-	-	-

2. The above is in respect of Col. G. R. Upjohn's and Lt.Col. R.H. Wilmer's one day visit to POTENZA on 4 May 1944.

GERALD R. UPJOHN.
Colonel,
Chief Legal Officer.

64

GRU/vow.

OUTGOING

LEGAL/Col Wilmer

1/07

2718

MAY 071453B

RESTRICTED

ROUTINE

ACC REAR

AND NIGHTAREN

07/1453B

CONFIRM WILL MEET YOU CAPT GLENN APOSTROPHE S OFFICE PAREN TO AMGEIGHTHARY FOR SLO FOR MERCER FROM ACC REAR FROM WILMER SIGNEDMASTARIANE PAREN CMA CASERTA CMA ONE TWO HOURS TUESDAY NINE MAY FOUR

FOUR TO HAND YOU PROCLAMATIONS

AUTHENTICATED:

EJC
 E. J. CHIOCCA
 CWO USA
 Asst Adj

63

DISTRIBUTION:

1 - AG
 1 - ISC
 1 - ICC
 1 - Legal

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	

4032 Rla 915 ✓
 ALLIED CONTROL COMMISSION INCOMING MESSAGE /MST

SVC/RELAY NO.

CLASS: NOT GIVEN

PREC: IMPORTANT

FROM: AMG 8TH ARMY

TO: ACC SALERNO FOR LEGAL SUBCOM FOR CAMPBELL



M/C NO:

REF NO: R/749

FILED: MAY 061200B

REC'D: MAY 061650B
94 S A

Authority hereby given for entry into 8th Army Area to proceed this Hq.

DISTRIBUTION:

- 1 - File
- 1 - DSG Info
- 1 - DCC
- 1 - Legal ACTION

62

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian - Section	
CLERKS	

4032

TOUR OF INSPECTION 5th and 6th Armies
AND REGION V BY LT. COL. R. H. WILMER,
DEPUTY CHIEF LEGAL OFFICER.

2th - 12th May, 1944.

PROVISIONAL PROGRAMME.

Tuesday 9 May.	0800 hours.	Leave Villa Maria, Cava.
	0930 "	Arrive Provincia Building, NAPLES. Meet Capt. More and load Proclamations.
	1000 "	Leave NAPLES.
	1130 "	Arrive CASERTA. Ask for C.A.S.; A.M.G. Planning; then for Capt. Glenn's office, 2nd Court, left, 2nd floor. (Duplex 108).
	1200 "	Meet Major Mercer) and hand over proclamations. Meet Col. Main)
		Lunch CASERTA.
	1430 "	Leave CASERTA.
	1515 "	Arrive 5th Army Rear HQ. Meet Lt. Col. Willis (Lightning Rear 50 Ring 1)
	1730 "	Leave 5th Army HQ.
	1815 "	Arrive CASERTA. Dine and sleep, CASERTA (? or 5th Army)
Wednesday 10 May	0945 "	C.A.S. Weekly Meeting. General Hunt's office, CASERTA.
	1200 "	Leave CASERTA.
	1700 "	Arrive CAMPOBASSO. Meet Lt. Col. Behrens (Region V, CAMPOBASSO). Dine and sleep CAMPOBASSO. Morning with Lt. Col. Behrens.
Thursday 11 May		Lunch CAMPOBASSO
	1400 "	Leave CAMPOBASSO
	1700 "	Arrive LUCERA. Meet Major Levitt. Dine and sleep LUCERA. Morning with Major Levitt.
Friday 12 May		

61

Tuesday 9 May. 0800 hours. Leave Villa Maria, Cave.
 0930 " Arrive Provincia Building, NAPLES.
 Meet Capt. More and load Proclamations.
 1000 " Leave NAPLES.
 1130 " Arrive CASERTA. Ask for C.A.S.; A.M.G.
 Planning; then for Capt. Glenn's office,
 2nd Court, left, 2nd floor. (Duplex 108).
 1200 " Meet Major Mercer) and hand over proclamations.
 Meet Col. Main)
 Lunch CASERTA.
 1430 " Leave CASERTA.
 1515 " Arrive 5th Army Rear Hq.
 Meet Lt.Col. Willis (Lightning Rear 50 Ring 1)
 1730 " Leave 5th Army Hq.
 1815 " Arrive CASERTA.
 Dine and sleep, CASERTA (? or 5th Army)
 C.A.S. Weekly Meeting. General Hums's office,
 CASERTA.
 Wednesday 10 May 0945 " Leave CASERTA.
 1200 " Arrive CAMPOBASSO.
 1700 " Meet Lt.Col. Behrens (Region V, CAMPOBASSO).
 Dine and sleep CAMPOBASSO.
 Morning with Lt.Col. Behrens.
 Lunch CAMPOBASSO
 1400 " Leave CAMPOBASSO
 1700 " Arrive LUCERA.
 Meet Major Levitt.
 Dine and sleep LUCERA.
 Morning with Major Levitt.
 Friday 12 May 1100 " Leave LUCERA.
 1800 " Arrive CAVA.

3.1.0.

Report on Tour.

27 - 30 Sep. 63.

1. I left H.Q. on 27th September with 100 copies of AMST "Bible" and 2,000 copies of proclamations Nos. 1, 2, 3, 4, 5, 11, 12 and 13, Notices and General Orders Nos. 1 and 2.
2. Of these, 1000 copies of the proclamations, Notices and General Orders were for 5th Army. These are stored in AMST H.Q. Messina in the custody of the S.O.A.O.
3. The balance were for S.O.A.O. No. 2 Region. Of these I personally took
 - 100 "Bibles",
 - 1000 proclamations No. 12.
 - 200 proclamations (other than No. 12), Notices and General Orders.

as far as CAPUANO on 28th September and there arranged for their onward transmission within a day or two. I sent with them a letter to S.O.A.O. explaining that S.O.A.O. wanted him to have these accounts available in case they were required.

The balance I left at AMST, as I had no room for them in the jeep. Onward transmission will be arranged when there is transport going forward.

4. According to information available on 28th September, Regional H.Q. was at CORICILLO, but there was a suggestion that it might move to TARANTO.

I did not go forward of CAPUANO to CORICILLO as (i) to do so would have meant being away on extra three days (ii) there was a chance that H.Q. might already have moved forward and (iii) there was no certainty that I would find H.Q. there at H.Q. as he is travelling extensively throughout the Region.

GENERAL HOUSE.

As a "visitor" in No. 2 region I was careful not to "trespass" on the Regional Staff. The following may, however, be of interest:-

The staff at No. 2 Region H.Q. (as given to me by Major Franklin) is as follows:-

S.O.A.O. and Deputy	-	Gr. Capt. Benson and Lt. Col. Gery.
Q.	-	Lt. Col. Lloyd Carson.
A.	-	W/Cdr. Beer and Major Ballard.
Medical Staff	-	W/Cdr. Ballantine.

1. I left H.Q. on 27th September with 100 copies of "Bible" and 2,000 copies of proclamations Nos. 1, 2, 3, 4, 5, 11, 12 and 13; Notices and General Orders Nos. 1 and 2.
2. Of these, 100 copies of the proclamations, notices and General Orders were for 5th Army. These are stored in March H.Q. Messina in the custody of the S.S.A.O.
3. The balance were for S.S.A.O. No. 2 Region. Of these I personally took 100 "Bibles", 1000 proclamations No. 12, 500 proclamations (other than No. 12), Notices and General Orders.

as far as CANTUARO on 26th September and there arranged for their conveyance transmission within a day or two. I went with them a letter to S.O.A.O. explaining that O.L.O. wanted him to have those proclamations available in case they were required.

The balance I left at TUGGIO, as I had no room for them in the jeep. General transmission will be arranged when there is transport going forward.

According to information available on 28th September, Regional H.Q. was at CANTUARO, but there was a suggestion that it might move to TARANTO.

I did not go forward of CANTUARO to CORRIDORO as (i) to do so would have meant being away an extra three days (ii) there was a chance that H.Q. might already have moved forward and (iii) there was no certainty that I would find Major Ross at H.Q. as he is travelling extensively throughout the Region.

GENERAL NOTES.

As a "visitor" in No. 2 region I was careful not to "trespass" on the Regional Staff. The following may, however, be of interest:-

The staff at No. 2 Region H.Q. (as given to me by Major Franklin) is as follows:-

R.O.A.O. and family	-	Cpt. Capt. Pearson and Lt. Col. Garry.
G.	-	Lt. Col. Lloyd Carson.
A.	-	M/Os, Beer and Major Mallison.
Liaison with 5 div.	-	Lt. Malletts.
" " 4 div. div.	-	Lt. Mills.
" " 13 Corps.	-	Lt. Col. Nicholls.
Chief	-	Lt. Col. Rick.
Legal	-	Major Ross.
Finance	-	Major McIndresh.
Medical	-	Major Johnson.
Police	-	Major Pollock.

No. 2 Region is divided into three "compartments", CALABRIA,

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

47

ACC/4032/L

30 April 1944

SUBJECT: Return of Officers' Field Trips.

TO : Administrative Section.

1. Reference your memo dated 9 March 44 herewith return required for 14 days ending 2359 hours 22 April 1944:

REGION	1	2	3	4	5	6	5th Army	8th Army
Legal	-	1/7	-	-	-	-	-	-

2. Above is in respect of Col. G.R. Upjohn's tour of inspection in Region 2 from 17 April 1944 to 23 April 1944.

G. R. UPJOHN, Colonel
Chief Legal Officer.

53

✓ 4032
ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

RMV

46

25th April 1944

File : 013.032/FLV

SUBJECT : Visits of Inspection

TO : Lt. Colonel R.H. Wilmer - Legal Sub-Commission A.C.C. H.Qs.

The Italian Court Officials were very much impressed with your visit and have asked me to forward you the enclosed letters.

Frank L. Vecchiolla
FRANK L. VECCHIOLLA
Captain, JAGD.
Regional Legal Officer.

js.

58

8687



PROCURA GENERALE DEL RE IMPERATORE
 PRESSO LA CORTE D'APPELLO DI MESSINA

N.° } prot. 473 / Risposta al foglio del
 pos. / Div. Sez. N.

Oggetto: Corti Italiane. Servizio di comunicazioni ed inoltro di documenti da e per il Ministero di Grazia e Giustizia.

Messina, 19 Aprile 1944 == 1943-A-XXI ==

Ill.mo Sig. Ufficiale Legale Regionale-Commissione Alleata di Controllo Quartiere Generale Regione di Sicilia-Apo 394 ~

Palermo

Prego V.S.Ill.ma affinché voglia far pervenire allo Ill.mo Sig. Lt.Col.R.H.Wilmer i ringraziamenti miei per la disposizione adottata di facilitare il servizio di comunicazioni ed inoltro di documenti da e per il Ministero di Grazia e Giustizia.
 Del mezzo di collegamento stabilito mi gioverò tutte le volte che l'importanza dei documenti da trasmettere meriterà di essere particolarmente considerata.

IL PROCURATORE GENERALE DEL RE

L. D'Amico

(44)

Procura Generale presso la Corte di Appello di Palermo

N. 1 di Sezione N. 674 di Protocollo N. di Posizione

Risposta a nota del N.

Seguito a nota del N.

OGGETTO: Ringraziamenti

Allegati N. Palermo, 15 aprile 1944

Ill.mo Sig. Capo Ufficio Legale Regionale
presso la Commissione Alleata di Controllo

P A L E R M O

Prego V.S. Ill.ma voler far pervenire all'Ill.mo
Sig. R.H. WILMER, Lt. Col. C.A.C. Deputy Chief Legal Of,
i miei più vivi ringraziamenti per l'interessamento
dallo stesso spiegato per un più rapido e pronto ser-
vizio di comunicazione ed inoltre di documenti da e
per il Ministero di Grazia e Giustizia.

Anche V.S. Ill.ma vorrà gradire il mio ringraziamento
ed il mio ossequio.

IL PROCURATORE GENERALE DEL RE

58

Baruffi



Prima Presidenza della Corte di Appello di Palermo

Risposta a nota del di _____ N. _____

Oggetto: Ringraziamenti - _____

N. 1271 Prot. Allegati N. _____

Palermo, li 17 aprile 1944

ILLMO
SIG. CAPO UFFICIO LEGALE REGIONALE
presso la Commissione Alleata di Controllo
PALERMO

Prego V.S. ILLma voler far pervenire all'ILLmo
sig. R.H. WIMER IT. Col. C.A.C. Deputy Chief Legal Of.
i miei più vivi ringraziamenti per l'interessamento
dallo stesso spiegato per un più rapido e pronto ser-
vizio di comunicazione ed inoltro di documenti da e
per il Ministero di Grazia e Giustizia.

Anche V.S. ILLma vorrà gradire il mio ringraziamento
ed il mio ossequio .

55

IL PRIMO PRESIDENTE

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/gmf

42

File

ACC/4032/L

5 April 1944

Dear *Col McBaffrey*,

I should like very much to visit your Region on 16 April for 5 or 6 days and do a tour, particularly of Apulia, and hope that this will be convenient to you.

Col. Cousins has very kindly promised to put me up on my arrival at Matria on 16th and to arrange for my tour, but of course I will call upon you immediately on my arrival.

Yours Sincerely,

?

54 *Mt. Col. McBaffrey,
Regional Commissioner,
Region 2.*

4032-
✓
HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

6 APR REC'D

2793

43

5 April 44

Ref: 2201/58/1

Subject:- CLO's Visit to Region 2

To :- CLO Legal Subcommittee ACC SALERNO

The following is a tentative programme for your forthcoming visit to Region 2.

- April 16th Arrive at Matera and stay the night.
- April 17th Proceed to Lecce, and visit Military Liaison Subcommittee. Stay the night at Provincial HQ. ACC.
- April 18th Visit Liaison Officer Apulia at Taranto in the morning, and with him visit Liaison Officer Brindisi in the afternoon. Return to Lecce for the night.
- April 19th Visit Liaison Officer Bari.
Return to Matera for the night.
- April 20th Proceed to Catanzaro, and stay the night.
- April 21st Confer with Liaison Officer Calabria, meet the Primo Presidente of Court of Appeal and attend part of a trial in that Court.
In afternoon, proceed to Cosenza and stay the night.
- April 22nd Proceed to Potenza and stay the night.
- April 23rd Confer with Liaison Officer Potenza, meet Presidente of Section of Court of Appeal.
Return to Salerno in the afternoon.

Would you please inform me if there is anyone you would particularly like to see, eg any representative of District 2 at Bari, and of any alteration you would wish in the suggested programme.

D.E.S. Cousins
D.E.S. COUSINS, Lt. Col.
R.L.O.
Region II

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/gf (44)

ACC/4032/L

7 April 1944

Dear;

Thank you very much for your letter of 5 April outlining programme for my visit.

If possible I should like to see Major Mattei while at Bari.

Yours Sincerely,

⁵²
This letter sent to Lt Col. Cousins Region 2.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

23 April 1944

ACM/4032/L .

SUBJECT : Return of officers Field Trips .

TO : Administrative Section .

1. Reference your memo dated 9 March 1944 herewith return required for 14 days ending 2359 hours 22 April 1944.

Region	I	II	III	IV	V	VI	5th Army	8th Army
Legal		1/6						

2. The above is in respect of Col. G. H. Upjohn's tour of inspection in Region II from 17 April 1944 to date of this return, continuing .

51

RICHARD H. WILMER,
Lt. Col. C.A.C.
Deputy Chief Legal Officer.

0414

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

*Enter
File.*

(H9)

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
AFC 394

ACC/4032/1

16 April 1944

SUBJECT: Weekly Return of Officers' Field Trips.

TO : Administrative Section ACC.

50 Reference your memo dated 9 March 1944, nil return is rendered
in respect to 14 days ending 2359 hours, 15 April 1944.

GERALD R. UPJOHN
Colonel
Chief Legal Officer.

RESTRICTED

HEAD HEADQUARTERS

ALLIED CONTROL COMMISSION

ATO 394

SPECIAL ORDERS)

NUMBER 56)

15 April 1944

1. The following named EN and Italian Army personnel MP o/a 15 Apr 44 to Taranto, Lecce, Brindisi and Bari, Italy on temp dy for the purpose of obtaining requisitioned motor vehicles. Upon comp of temp dy return proper sta. Travel by Govt IT is auth. S-4 will furnish rations for 5 days for each individual. TDN.

S/Sgt	Coleo, Edward A	36161555
Pfc	Cinieri, Luco J	31172289
Pvt	Pinto, Mario J	33478035
Tenente	Ventriglia, Antonio	(Italian)
Soldato	Rossetti, Federico	(Italian)

2. Having completed temp dy of requisitioning motor vehicles at Bari, Brindisi, Taranto and Lecce, Italy, Tenente Vincenzo Frascolla, (Italian Army) will return this sta. Travel by Govt IT is auth. S-4 will furnish rations for 2 days. TDN.

3. Capt C. C. R. WILLIAMS, 294932 (B), Interior Sub-Commission, accompanied by Pvt Anthony Ianno, 32837599 (A) as driver MP o/a 18 April 1944 to Cosenza, Cantanzaro and Reggio Di Calabria on temp dy in connection w activities of Allied Control Commission. Upon comp of temp dy return proper sta. Travel by Govt IT is auth. S-4 will furnish rations for 10 days for each individual. TDN.

4. Par 2. SO 55 this Hq dated 14 April 44 is hereby revoked.

5. Having rptd this Hq per Par 2, SO 375, Hq MATOUSA, dtd 18 March 44, Maj EIRY H. SCUDDER, 0205393, Sig C (A) is asgd as Deputy Director, Telecommunications and Posts Sub-Commission, and will report accordingly.

6. Col GERALD R. UPTON, 99894 (B) Legal Sub-Commission, accompanied by Pfc William C. Cirafesi, 33476992 (A) as driver MP o/a 16 April 44 to Hq Region II on temp dy for the purpose of making an inspection. Upon comp of temp dy return proper sta. Travel by Govt IT is authorized. S-4 will furnish 7 days rations for each individual.

49

By Command of Lieut General JASON HICFARLANE:

OFFICIAL:

E. J. Chiocca

E. J. CHIOCCA
CWO, USA
Asst Adjutant

E. J. CHIOCCA
CWO, USA
Asst Adjutant

1. The following named E and Italian Army personnel are o/a 15 Apr 44 to Taranto, Lecce, Brindisi and Bari, Italy on temp duty for the purpose of obtaining requisitioned motor vehicles. Upon comp of temp duty return proper sta. Travel by Govt IT is auth. S-4 will furnish rations for 5 days for each individual. TDN.

S/Set
Pfc
Pvt

Colec, Edward A 36161555
Cinieri, Lucco J 31172289
Pinto, Mario J 33478035

Tenente
Soldato

Ventriglia, Antonio (Italian)
Rossetti, Federico (Italian)

2. Having completed temp duty of requisitioning motor vehicles at Bari, Brindisi, Taranto and Lecce, Italy, Tenente Vincenzo Pascolle, (Italian Army) will return this sta. Travel by Govt IT is auth. S-4 will furnish rations for 2 days. TDN.

3. Capt G. C. R. WILLIAMS, 294932 (B), Interior Sub-Commission, accompanied by Pvt Anthony Ianno, 32837599 (A) as driver JP o/a 18 April 1944 to Cosenza, Cantanzaro and Reggio Di Calabria on temp duty in connection with activities of Allied Control Commission. Upon comp of temp duty return proper sta. Travel by Govt IT is auth. S-4 will furnish rations for 10 days for each individual. TDN.

4. Per 2. SO 55 this Hq dated 14 April 44 is hereby revoked.

5. Having rptd this Hq per Par 2, SO 375, Hq NATOUSA, dtd 18 March 44, Maj HENRY H. SCUDDER, 0205993, Sig C (A) is asgd duty as Deputy Director, Telecommunications and Posts Sub-Commission, and will report accordingly.

6. Col GERALD R. UPJOHN, 99894 (B) Legal Sub-Commission, accompanied by Pfc William C. Cirafoesi, 33476992 (A) as driver JP o/a 16 April 44 to Hq Region II on temp duty for the purpose of making an inspection. Upon comp of temp duty return proper sta. Travel by Govt IT is authorized. S-4 will furnish 7 days rations for each individual.

49

By Command of Lieut General HASON MCCABLANE:

E. J. CHIOCCA
CWO, USA
Asst Adjutant

OFFICIAL:

E. J. Chiocca
E. J. CHIOCCA
CWO, USA
Asst Adjutant

DISTRIBUTION:
"E"

RESTRICTED

4032 C
 REAR HEADQUARTERS
 ALLIED CONTROL COMMISSION
 APO 394
 ADMINISTRATIVE SECTION

Legal (4)

14/2.2/44

12 Apr 44

SUBJECT : Field Trips.

TO : All Admin Sub Comms.

- 1 Attached is a summary of visits paid to the field in the 14 days ending 8 April.
- 2 It will be a convenience if in future you will add at the foot of your usual weekly report on visits, a line in the form of this table summarising the visits for the past 14 days to enable this table to be expeditiously prepared.

LEGAL SUB COMMISSION	
CLO	<i>5m</i>
DCLO	<i>10/15</i>
Chief Counsel	<i>1</i>
CJO	<i>1</i>
Italian Section	<i>1</i>
CLERKS	<i>✓</i>

S. H. White
 S. H. WHITE Major,
 for C30 Adm Sec.

(46)

Administrative Section

SUMMARY OF VISITS, 14 DAYS ENDING 8 APR.

REGION	I	II	III	IV	V	VI	5Army.	8Army.	
Adm. Sec.	-	-	-	-	-	-	1/9	-	1/9.
Legal.	1/6	-	-	-	-	1/14	-	-	2/20.
Interior.	-	1/1	1/1	-	-	2/12	-	1/3	5/17.
Public Health.	2.17	-	2/3	-	-	1/11	2/4	1/1	8/36.
Public Safety.	-	1/1	-	-	-	-	1/4	1/4	3/9.
Property Control	-	-	3/9	-	-	1/6	-	-	4/15.
Education.	1/3	-	-	-	-	-	-	-	1/3.
MFA & A.	-	1/7	13/24	-	3/14	-	1/5	1/6	19/56.
	4/26	3/9	19/37	-	3/14	5/43	5/22	4/14	43/165

Explanation, - 3/5 - 3 visits involving a total of 5 Days.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

9 April, 1944.

REFERENCE : ACC/4032/L.
SUBJECT : Weekly Return of Officers' Field Trips.
TO : Administrative Section ACC.

Reference your memo dated 9 March 1944 herewith return required for 7 days ending 2359 hours on 8 April 1944 :-

<u>Name and Rank.</u>	<u>Places Visited.</u>	<u>Dates.</u>		<u>Duty.</u>
		<u>Arr.</u>	<u>Dep.</u>	
Lt. Col. Willis.	A.M.G. 5 Army.	-	-	Att. temp. duty. (Still at 5 Army).
Major E. L. Palmieri.	H.Q., Region 6	10.3.44.	-	Duty in connection with Italian Courts in Sardinia. (Still at Region 6)
Capt. Correa.	Region 3.	-	-	Att. temp. duty. (Still at Region 3)
Lieut. Bryce.	Region 3.	2.4.44.	-	Att. temp. duty. (Still at Region 3)

48

GERALD R. UPJOHN.
Colonel,
Chief Legal Officer.

/wew.

/rlp.

23 March 1944.

REMARKS OF 1944 ON CONFERENCES WITH OFFICIALS IN SICILY

I. Court of Appeals, Messina.

I saw the First President, Marzulli and Procuratore Generale, Barone.

1. The prisons are congested and the condition is serious. The Military Authorities do not want provisional liberty on bail given to offenders against allied property and personnel, hence it has to be given to other criminals which otherwise would not be the case. Many well known thieves are at large, some of them having been liberated when the invasion started. They ought to be rounded up, but there is no place to put them. The procuratore suggests that some of the prisoner of war camps no longer in use be turned over for confinement of minor offenders to relieve the situation. An amnesty of limited nature not including offenders who committed offenses after invasion started would be favored. Procuratore would be glad to suggest the extent of the amnesty if the Minister of Justice would like.

2. The Italian Courts have not suffered as the result of taking over black market and other food violations because now only a few articles are rationed and priced such as pasta, bread and sugar. Otherwise it is a free market.

3. Nominations for Procuratore is fixed from 30 May to 1 June.

4. Misison between First President and Ministry of Justice very slow and uncertain. Suggestion made that we act as intermediary in instances of the more important correspondence and important telegrams.

5. The personnel situation is fairly well stabilized except for the Reggio situation. In the first place one assistant procuratore is needed now and if one available on mainland he could be used. As to Consiglieri, there should be 15--there are 10 of whom 2 are ill. Sent in only one nomination to Minister of Justice as other vacancies cannot be filled locally for there are not available men of the calibre required, except by moving up other judges which would disrupt lower courts. If any available on mainland they could be used. Names of men to fill vacancies in tribunals and praeturi already sent to Minister of Justice, but no reply.

6. The Reggio situation is serious. The lawyers there are bent on a separate branch and refuse to come to Sicily saying they cannot. Students from Reggio come over every day on the ferry and lawyers could do likewise as in the past. Litigants are writing in about their cases, but they cannot be tried because the lawyers won't come over and papers held by AGC in Reggio.

AGC has three bags of legal papers and records wanted here, but are being held because of controversy. Maj. Loren of AGC said he would put this up to Col. Comins, MOC, but no answer yet forthcoming.

All judges now in Messina.

If separate branch is established at Reggio there would not be enough to do yet at same time to have court functioning at all, three or four more senior judges would have to be appointed. With all judges at Messina First President has received a message to continue session at

the prisoner of war camps no longer in use be turned over for confinement of including offenders who committed offenses after invasion started would be favored. Procurators would be glad to suggest the extent of the amnesty if the Minister of Justice would like.

2. The Italian Courts have not suffered as the result of taking over black market and other food violations because now only a few articles are rationed and priced such as pasta, bread and sugar. Otherwise it is a free market.

3. Examination for Procurators is fixed from 30 May to 1 June.

4. Liaison between First President and Ministry of Justice very slow and more important correspondence and important telegrams.

5. The personnel situation is fairly well stabilized except for the Reggio situation. In the first place one assistant procurator is needed there should be 15--there are 10 of whom 2 are ill. Sent in only one non-ly for there are not available as other vacancies cannot be filled local- ing up other judges which would disrupt lower courts. If any available on mainland they could be used. Names of men to fill vacancies in tribunals and prefecture already sent to Minister of Justice, but no reply.

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AGO has three bags of legal papers and records wanted here, but are being held because of controversy. Maj. Lopez of AGO said he would put this up to Col. Cousins, AGO, but no answer yet forthcoming.

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If separate branch is established at Reggio there would not be enough to do yet at same time to have court functioning at all, three or four more senior judges would have to be appointed. With all judges at Messina First President has received a message to continue section at Reggio. Lawyers to give enough work to a Reggio section are trying to get the Tribunal at Iccari and Palmi put under it.

In any event, First President says that if Reggio is to be set up it will take a month to do so and the Minister of Justice should tell the lawyers in such cases that the cases all have to be tried in the meantime at Messina.

(40)
The Minister of Justice should come to a final, early decision. How about his sending one of his assistants to go into the entire matter from all angles and make a report to the Minister. The latter would then have a chance of hearing both sides of the controversy.

6. All circuits of the Courts of Assise are functioning normally.

7. There has been no further attempt at defascistization among judicial personnel--Capt. Matthews.

8. See answer under II 8.

9. First President and Procureure Generale are interested in carrying out directives relative to prompt and severe punishment of any thefts and prostitution. As to latter within last couple of days a court gave three nine month sentences and others got seven months. Procureure has given vigorous instructions on both subjects. Generally in any theft case he is cutting some of the red tape, but in one serious case he is afraid to because of possible reversal by the Court of Cassation on technical grounds. This case is serious enough to go to such court. The judiciary is co-operating in this drive.

10. The Palace of Justice was badly damaged by bombs and troops, but work is going on to restore the building. In court records were burned.

11. I was very favorably impressed by the First President and the Procureure Generali. They appear to be men of fine calibre and appear to be very willing to cooperate. Their work is moving along at a normal rate now except for the Reggio cases.

I understand a list of damaged court buildings was sent to Palermo. Other court buildings have been damaged, but the courts are all functioning.

II. Court of Appeals at Catania.

23 March 1944.

First President, Messine. and an Asst. Proc. Gen.

1. Prisons crowded badly. Overcrowding is double the number they should be. Amnesty all right with limitations mentioned in I 1 above, but only a comparative few would get out. Would be glad for use of POW Camp for minor offenders. Delinquency very heavy in Catania. Many people should be sent to confine but no one doing anything about it. This cannot be started by the Judiciary. The Polizia di Pubblica Sicurezza and the Carabinieri should initiate it, but do not. The islands are available and buildings are there, but there are no personnel. The First President would like the Minister of Justice to be approached, as he feels if there could be rounded up a lot of well known thieves and it would help in the way their situation.

2. See I 2 above.

3. See I 2 above. The First President has examinations for woodwork. The First President has examinations for woodwork.

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2. See I 2 above.

3. No date set for examinations for procureurs. The First President says Minister of Justice has to fix date and submit questions to be asked on examination. Note what is being done in Messina, I 3 above.

4. First President says will slow and uncertain and would welcome our help see I 4 above.

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5. Judicial personnel stabilized and generally strength is satisfactory. There is one vacancy on the Court of Appeals but it is not necessary to fill it immediately. Assistant Prosecutor functioning in many places. These vacancies should be filled and the minister should fix date, etc. for examinations for all Sicily. A list of vacancies will be sent. Staff of Procuratore Generale complete. Procuratore del Re' vacante 2 at Syracuse, 1 at Modica and 1 at Ragusa. Would be glad to have qualified men sent from mainland if available.

6. Assize Courts functioning normally.

7. No further attempt at deactivation among judicial personnel - Capt. Matthews.

8. First President Messina suggested that a section of the Court of Cassation be set up soon, as quite a few death sentence cases are awaiting action by the highest court and something should be done about them.

9. The First President has sent a directive to all judges to speed up Allied cases and has gone as far as he could to suggest heavy sentences. He has upbraided one judge who gave too light a one. He is watching these cases personally. One of his handicaps is that the Courts themselves gave too light ones. He has just ordered one rail theft case expedited and has hinted at a severe penalty if the accused is guilty. He has not received any word about the drive on prostitution, but will push this anyway. The lower judges are co-operating in the drive to speed up Allied theft cases.

10. There appears to be no present jurisdiction to take care of labor pension cases, i.e., those involving injury and men over 65. How is any commission to add now that syndicates are no longer functioning?

11. Criminal records were buried in the bombing. Capt. Matthews is going to try to find a place to house them and then have them dug out.

12. The First President, Messina, is very able and cooperative. I feel that he will do all in his power to deal with the Army theft case situation but he needs some help at our end, i.e., more prison room and commissary arrangements.

Generally as to I and II.

Capt. Matthews can act as liaison officer to both courts of Appeals without difficulty. He can if we agree, act as clearing house at this end for documents and telegrams to be sent back and forth for these courts. He states that the Army is satisfied with the Italian Courts functioning in theft cases and also that the MPs are co-operating fully in furnishing the Carabinieri and the prosecuting authorities all the information they need. The theft situation is very bad at Catania. It is apparent that the Army officials themselves are not giving the Army stocks and stores sufficient protection in transit and in storage.

III. Courts of Appeals, Palermo. 25 March 1944.

First President ~~del~~ Gentile and Procuratore Generale Capellari.

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Capt. Matthews.

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III. Courts of Appeals, Palermo. 25 March 1944.

First President ~~Mr~~ Gentile and Procuratore Generale Capellani.

1. Prisons are congested. 2000 are in prison at Palermo where 1000 only should be. Amnesty would help some, but in view of great amount of delinquency, hardened offenders definitely should not be released. Number of provincial prisons destroyed or closed as unsanitary. POW camp if near Palermo would be helpful for minor offenders, but in view of transportation difficulties any additional place must be near Palermo.

2. See I 2.

3. No date fixed for examination for Procuratori. There was a decree of Italian Government setting 30 Jan 1944, but Sicily then occupied. For association formed under Lord Russell intended to take matter into its own hands, but Minister stated he was sending a new decree--never received.

4. Liaison between First President and Minister satisfactory except for length of time. It is believed that as the result of Minister Panno (telecommunications and Posts) situation will improve. If we can help it will be appreciated.

5. Personnel situation not bad, but could be made better. Under AMG a committee of First Presidents and Procuratori Generali was to meet and choose judges. Status of Committee now uncertain. If these officials are merely to send in nominations to Minister, there is no need for them to have a meeting. One the other hand if their selection is to be final except for pro forma approval of Minister, they can meet and get on with it. They would like to know about this.

In the second section of the Corte di Assisi, there is a vacancy by reason of the death of one Costa. This is being temporarily filled by one Leone, succeeded from the Corte di Appello. When Leone was appointed by AMG order last November the Italian Legal Commission recommended that if he did not accept the post, one Cassata should have it in his place. It is now argued that Cassata has a revolutionary title to the vacancy. The first President and Procuratore Generale point out that under the Italian system, neither Leone nor Cassata has the proper qualifications and the post should go to the Senior of the three judges with equal qualifications of merit.

There should be examinations for procuratori very soon. Advocates are having to act in many places. Also early examinations for uditori giudiziali and cancellieri and notari should be held. If any available personnel on mainland it could be used. List of vacancies already sent to Minister of Justice.

No one now knows status of Bar Association and Council of Notaries formed by AMG--Capt. Vecchiola.

Judges and Magistrates were taken from their positions for purposes of censorship and labor offices. They must be released. These appointments were made by AMG or Prefects.

Buildings or substitute buildings are in use everywhere. Records being made to damaged buildings.

6. Circuits of Corte di Assisi are functioning normally everywhere.

7. See I 7, Capt Vecchiola.

8. See II 8.

9. Local magistrates and entire judiciary and prosecutors ready to act with despatch and necessary severity, but First President believes that until original act purporting to give Allied Military Courts jurisdiction is amended, the decree gives such courts exclusive jurisdiction in cases involving Allied interests. It was explained what had happened; both the First President and the Council are prepared to act immediately upon

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10. Both this First President and Procuratore Generali impressed me very favorably.

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17. I had a brief talk with H. M. Musso, the new Italian Commissioner of Sicily. He was interested in my conferences with the first Presidents and Procurators General. He said that examinations as suggested should be held shortly and that he hoped if extra judges from the north were available they would be sent over to fill vacancies. He said that he hoped I would stay to see the courts in action. He expressed very forcibly his dislike of the use of assessors in trials. It was understood he said and added that he would continue to urge the use of juries as the only democratic method of fair and impartial trial of criminal cases.

V. Prisoners of War. 25 March 1944.

Major George Haley, in office Judge Advocate General, IAC, and Liaison Officer with AGC, talked with me today about the Prisoner of War situation which obviously requires some immediate clarifying action.

It is estimated that in Sicily there are about 70,000 paroled POWs. These were residents of Sicily originally. When they were paroled they were given parole papers and required to report to AGC offices. The burden was so great that they were then required to report to the Carabinieri instead.

Some of these parolees get into trouble. Because of their status AGC Courts are without jurisdiction and Italian Civil and Military Courts claim to be without jurisdiction to try them. The Army does not want to take them over and has not the personnel to try them for breach of parole. The JAG says that the Army may try them for breach of parole, but from a practical stand-point is unable to do so.

Some of these parolees belong to classes that are being called up by the Italian Army, but in view of their status the Carabinieri must pick them up and send them over to the US island.

The result is these people can commit all sorts of offenses without getting into real difficulty. If they are taken up by the Allied Army and their paroles revoked, they have to be paid, housed, guarded and fed by the Army which has no desire to do so. The situation admittedly is unique, but it will have to be solved in some way.

One solution would be to revoke all their paroles and then release them as prisoners of war entirely. The Italian Government could then call them into active service or discharge them or put them on inactive service. Also they would be in the position to be tried for offenses by Italian Courts. This would probably require some understanding between the Italian Government and Allied authorities and possibly also the Protecting Power.

HEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

2 April, 1944.

REFERENCE : ACC/4032/L.
SUBJECT : Weekly Return of Officers' Field Trips.
TO : Administrative Section ACC.

Reference your memo dated 9 March 1944 herewith return required for 7 days ending 2359 hours on 1 April 1944 :-

<u>Name and Rank.</u>	<u>Places Visited.</u>	<u>Dates.</u>		<u>Duty.</u>
		<u>Arr.</u>	<u>Dep.</u>	
Lt. Col. R. H. Wilmer.	Tour of Region-1.	22.3.44.	27.3.44.	Inspection trip.
Lt.Col. Willis.	A.M.G. 5 Army	-	-	Att. temp. duty. Still at 5 Army.
Major E. L. Palmieri.	H.Q.. Region 6.	10.3.44.	-	Duty in connection with Italian Courts in Sardinia. (Still at Region 6)
Lieut. Correa. <i>capt</i>	Region 3.	-	-	Att. temp. duty. (Still at Region 3)

10
GERALD R. UPJOHN.
Colonel,
Chief Legal Officer.

/wow.

*Note Next week Lt Boyle - Reg III
arr. 20th*

*At Propolis
(Warren relief)
at Resina*

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

35
26th March, 1944.

REFERENCE : ACC/4032/L.
SUBJECT : Weekly Return of Officers' Field Trips.
TO : Administrative Section, ACC.

Reference your memo dated 9 March 1944 herewith return required for 7 days ending 2359 hours on 25 March 1944 :-

<u>Name and Rank.</u>	<u>Places Visited.</u>	<u>Dates.</u>		<u>Duty.</u>
		<u>Arr.</u>	<u>Dep.</u>	
Lt. Col. R. H. Wilmer.	Tour of Region I.	22.3.44.	-	Inspection Trip. (Still on tour).
Lt. Col. Willis.	A.M.G. 5 Army.	-	-	Att. temp. duty. Still at 5 Army.
Major E. L. Palmieri.	H.Q., Region 6.	10.3.44.	-	Duty in connection with Italian Courts in Sardinia. (Still at Region 6)
Lieut. Correa.	Region 3.	-	-	Att. temp. duty. (Still at Region 3)

GERALD R. UPJOHN.
Colonel,
Chief Legal Officer.

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/wew.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

19th March, 1944.

ACC/4032/L.

SUBJECT : Weekly return of officers' field trips.
TO : Administrative Section ACC.

Reference your memo dated 9 March 1944 herewith return required for 7 days ending 2359 hours on 18 March 1944 :-

<u>Name & Rank.</u>	<u>Places Visited.</u>	<u>Dates.</u>		<u>Duty.</u>
		<u>Arr.</u>	<u>Dep.</u>	
Col. G. Upjohn.	Tour of 5th and 8th Army Areas & Region 5.	Returned to H.Q., A.C.C. 14.3.44.		Inspection trip.
Major E. L. Palmieri	H.Q., Region 6.	10.3.44.		Duty in connection with Italian Courts in Sardinia (Still at Region 6)
Col. G. Pollock.	Tour of 5th Army Area.	13.3.44.	16.3.44	Trial of Cases.

GERALD R. UPJOHN.
Colonel,
Chief Legal Officer.

/waw.

(38)

/gmf

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394.

ACC/4032/L

12 March 1944.

SUBJECT: Weekly return of officers' field trips.

TO : Administrative Section, ACC.

Ref your memo dated 9 March 1944 herewith return required for
7 days ending 2359 hours on 11 March 1944:

Name & Rank	Places Visited	Dates		Duty
		Arr.	Dep.	
Col. G. Upjohn	Tour of 5th & 8th Army Areas. <i>Regm 5</i>	-	-	Inspection trip (Still on tour)
Major E.L. Palmieri	HQ Region VI	10.3.44	-	Duty in connection with Italian Courts in Sardinia (Still at Reg. VI)

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RICHARD H. WILMER
Lt. Col. CAC
Deputy Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 894

ADMINISTRATIVE SECTION

9 Mar 44

MEMO:

SUBJECT : Weekly Return of Officer's Field Trips.

TO : All Sub Comms, Adm Sec.

All Sub Comms will render to Adm Sec by 1200 hrs every Sunday commencing 12 Mar 44, a return of officers who have been in the field with Regions during the 7 days ending 23.59 hrs the previous Saturday.

The return will be rendered under the headings:

Name & Rank	Places visited	Dates (if known)		Duty
		Arr	Dep	

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R.R. CRIPPS, Lt. Col
CSO, Adm Sec.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
APO 512

LEGAL SUB-COMMISSION

AMG/4032/L

8 December 1943

SUBJECT: Report on visit to ALIA on 6 December 1943.

On 6 December I visited Alia and found the C.A.O.,
Captain Bond there. His HQ is at Cerda.

PRELIMINARY FACTS

On 23 November CAO went to the Town and gave instructions to the Mayor about the collection of grain. On 25 November the Vice-Mayor called a meeting of farmers and announced the position. The meeting passed off satisfactorily. (It is understood that the Mayor is unsatisfactory, and that his removal is being proceeded with). It was dark after the meeting. Apparently there was some organised faction as a party of farmers already had sticks. The crowd split into three.

Incident (1). One mob went to the Ration Office and burnt the papers.

Incident (2). The second went to the administration office and burnt the records there.

Incident (3). The third went to the Preture, burnt papers and destroyed the furniture.

Incident (4). Up till now the CC/RR had done nothing to stop the disorder. After incidents 1-3, as the crowd was dispersing, the CC/RR ordered the people to their homes. A hand grenade was thrown, 3 CC/RR and 2 others were injured.

ACTION BY C.A.O.

The CAO arrived on 26 November and immediately put a curfew on the town. With the aid of CC/RR from Palermo, he searched houses and as a result of information 15 arrests were made.

LEGAL PROCEEDINGS.

(1) Of the 15 people arrested, CAO dealt as follows:

- (a) One remanded. (See later under heading SAGONA).
- (b) Two women fined 3000 lire or two months.
- (c) One youngster fined 2000 lire.
- (d) Eleven sentenced to one year's imprisonment each.

0 4 3 5

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(2) Nine warrants have been issued in respect of persons who have been identified as participants. On 2 December two of these men were sentenced to one year's imprisonment each. One man RUNFOLA VINCENZO has since been arrested and is in goal at ALIA awaiting trial.

SAGONA

Sagona Cosimo is a soldier. His story is that he reported at TUSA in the province of MESSINA. He was told there were no farms there, and he was to report at Palermo. Instead

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he went to his home at ALIA, and had been there for about a month prior to the incidents. His home was searched by the CAO and Marshal of CC/RR from Palermo. They found eight handgrenades there. He made a statement admitting possession of the hand grenades. His reason for burning the tax papers was that they wanted him to pay eight years' arrears of Celibates tax. He is now in prison at TERMINI. There is no evidence that Sagona either threw the handgrenades on 25 November, or that it was from his collection.

PRESENT POSITION

The town is now quiet, and grain is being brought in. There was a German and Italian arms dump at Alia and while he does not say so, it is probable that Sagona's were taken from such stocks as are lying about.

11/20/58 10751

J. I. WILLIS
LT. COLONEL

REPORT ON VISIT TO TRAPANI on 6th DECEMBER 1943
 7 Dec 43

On Dec 6th I went to the Civil Affairs H.Q. at Trapani and talked with several of the officers, including, in particular, Col. Thomas, S.C.A.O.; Col. Langfitt, S.L.O. and Major Bartlett, S.C.A.F.O.

Incident (1)

Last week at SALAMI a demonstration took place outside the Municipal Office over the reduction of the bread ration to 200 grammes. During the demonstration 3 youths were believed to be concerned in the throwing of a grenade which took place. One youth of about 20 years has since confessed to being implicated and is at present in custody while efforts are being made to obtain further evidence. The intention is to put him up for trial before a Superior Court in due course.

Incident (2)

On the 4th December at TRAPANI, shots, believed to be fired from a pistol, were fired at the Mayor's bedroom window at 2330 hrs. No arrest has been made and no evidence as to the identity of the culprit has been obtained so far. At the same time, a note was left which complained about the bread reduction and contained threats against the Mayor unless the ration was increased.

Carabinieri

I inquired into the co-operation being received from the Carabinieri. The SCAPO has found the Chief, Maggiore Leccis, willing to give every assistance he can and says the men themselves are pretty good. There is the old trouble about pay. The men get 20 Lire a day, while Major Bartlett's typist with no home responsibilities, gets 70 Lire a day. I gather the men were not exactly contented and do not show a lot of initiative. It is difficult to effect arrests unless a C.A. Officer goes along too. Major Bartlett, who is the only police officer there, says that if he could have more police officers to help, he could do better work in keeping down crime. There are actually 6 Metropolitan Police Officers there doing other jobs of work.

33

Italian Judges

There appears to be a 70% shortage, no doubt partly due to the low pay under the present rate of exchange.

Black Market

Still flourishing and great difficulty in getting any direct evidence.

Arms

A large number of arms were believed to be well hidden away. The people usually found with them have had them with no bad intent.

Civil Prisoners

I was shown a list of 97 names of Italian prisoners awaiting trial. Dates of arrest go back to 1940. The list is probably not complete and is being checked up at the jail after which a report will be sent through to the C.L.O. asking for instructions as to release or otherwise.

Military Courts
Superior Courts

These have been functioning satisfactorily.

Fascism

I enquired whether there was any trouble with Fascists and if there was, whether the shortage of the bread shortage to stir up trouble.

Incident (2)

On the 4th December at TRAPANI, shots, believed to be fired from a pistol, were fired at the Mayor's bedroom window at 2330 hrs. No arrest has been made and no evidence as to the identity of the culprit has been obtained so far. At the same time, a note was left which complained about the bread reduction and contained threats against the Mayor unless the ration was increased.

Carabinieri

I inquired into the co-operation being received from the Carabinieri. The SCAPO has found the Chief, Maggiore Leccis, willing to give every assistance he can and says the men themselves are pretty good. There is the old trouble about pay. The men get 20 Lire a day, while Major Bartlett's typist with no home responsibilities, gets 70 Lire a day. I gather the men were not exactly contented and do not show a lot of initiative. It is difficult to effect arrests unless a C.A. Officer goes along too. Major Bartlett, who is the only police officer there, says that if he could have more police officers to help, he could do better work in keeping down crime. There are actually 6 Metropolitan Police Officers there doing other jobs of work.

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Italian Judges

There appears to be a 70% shortage, no doubt partly due to the low pay under the present rate of exchange.

Black Market

Still flourishing and great difficulty in getting any direct evidence.

Arms

A large number of arms were believed to be well hidden away. The people usually found with them have had them with no bad intent.

Civil Prisoners

I was shown a list of 97 names of Italian prisoners awaiting trial. Dates of arrest go back to 1940. The list is probably not complete and is being checked up at the jail after which a report will be sent through to the C.L.O. asking for instructions as to release or otherwise.

Military Courts
Superior Courts

These have been functioning satisfactorily.

Fascism

I enquired whether there was any trouble with Fascists and if they were taking advantage of the bread shortage to stir up trouble. I was told not, but that a small group of communists (about a dozen but believed to be growing) at MARSALA were believed to have done so.

General

If the bread ration could be increased it was felt that crime would be kept within normal limits but unless this was done, further incidents, similar to those reported above, are certainly anticipated. Apart from this, the legal situation does not worry them and at present they have no legal snags for which they want help.

G. W. McFadyean.

G. W. McFadyean

Major.

SUBJECT : Report of Visits of Inspection.

ANGOT/4032/L.
ANGOT Hq SICILY.
12 October 1943.

TO : C. L. O.

1. Herewith report of inspection trip to Enna, Syracuse, Catania and Messina.
2. Itinerary submitted as inclosure No. 1.
3. Individual reports of the various provinces submitted as inclosures Nos. 2 to 5 inclusive.
4. General.
 - a. Summary and Superior Courts are generally up to date except for current cases.
 - b. C.A.O.'s not sufficiently instructed in some provinces as to their duties as Summary Court Judges. Steps taken to correct this situation.
 - c. Local Italian courts are functioning, but are much further along in the provinces where organization has existed for some time than in the newer provinces.
 - d. The S.C.A.O.'s, generally make a good report on the work of their S.L.O., with the exception of Enna.
5. Recommendations:
 - a. The monthly report required of the S.L.O. in each province should be discontinued, inas much as all records are forwarded to this office and this office, at all times, has the information on which to base statistical reports.

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5 Inclosures:

- Incl. 1 - Itinerary.
 2 - Province of Enna.
 3 - Province of Syracuse.
 4 - Province of Catania.
 5 - Province of Messina.

William R. Jordan
 WILLIAM R. JORDAN,
 Lt. Col., C.A.O.

C.S.O.
 Ref para 5a above. Agreed.

W. R. Jordan
 8210
 16/10

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Inclosure No. 1Itinerary

Palermo	to Enna	7	October 1943
Enna	to Syracuse	8	October 1943
Syracuse	to Catania	9	October 1943
Catania	to Messina	10	October 1943
Messina	to Palermo	11	October 1943

Inclosure No. 2Province of Enna - 7 October 1943

1. Summary and Superior Court work is up to date.
2. Prosecutions by Major Walters excellent.
3. C.A.O.'s have been fairly well instructed on their work as Summary Court Officers, but more effort should be made by the S.L.O. to give them this instruction.
4. An enlisted clerk is needed to keep records.
5. The services of Major Hannaford in reopening the local courts would be of value.
6. Col. Rodd reports that the S.L.O. is doing alright but is slow.

Inclosure No. 3Province of Syracuse - 8 October 1943

1. Summary and Superior Courts are up to date.
2. Prosecutions are well handled by Capt. Barron.
3. Local Italian Courts are functioning well.
4. S.L.O. has visited and instructed all Summary Court Officers.
5. Col. French reports that Capt. Brown is doing an excellent job.

Inclosure No. 4Province of Catania - 9 October 1943

1. Summary and Superior Courts are currently up to date.
2. Prosecutions are handled without the services of the C.A.P.O. who has the police work of the Province to do. Pvt. ~~Arrigo~~ *or Lu*

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- a lawyer of 13 years practice, is doing much of the prosecution.
3. Local Italian Courts are functioning but are far behind in their work because of lack of transportation and communications.
 4. S.L.O. has visited all Summary Courts and has given instruction on their duties.
 5. Black market cases are frequently sent to the Italian Courts but the most important are tried by AMGO.
 6. Possession of Arms, Wire Cutting, Thefts and possession of Military property cases are generally being given stiff sentences and as far as can be known have been handled to the satisfaction of the Field Forces.
 7. Troops have caused some trouble by trading rations for wine, services, etc.
 8. There are some vacancies in the local Italian Court set-up to be filled.
 9. S.C.A.O. reports that he is highly pleased with the S.L.O. who is alert, aggressive and doing an excellent job.

Inclosure No. 5

Province of Messina - 10 October 1943

1. Summary and Superior Court cases are fairly well up to date-- 40 to 50, all recent cases are on the docket.
2. Italian cases are handled by the Italian Courts. The Preforian Courts are in session. The Court of Appeals has it's first sitting on 16 October 1943.
3. Prosecutions handled by Lt. Matthews and Pvt. Arrigo, a lawyer from U.S.
4. Relations with the Military Forces in the Province are good.
5. Captain Cox, S.L.O. operates nearly all Summary and Superior Courts himself. He has organized a circuit, moving on schedule from one community to another. The work of S.L.O. at Messina is largely handled by Lt. Matthews.

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AMERICA, THE BRITISH,

is divided into three provinces:

AMERICA (C.M.C. 1000)
BRITISH (C.M.C. 1000)
AMERICA (C.M.C. 1000)

The only local officers in the Government of AMERICA are Major
Lambert and Capt. Dwyer.

Major Lambert (Senior local officer for Government of AMERICA),
has the following police:

(1) He is taking steps to re-open local courts, but practical
difficulties (e.g., lack of transport) make their reopening impossible.
He would like a copy of this letter, in addition to the mail
courts to re-open for cases in local jurisdiction, even this includes
some non-judicial (MILITARY).

(2) Local courts are not yet sitting in the Government, but
are likely to be going so soon, unless any other information.

(3) The Military Mission has authorized the local personnel
to deal with offences within its jurisdiction committed by
military personnel, whether it should have a similar power when the
offence is a civilian or some administrative.

(4) The C. of A. is in under AMERICA. I was asked to take up
with AMERICA whether he would be willing to take over the
administration of the AMERICA in AMERICA. I discussed this point with
Capt. Lamb who thinks that the AMERICA at AMERICA should continue to
work under the C. of A. AMERICA is better to be left to AMERICA to
go over to AMERICA and the AMERICA and help that may be required
but he was emphatic that it is not possible for him personally to
visit AMERICA as he will have to wait the time for the case of AMERICA
the AMERICA. A decision on this point is indicated.

Major Lambert. C.M.C. for AMERICA province has away on duty.

Major Lambert. C.M.C. for AMERICA and neighboring towns seems
to have been well and he is attempting to make an AMERICA.
In any case the local jurisdiction seems to be already functioning.
He suggested that some AMERICA should be set up to make AMERICA
to give AMERICA. At present they cannot do so, unless giving very short.

Major Lambert. C.M.C. AMERICA has been AMERICA with AMERICA
and AMERICA. He has now received a AMERICA of AMERICA.

Major Lambert. In AMERICA C.M.C. at AMERICA. In the AMERICA
of Major Lambert seems to have been AMERICA the AMERICA acting
as AMERICA. He seems to have been AMERICA. He
wishes that as C.M.C. for AMERICA he may be given a good supply of
AMERICA forms (AMERICA, change sheets, AMERICA etc.)

the only legal officers in the Department of Defense are the following:

(1) do in taking steps to re-open Italian courts, but practical difficulties (e.g., lack of transport) make their cooperation impossible. In view of this, the Italian government is making the effort to re-open the courts in Italian jurisdiction, and this includes the restoration (DIT/TAO).

(2) Military Courts are not yet sitting in the Department, but are likely to be sitting soon; under the current law, they are likely to be sitting soon.

(3) The Military Courts have jurisdiction over Italian Tribunals. Italian to deal with offenses within the jurisdiction committed by military personnel. Whether it should have a broader power when the offense is a violation of Italian law is under consideration.

(4) The U. S. of A. has no jurisdiction over Italian, I was asked to take up the matter. Another matter is to be taken up with the Italian government of the Tribunal in Italy. I discussed this point with the U. S. of A. and the Italian government at present is willing to work under the U. S. of A. as a condition of the Italian government to go over to the U. S. and give the advice and help that may be required. But it is possible that it is not possible for him frequently to visit Italy as he will have to wait for him nor the means of crossing the Atlantic. A decision on this point is indicated.

Legal Department (DIT/TAO) for consideration of the Army on duty.

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San Lapin

Legal Department

1 Oct 43

Legal Department

Legal Department

1 Oct 43

SUBJECT: Report of Inspection trip

TO: Colonel W. C. CHAMBER

1. Herewith is submitted reports on trip to six Provinces of Sicily from August 26, 1943 to September 1, 1943, inclusive.

2. Attached hereto are:

- (a) Itinerary
- (b) Specific reports from Provinces, Agrigento, Ragusa, Siracusa, Catania, Enna, and Caltanissetta.

3. General:

(a) AMGOT Courts.

1. One General Court case pending in Agrigento, two in Siracusa, none in Ragusa, Catania, Enna or Caltanissetta. Courts appointed both in Agrigento and Siracusa.

2. Superior Courts, generally up to date except for current cases.

3. Summary Courts, generally up to date except for current cases; except in Caltanissetta which transportation and communications have caused delays in some of the outlying towns.

(b) ITALIAN Courts

1. Criminal Courts, open throughout this area.

2. Civil Courts, either now open, or to open about the first of September, 1943.

(c) Prosecutions are being conducted either by the assistant Legal Officer, British C. A. P. O., (who has had experience in the British Courts) or some other qualified officer. Reports indicate that prosecutions run from satisfactory to excellent.

(d) All C. A. C. O. S. have been appointed as Summary Courts. The Legal Officer or other carefully selected and qualified officers have been appointed as Superior Court Judges in each Province.

(e) Forms are on hand with minor exceptions, which will be taken care of by this office.

(f) Difficulties: In general the difficulties encountered by the various Legal Officers are routine.

1. Transportation difficulties exist in Agrigento and Caltanissetta.

2. Difficulties arise from lack of qualified interpreters and translators in Agrigento.

4. Questions raised of a General Nature:

(a) Clarification should be made of the status of Siracusa. Lt. Hemmendinger believes that he is responsible to Major Howe. Major Howe understands that he is chargeable with Siracusa. Major Gilshannon understands that he has some supervision of the Legal Department at Siracusa.

(b) Some confusion has arisen in the use of AMGOT and the Italian Courts. In Catania, AMGOT Courts have been trying Italian cases, under direction of Lord Rennell. In Ragusa, AMGOT Courts are trying all Black Market Cases since occupation. Italian Courts those arising before. In Enna Black Market Cases are referred to the Italian Courts.

British Police Officers

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(c) In Provinces where qualified British Police Officers exist, a policy should be established to use them in prosecutions, thus relieving the Legal Department for other work.

5. Recommendations:

(a) That frequent visits by the C.L.O. or his staff be made to the Provincial Legal Officers to render advice, direction, and secure uniformity of procedure throughout Sicily.

(b) That the Italian Courts be encouraged to take care of all cases outside of Proclamation Offences as rapidly as they show themselves to be competent and trustworthy.

AMGOT HQ.
WRJ/JJD

William R. Jordan
WILLIAM R. JORDAN
Lt. Colonel, J.A.C.

ITINERARY

August 26-Thursday
Left Palermo-- 11:00 am
Arrived at Agrigento-- 5:00 pm

August 27-Friday
Conference with Col. Mc Calfrey and Hill, General Court at Cannacatti (2) cases---three defendants.

August 28-Saturday
General Court at Licata--2 cases and 7 defendants. Left Licata at-- 5:00 pm
Arrived at Ragusa--- 8:30 pm

August 29-Sunday
Conference with Col. Thurber and Major Gilshannon. 11:00 am
Left Ragusa-- 3:30 pm
Arrived Siracusa--

August 30-Monday
Conference with Col. French and Lt. Hemminger. 10:00 am
Left Siracusa--- 2:30 pm
Arrived at Catania---

August 31-Tuesday
Conference with Col. Wellesley, Major Howe and Capt. Van Dusen. 4:00 pm
Left Catania--- 8:00 pm
Arrived at Enna---

September 1-Wednesday
Conference with Col. Rodd and Captain Fuller. 11:00 am
Left Enna--- 12:30 pm
Arrived at Caltanissetta---

September 1-Wednesday
Conference with Col. Irish and Captain German. 4:00 pm
Left Caltanissetta--- 5:30 pm
Arrived at Enna---

September 1-Wednesday
Left Enna--- 9:00 am
Arrived at II Corps. 3:00 pm

September 1-Wednesday
Conference with Col. Gunn. 4:00 pm
Left II Corps.----- 5:45 pm
Arrived at Palermo-----

AGRIGENTO

CONFERENCE with Lt. Col. Hill, Legal Officer, Agrigento

1. Legal work heavy. Over 100 cases on the docket. Col. Hill has tried 12 Superior Court Cases. Lt. Roberts has tried about 60 Summary Court Cases. All small cases should be disposed of by August 26. Cases are being tried all over the Province.

2. General Cases to be tried by this court about 10-Superior Court Cases---Exact amount unknown. Summary Court Cases about 100.

3. Prosecutions handled by Captain Payton.

4. {a} All CAO's are Summary Courts.
{b} Superior Courts, Lt. Col. Hill.

5. No instructions except printed forms. Instructions will be given by Col. Hill as he is able to get around in this Province.

6. Transportation and interpreters shortage.

Some Black Market Cases---A few curfew cases; Possession of Italian Military Goods---Forms prepared by Legal Officers, Agrigento attached.

7. Forms prepared by legal officer attached

RAGUSA

CONFERENCE with Major Gilshannon, Legal Officer, Ragusa

1. Legal matters are in good shape--^{See} ~~all~~ reports attached.

2. No General or Superior Courts, pending Cases--Summary Courts under way.

3. Courts to open for Civil Business on September 1st. Pretorian Courts now open. Prisons inspected. Some prisoners released. Jails in excellent condition. Direction to go out to all courts and officials--Supervision arranged for, by the S.L.O., Ragusa.

4. Captain Dreyfuss as prosecutor--A good man.

5. Appointment of Courts each C.A.O. and Captain Dreyfuss have been appointed. Major Gilshannon as both a Supervisor and Summary Court.

6. Forms on hand.

7. No particular difficulties--Some black^{market} cases-- Those since occupation to be handled by ALTO Courts before by Local Courts.

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AGRIGENTO

CONFERENCE with Lt. Col. Hill, Legal Officer, Agrigento

1. Legal work heavy. Over 100 cases on the docket. Col. Hill has tried 12 Superior Court Cases. Lt. Roberts has tried about 60 Summary Court Cases. All small cases should be disposed of by August 28. Cases are being tried all over the Province.

2. General Cases to be tried by this court about 10- Superior Court Cases---Exact amount unknown. Summary Court Cases about 100.

3. Prosecutions handled by Captain Payton.

4. {a} All CAO's are Summary Courts.
{b} Superior Courts, Lt. Col. Hill.

5. No instructions except printed forms. Instructions will be given by Col. Hill as he is able to get around in this Province.

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Some Black Market Cases--A few curfew cases; Possession of Italian Military Goods--Forms prepared by Legal Officers, Agrigento attached.

7. Forms prepared by *Legal Officer attached*

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1. Legal matters are in good shape--^{See} all reports attached.

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4. Captain Dreyfuss as prosecutor--A good man.

5. Appointment of Courts each C.A.O. and Captain Dreyfuss have been appointed. Major Gilshannon as both a Supervisor and Summary Court.

6. Forms on hand.

7. No particular difficulties--Some ^{market} black~~out~~ cases-- Those since occupation to be handled by ALGO Courts before by Local Courts.

File
403220

TOUR TO MESSINA, CATANIA, AND ENNA PROVINCES

8 October 1943

~~Left Palermo at 0930 for tour of Enna, Catania, and Messina.~~ Arrived Messina at 1730 hrs and saw Major Deutsch in temporary absence of SCAO. Discussed legal position with Lt. Matthews. His only trouble was over case before Superior Military Court convened for Wed. next at Messina to try two priests accused of wire cutting. ~~Going~~ ^{Went} through evidence with him and he said he had not been able to contact two witnesses viz. C.Q.M.S. Scott, Royal Berks, who had caught the priests and Sgt. Carman, Royal Signals, who could testify that wire was Allied wire. C.Q.M.S. Scott had, however, left a signed statement that he saw the priests cutting the wire, and taking it away, that they ran away and that he caught them. Advised Lt. Matthews this statement might be used as evidence but he said he thought priests' case was that they did not cut wire, but picked up loose wire. I advised that unless he was prepared to take priests story on that, he would have to obtain presence of C.Q.M.S. Scott. I further advised that if the wire was already cut, the charge of interfering with communications could not be sustained and he was to serve a further charge on priests being in possession of Allied property under Article II of Proclamation 2. He was also to ask them if they wished to make a voluntary statement and then take it down after a caution. The case should then be reconsidered. I told Lt. Matthews he would probably need an adjournment and to arrange this. He was to deal with case accordingly. I would tell CIO of delay. He said delay which had already occurred was due to wish of SIO to consult CIO.

2. Captain Cox was away on circuit. It seems that the circuit principle is working well, but I am doubtful of wisdom of SIO being absent for periods of 7 days at a time.

3. Later saw Major Deutsch and he said he was going to be a member of Superior Court to try priests. ~~I am not sure that he should be a member of the court.~~ I consider we should consider carefully the composition of Court.

4. Advised Major Bye (S.P.O.) as to powers he could use to hold known criminals. He said there was a great deal of civil crime. He was desperately short handed and he might need to use these powers. He said Lt. Matthews was of greatest help to Police Section.

9 October 1943

2.5 Saw SCAO (Lt. Col. Storey) who said he was satisfied with the legal position presently and he had only one worry. The Italian Administrative personnel were having to evacuate the Municipal Buildings as these were required for housing troops. Also Sub-Area had formed a dump of oil in courtyard outside Courts Building which was about to be reopened. He thought the oil dump unsightly and wrong to be near the Courts like this. I inspected the dump with SCAO and found that it was as he said, but I suggested that as the roads and buildings around were completely smashed and debris was lying everywhere, it might be difficult to be insistent over removal of the oil, particularly as it did not interfere with the use of the buildings. SCAO was very insistent however that matter should be taken up and I agreed to submit to CIO. Recommend no action.

Visited Taormina and saw CAO, Captain Baker (B), who was having difficulty as Area Comdt. had cut off electricity without warning him. This also caused electricity supply to stop. It seems very necessary to define where Angot advice begins and ends in connection with mentioned services and to insist on consultations where Area Comdt. control such services.

7. Arrived Catania at 1300 hrs. Saw SCAO (Lt. Col. Wellesley) and discussed staff with him. He would like a 2nd Legal Officer permanently as he is very understaffed and his police officer has to spend all his time prosecuting. He also raised the subject of requisitioning. Area Comdt. had written that Angot should not requisition and SCAO strongly objected. Referred to Angot manual in which it appears Area Comdt. were correct but agreed there was difficult problem. I advised SCAO that in Palermo, Italian authorities were being made to exercise Italian requisitioning laws but this did not help matter such as requisitioning transport. I said I would bring matter up on my return. Subsequently discussed staff with Major Mercer and Lt. Col. Jordan who was also present. Lt. Col. Jordan informed Major Mercer of posting of Captain Davis as Assistant Legal Officer, and I asked Major Mercer to let me have a confidential report on Captain Davis when he saw what he could do. He said he would and he was visiting Syracuse shortly and would let us know position there. He had heard Captain Brown was doing a very good job. Major Mercer stated he proposed to arrange for De Lu to prosecute. He was a lawyer of 13 years experience. (I think we should go into position of De Lu's rank.) Major Mercer finally stated he was a bit doubtful of Major Wright's ability to handle Enna and Caltanissetta. I said I would look into position on my way back to Palermo.

10 October 1943

Arrived at Enna at 1500 hrs and saw SCAO, Lt. Col. Rodd. SIO (Major Wright) was at Caltanissetta. Asked Col. Rodd if he had any legal problems and he said his only request was that Major Wright be replaced. He said Major Wright was very painstaking and capable, but that he was a slow worker and could not manage both provinces. He would like a good American SIO if possible to balance British and American on his staff.

11 October 1943

Returned to Palermo and reported to CLO at 1530 hrs.

H. E. ROWE,
Lt. Col.,
D. C. L. O.

REPORT OF TOUR
28 Aug.--1 Sept. 1943

TO: SIO and Col. Jordan.

1. The object of my tour was to discuss with Provinces the review of cases of prisoners who were in gaol before the Allied Occupation and their release in proper cases.
2. Provinces had recently been visited by Major Hannaford and later by Lt. Col. Jordan and Major Gorman. They, therefore, had few general points to raise.
3. The following is a short account of my tour:

AGRIGENTO

I saw SCAG and explained situation. He was having a meeting of CAO's on 30 Aug. and would get them on to investigating the problem ~~in~~ local gaols.

I saw SIO (Lt. Col. Hill) and his assistant. They also will act (so far as possible in view of lack of transport and interpreters). SIO raised the following general point. He stated that the Allied Military Courts have no power to deal with offences against Italian law. Such power is only ~~invested~~ in our courts "provided the I.G. or an officer acting under his authority shall have ordered the trial of the case or class of cases by a Military Court" and that no such order has been given. (Proc. 4, Art. 2, Sec. 3 (C) refers)

I saw also the Director of Agrigento gaol and procured dossier of prisoners.

CALTANISSETTA

I saw Major Mercer (SIO for Caltanisetta and Enna) and Capt. German. In CILA the prisoners' cases had been investigated and referred to the Tribunal who will grant provisional liberty in proper cases.

Action will be taken on ^{the lines of} ~~time of~~ our proposed policy letter.

ENNA

I saw Major Walters (Police) at request of Major Mercer.

The situation was well in hand. Owing to the fact that nearly 200 prisoners escaped from the gaol the situation is easier than might otherwise be. All "Fascists" arrested by C.I.C. have either been released or interned. None is held in prison.

All Arabs formerly in prison have been sent to IOTO for trans-shipment to Africa.

Saw also SCAG for a few minutes.

CATANIA

I saw SIO and Capt. Van Deusen.

Jordan and Major Gorman. They, therefore, had few general points to raise.

3. The following is a short account of my tour:

AGRIGENTO

I saw SCAO and explained situation. He was having a meeting of CAO's on 30 Aug. and would get them on to investigating the problem ~~at~~ local gaols.

I saw SLO (Lt. Col. Hill) and his assistant. They also will act (so far as possible in view of lack of transport and interpreters). SLO raised the following general point. He stated that the Allied Military Courts have no power to deal with offences against Italian law. Such power is only vested in our courts "provided the I.C. or an officer acting under his authority shall have ordered the trial of the case or class of cases by a Military Court" and that no such order has been given. (Proc. 4, Art. 2, Sec. 3 (3) refers)

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ENNA

I saw Major Walters (Police) at request of Major Mercer.

The situation was well in hand. Owing to the fact that nearly 200 prisoners escaped from the gaol the situation is easier than might otherwise be. All "Fascists" arrested by C.I.C. have either been released or interned. None is held in prison.

All Arabs formerly in prison have been sent to MOTO for trans-shipment to Africa.

Saw also SCAO for a few minutes.

CATANIA

I saw SLO and Capt. Van Deusen.

The following point was raised:

The power of pardon and the power to grant conditional liberty were two recognized "Safety Valves" to offset the very heavy penalties imposed by Italian Law. Pardon was granted by the King on the recommendation of the Procurator General as a result of petition by the prisoners. Conditional liberty was granted by the Ministry of the Interior on the recommendation of the Judge of Surveillance, whose duty it was to make recommendations automatically without petition by the prisoners.

Who is to exercise these powers in the future?

SYRACUSE

The above points as to Pardon and Conditional Liberty have also raised

17

with the following further points:

Petitions for Pardon were handled by Procurator of the Province where the prisoner was convicted.

Are SIO's to send Petitions to their counter-^{parts} points in the Province where the prisoner was convicted?

Where a prisoner was convicted on the mainland of Italy, are Provinces to act in spite of inadequate information (i.e. As to criminal record; payment of "Civil Amends", etc.)

Before the War, the power of pardon and conditional liberty were sparingly used. Since the War, they have been lavishly used (to save the necessity of feeding the prisoners to make man power available).

Which of these standards is to be applied or is a happy medium to be followed?

MISCELLANEOUS

At CORLEONE, I met a young man, Carl Trombatore (Via Carmine 20). He says that he is 19 yrs. old; a U.S. subject; that 5 years ago he came over with his father to visit relations and that they have got stuck here. He is out of a job. He speaks quite good English and says that he can read, write, and speak Italian having attended school here for 2 or 3 years. He would like employment. He might make a useful interpreter on non-technical subjects.

2 Sep 43

AMCOT HQ
IC/JCD

Ian Campbell

I.G.H. CAMPBELL,
Major, Legal Section

22

CONFIDENTIAL

File on 6001/1

Report on Journey to Agrigento, Caltanissetta,
Enna, Ragusa, Siracusa and Catania,
20-26 August '43.

SUBJECT: Italian Courts.

General: S.L.Os. have to face some common problems in all provinces. Others are purely local and in some cases C.A.Os. and L.Os. through their energy and determination have brought remedies to acute situations.

(1.) It can be said that all C.A.Os. and L.Os. interviewed are anxious to see local courts opened as soon as possible. They believe that it would, in most cases, relieve C.A.Os. of the tedious task of trying cases which otherwise would be within the competence of the Italian Courts. They also say that it would relieve the congestion of the prisons and in many instances prevent the unconditional release of confirmed criminals. Finally they are all anxious to see normal conditions of life restored in their district as soon as possible.

On the other hand all Italian Officials expressed their anxiety to resume work as soon as possible. This is understandable as most of them do not feel safe until they are on the payroll again.

In three Provinces Caltanissetta, Siracusa and Catania the S.L.Os. and Italian Officials were very anxious that the Civil Courts be opened soon as certain problems specific to these areas are becoming urgent.

The order to open all "Preture" and to prepare the opening of the Tribunale Penale has been most welcomed.

In the opinion of the writer there exists at present no "prima facie" objections to the opening of all Italian Courts. As a matter of fact it is felt by most L.Os. that the unavoidable accumulation of pending cases due to the closing of Courts will in the long run, create a position from which it may be difficult for the Italian Judges to extricate themselves if they are to preserve the appearance that justice has been done.

(2) A common problem to all Provinces is transport. No local Courts can deal with current business without some means of sending summonses or bringing accused, defendants and witnesses to the Court from their more or less distant homes.

The question of service was discussed at length by the writer with L.Os. and Italian Officials. In some cases temporary arrangements were agreed upon, such as the use of local D.Rs. on motorcycles doing a daily tour to serve summons.

As far as accused persons are concerned, whether in a prison situated at a certain distance from the Court or enjoying "liberta provvisoria" and the witnesses residing out of town, the problem is much more acute. There is no immediate solution possible though conditions vary in each province.

It is suggested either:

1. To requisition two cars, wherever possible, and to earmark them for the transport of prisoners, witnesses etc. This can be done in two provinces.

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It is suggested either:

1. To requisition two cars, wherever possible, and to earmark them for the transport of prisoners, witnesses etc. This can be done in two provinces.
2. Or to supply the Legal Section in each Province with one lorry to be used whenever necessary for the above purpose.

(3) All Provincial C.L.Os. agreed that "Capo Carabinieri" who had been in function for more than a year should be removed to another place. Reasons given- abuse of authority, graft, undue influence and various other "combinazione".

(4) Most Italian Officials advocate the return to the old Italian Civil Code of 1875 and the abrogation of the new one (March 1943).

It appears that this is due to the fact that they are either too lazy or too old to study the new Code or are afraid to blunder.

No decision can be given until the new Code has been studied carefully.

REPORT -- Italian Courts, Contd.

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(5) C.A.Os. ask whether they could be exactly informed as to the cases they should try in Summary Courts and those which should be left to the local Courts.

In cases of "furto" (theft) it is sometimes extremely delicate to qualify the offence as looting.

A fairly detailed ruling is requested from I.Os.

(6) C.A.Os. also need a directive enabling them to render adequate and uniform sentences for any identical offence. In certain provinces curfew offenders were sentenced to 8 months of hard labour, in others looters received three days.

The rules of procedure for Summary Courts vary not only between provinces but between towns in the same province, because C.A.Os. do not appear to understand them.

In Catania the S.C.A.Os. sat in Court with Italian Assessors, in the Province "Pretore" have also sat on the bench next to the Summary judges on several occasions.

G. S. Hamilton
Mg

CATANIA - - 24-8-43

S.L.O. Major Mark Howe (arriving on 25), L.O. Capt. L. Van Deusen.

First President of Court of Appeals - - Comm. Alfredo Marchi.

Procuratore Generali (Acting) - - Salvatore Salemi.

President of Tribunale - - Filippo Cucchiara.

Procuratore del Re - - Domenico Li Gregni.

5 Tribunale - - I Preture (Catania).

(a) ~~ALBANIAN~~ COURTS:

The situation in Catania differs from all other provinces for three reasons; it is the seat of a Court of Appeal, as it is still occupied by the Army, conditions are less normal than in any other province, the first legal officer only arrived on 23-8-43. In the absence of a C.L.O. the S.C.A.Os. sat on a number of Summary Courts in Catania itself. It cannot be said that the rules of procedure were adequately applied (documents attached), there was also some discrepancy in assessing adequate sentences for same offence. In the province C.A.Os. have either acted with considerable tact and initiative (Capt. Mussingberd Mundy) or have let their imagination carry them to such extremes as sentencing people to 8 months hard labour for curfew offences (Capt. Corbin) or have held informal courts without keeping any record. Names of sentenced, the sentence itself and the prison they were sent to, being unknown at HQ.

On 23 August Capt. Van Deusen arrived and endeavoured at once to clarify the situation. He had, however, to sit as a Summary Judge the whole of 24 August Major Gould (C.A.P.O.) acting as Prosecutor and Major Hammaford as Assessor.

Sixty cases were disposed of, mainly looting offences committed during the first days of the occupation. Troops were breaking into many premises and most of the accused had been through a gruelling time.

As Major Gould pointed out that jails were absolutely full and conditions intolerable, many suspended sentences were rendered. Twenty four Fishermen who had left the shore without permit being acquitted.

At 6 P.M., proceedings were ended for the day, the bench called the five Italian lawyers in Court and gave them certain directives on Allied Court proceedings.

Summary Courts to date sit once a week, Major Gould is alone and cannot spare the time.

(b) ITALIAN COURTS:

Meeting took place on Tuesday 24 with the President of the Court of Appeal, the Procuratore del Re and the "Sostituto" of the Procuratore Generale.

When they were explained the functions of the Italian Committee they were in complete agreement but pointed out that it would be difficult owing to transport difficulties for the members from Catania to sit with their colleagues at Palermo at regular intervals.

A compromised solution was offered to their problem, Major Howe suggesting that the Catania Committee should act in the same capacity as the Palermo Committee for the three provinces within the jurisdiction of the Court of Appeal of Catania. Close liaison being kept with Palermo

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The points discussed at the Conference brought out that:

(1) The Courts would resume their activities immediately and that their premises, although damaged, could be put in condition for the winter at little cost.

All the Criminal Records (Caselario) however are buried and it will need five days to clear the debris.

(2) Preture were to be reopened forthwith all over the province.

(3) A small committee (Van Deusen and Sostituto) would sit once a week to decide which cases should be tried by Allied or Italian Courts

(looting and sentences)

(4) In view of the shortage of personnel, Judges from the Continent now stranded in Catania would be employed by the local courts, if passed by G II (S.C.A.O. to sign order).

CATANIA. . Contd.

13

(5) Transport was arranged provisionally on the same lines as in Agrigento and Ragusa.

(6) General passes to be granted to members of the Committee.

(7) Situation of the Court of Appeal of Messina was discussed. This Court has competence over part of Calabria (2 Tribunale). It was proposed to open at a later date a section of the Messina Court in Catania, dealing only with cases on appeal from the Tribunale of Messina (Patti and Reggio being on Italian soil).

(8) It appears that the Bar Association may have to be slightly purged.

G. G. Hammond
MR

AGRIGENTO-- -- 20-8-43

12

S.L.O., Lt Col. Hill - - - - L.O. Captain Frank Peyton.
 Presidente del Tribunale, Comm Giuseppe Serra. } Agrigento town.
 Procuratore del Re, Alfredo Ponte.
 Pretore, Dr. Candido Giglio.

Presidente del Tribunale, Comm. Lo Bianco } Sciaccia town.
 Procuratore del Re, Cav. Ferrolti

The province of Agrigento has two "Tribunale" (Agrigento and Sciaccia) and 12 Pretore.

No tribunal and only a few Preture were opened. Instructions were given to open all Preture at once and to prepare the opening of all other Courts at a few days notice.

Over 80% of the judicial personnel ~~has~~ ^{is available}. Suitable premises ~~also~~ are available for every court and the archives are in good state; the Pretore of Agrigento has transferred his office to the "Casa del Fascio" ~~and~~ ^{will} be ready to start his activities in two days.

Transport position is acute, but one motorcycle is available and a D.R. also. Services of Summons can be started at once. The President and Procuratore stated that they could produce two cars not yet requisitioned.

A memorandum of 12 points in regard to the opening of Italian Courts was left to the S.L.O. and a meeting was arranged for 23-8-43 when Italian officials were to report to S.L.O. the progress made.

In Agrigento everything had to be started from scratch as no contact whatsoever existed between the Legal Section and the Italian judicial officials prior to my visit. I was unable to ascertain the position of the Questore, but asked Capt Peyton to look into the matter.

S. G. *[Signature]* *[Initials]*

17

RAGUSA

SIO-Major Gilshenan-----L. O. Captain Dreyfus (reporting for duty 26/8/43.)

President of Tribunale-----Car. Uff. Carmelo Cortese (Tribunale
Procuratore del Re-----Andrea Scala (Ragusa)

President of Tribunale-----Francisco Diana (Tribunale
Procuratore del Re-----Leonido Drago (Modica)

2 Tribunales-----7 Preture

The situation at Ragusa and in the province is quiet.

The SIO has kept in contact with local officials, but has not been able to tour the Province owing to lack of transport.

At a conference with the President and Sig. Giuseppe Libranti, Secretary of the Procuratore, it was stated that the position of the various Preture were not known, the Pretura in Ragusa had been functioning for a time. All Preture would be reopened forthwith and the Tribunale ready to do so by the first of September.

The SIO took steps early in month to release a large number of prisoners either awaiting trial or having served a long sentence, most of the judgments sentencing them having been rendered by the Tribunale Militare.

The SIO has no clerk interpreter and had no motor car until 20th inst.

The transport question is even more acute than in other Provinces.

The local narrow gauge railway does not function the engines have been requisitioned by 8th Army to transport asphalt to the Coast.

A temporary arrangement was recommended as in Agrigento, and there is hope of being able to obtain adequate means of assuring the service of summons. It was agreed between SIO, President, that a list of all pending cases would be supplied weekly and the Secretary of the Procuratore would be attached to the SIO to furnish him with any particulars he may require on doubtful cases.

The urgency of opening Civil Courts was also stressed, many orders of ex-
pulsion of tenants remaining in the premises of rural estates after the termination of their lease, being pendant before the Courts.

G. G. W.

CALTANISSETTA.

10

S.I.O. - MAJOR MERCER.
N.C. - CAPTAIN GERMAN.

Comm. Vincenzo, Lentini, President of Section of the Court of Appeal.

" Andrea, Reginardi, President of "Tribunale". (Not in Directory).

" Santi, Pistore, Avvocato Generale.
Giuseppe, Busuito, Procuratore del Re.
F. C. Nizzone, Pretore.

3 Tribunale -- CALTANISSETTA -- ENNA -- NICOSIA --
21 Preture in all.

Major Mercer and Captain German are very busy with the reorganization of summary courts. Some C.A. Os. do not know the procedure, sentences have been sometimes unfortunate, and records of cases tried have not been forwarded by them.

All Preture are to be opened in Province as soon as possible. Pretura and Tribunale in Caltanissetta town were open and remained so.

A small Committee was formed to advise Major Mercer on Italian Procedure giving particulars of cases before Italian Courts. It is composed of Comm. Lentini the Pretore and Captain German for Caltanissetta, Mercer and the Procuratore for Enna.

The transport question is acute, but the President said that he could provide two cars, if petrol could be supplied, a motorcycle is also at hand.

The Courts have been damaged, but not enough to stop judicial work.

In my opinion Pretore and President of Court of Appeal should not be trusted implicitly.

The same remark applies as in Ragusa in the matter of expulsion of tenants by order of Civil Courts.

ENNA.

ENNA was not visited in the absence of Colonel Rodà and Major Franklin, as Major Mercer is taking over. The President of the Tribunale, Carv. Pietro Todaro and the Procuratore Dr. Tommasi Felice, will cooperate with Major Mercer on the lines set out above.

C.S. A

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9.9.4

SIRACUS

24.8.43.

S.L.O. Major Mark Howe.

L.O. Lieut. Hemmendinger.

Major Howe and Lieut. Hemmendinger have sent various reports covering most problems.

From the legal point of view this province is better organized than any other as far as both Allied and Italian Courts are concerned.

Major Howe drew my attention on the case of 67 prisoners from the Continent serving long sentences in Siracusa. He advised to grant them "conditional liberty" for good conduct.

2) All preture (10) are functioning except NOTO opening today, and the Tribunale are ready to open - S.L.O. insisting on the necessity to open Civil Courts also.

3) The President of the Tribunale was away from Siracusa.

4) Arrangements were contemplated to improve transport facilities. Motor-cycles will be made available *whenever*.

5) Major Howe has given, as much as possible, clear directions to C.A.Os. and if some of them have been unfortunate is attempting to deal adequate justice. *He* has been generally put right.

6) President Emmanuele Lupis and Procuratore Pietro Crimi are active and co-operative

7) Liaison between our legal section and the Italian Courts is ~~is~~ assured by the Secretary of the "Procura" Giuliano Corrado, who has proved most helpful to Lt. Hemmendinger in explaining the intricacies of Italian Procedure, and obtaining from him all the particulars of cases pending before the Preture and Tribunale.

8) Urgent repairs are needed to the Courts premises, or new ones will have to be found before the winter.

9) The opening of Civil Courts was discussed and Major Howe was very much in favour of my suggestion that they should be re-established at once, in spite of the moratorium, to relieve congestion and deal with urgent procedures.

ALLOT HQ SICILY

September 6, 1943

SUBJECT: Legal Situation in Provinces

TO : Lt. Col. Wm. C. Chanler, Chief Legal Officer

From two trips around the provinces the undersigned desires to submit a report to supplement the excellent one made by Lt. Col. W. E. Jordan to you. Many of the problems are entirely local, but generally the complaint is made that lack of transportation facilities and technical interpreters has impeded the work. The word "technical" is used because few of our men who speak Italian can handle court proceedings, not only because of their lack of knowledge of legal terms, but because of their inability to translate the Sicilian dialect.

The observations made may be summarized as follows:

COMBAT PHASE

Military Courts did not open promptly in combat phases, because it was felt that situations would be handled by the Judge Advocate's Department. The Judge Advocate's Department claims no specific directives were given, and because of the task of holding court martials for discipline of the troops as well as acting as liaison officer for civil affairs and the unavailability of military personnel it could not handle the military court problem. As a result many escaped punishment because of lack of facilities for trials. Witnesses went forward with the troops and when cases were called for trial were not available. Some arrested men, placed them in jail, without having any record of the charges or names of the witnesses to the offense. Fortunately in the future this situation is to be corrected.

I PROCLAMATION OFFENSES

The general complaint has been that too many proclamations were issued, and could have been greatly reduced. Since many Sicilians are illiterate they could not read them. Those that could were expected to remember too much. For example, it was mentioned that since Proclamation No. 4 dealt with courts and was of interest only to lawyers. It was suggested that a single paragraph on courts could have been added to Proclamation No. 2, and the contents of Proclamation No. 4 placed in the rules of procedure. There seems to be merit in this criticism. However, it should be said that the issuance of proclamations was so far as the legal division was concerned merely following directives issued.

Under the proclamations there are five types of cases that deserve some comment - looting, possession of allied property, wire cutting, black market and curfew.

13

A. Looting.

Apparently it was felt that under military government thefts by one Sicilian from another would generally be tried in the Italian courts. At least there is no direct language whereby such offenses as thefts by civilians of non military property would come before ALLOT courts. With damage to homes and factories by bombing and shell fire, looting became general and in many instances disturbed the peace and order to a great extent. Prosecutions from the outset for looting were brought in the military courts.

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Proclamation No. 2, Article I, Section 17, states as an offense:-

"Any person who commits any acts of plunder or pillage or robs the dead."

Read by a layman the words "plunder or pillage" are broad enough to include gross thefts, commonly known as looting. Technically speaking it has been called to our attention that the words "plunder and pillage" have a rather restricted meaning. Their legal meaning is "the forcible taking of private property by an invading or conquering army from the enemy's subjects."

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- 2 -

It is obvious that the framers of the proclamation did not so intend to restrict the meaning of the words. First, such an interpretation would limit prosecutions to members of our own armed forces, which cannot take place in military courts of AMCOT. Secondly, the use of the words "any person" clearly indicates the section was designed to cover private looting. So the position to be taken is that an aggravated theft is to be considered as plundering or pillaging. In the future more appropriate words could be selected.

In this connection it has frequently developed that the theft is difficult to prove. The accused is found with the property, but his actual entry in a place cannot be proven. In other words a good case of receiving stolen goods is made out, but not one of actual theft. There is no provision making it an offense to receive plundered or pillaged goods.

At Licata the General Military Court construed Article III Section I of Proclamation 2 to cover the case. That section provides that any person who "assists in the commission of an offense" is punishable. The court construed that to include receivers of stolen goods or accessories after the fact.

We feel the construction is a proper one, but it might be well to send out a directive to the S.C.A.O.s and C.A.O.s on the interpretation.

B. Possession of Allied Property by Gift or Purchase.

Capt. Barron and Lt. Hunt at Syracuse raised an interesting point in regard to Section 35 of Proclamation 2 making it an offense for anyone who

"Acquires by gift or purchase any military equipment or war material belonging to the Allied Military Government."

It is doubtful whether this should be enforced. In some instances, for example at Caricatti, Major Jehnrich sold excess and damaged war material. Frequently old goods and rations are given to civilians for services. The section as written seems too harsh. There should be added "except when properly authorized by the Allied Military Forces."

C. Black Market.

In nearly every province the allied military government is plagued with black market cases. The courts in some instances impose jail sentences and in other cases fines of a substantial amount. A small fine is seldom any deterrent, and yet some have been given. In some provinces complaint has been made that lists of prices have not been approved at headquarters.

The "black market" is essentially a civilian supply problem. One of the great difficulties is the low rations allowed working men who are forced to go into the black market to obtain sufficient subsistence. While court action can curb some of the offenders primarily an economic situation is presented. If not curbed the inflationary tendency will continue.

It has been suggested that once sufficient food is brought into the island and sold at standard prices it will end the black market, and that is the only way it should be done. Not being an economist I have my doubts about such a system as a cure all. It may, however, assist in driving out the black market. At present the black market cases should be prosecuted vigorously.

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It is doubtful whether this should be enforced. In some instances, for example at Caricatti, Major Johnwick sold excess and damaged war material. Frequently old goods and rations are given to civilians for services. The section as written seems too harsh. There should be added "except when properly authorized by the Allied Military Forces."

C. Black Market.

In nearly every province the allied military government is plagued with black market cases. The courts in some instances impose jail sentences and in other cases fines of a substantial amount. A small fine is seldom any deterrent, and yet some have been given. In some provinces complaint has been made that lists of prices have not been approved at headquarters.

The "black market" is essentially a civilian supply problem. One of the great difficulties is the low rations allowed working men who are forced to go into the black market to obtain sufficient subsistence. While court action can curb some of the offenders primarily an economic situation is presented. If not curbed the inflationary tendency will continue.

It has been suggested that once sufficient food is brought into the island and sold at standard prices it will end the black market, and that is the only way it should be done. Not being an economist I have my doubts about such a system as a cure all. It may, however, assist in driving out the black market. At present the black market cases should be prosecuted vigorously.

D. Curfew.

12

Curfew is enforced in some provinces. In others it is disregarded entirely. Curfew enforcement when made should be with some discretion. Arrests or citations for necessary calls a few minutes after eight seems unwise.

In some communes where there is a water shortage no effort is made to enforce the curfew as the people haul water throughout the night.

In the early days of occupation when there were bombings in some cities, it was practically impossible to enforce a curfew. The people insisted on staying near air raid shelters.

Without lights at night curfew is obviously for the protection of the people themselves. When normal conditions return a different situation might be presented. Even the Germans in Belgium from 1940 to 1942 permitted the operation of night clubs until 10:30. While such an exception is not suggested it would seem that as conditions become more normal the hour of curfew can be made later.

E. Wire Cutting.

There have been numerous wire cuttings on the island, which have naturally provoked the tactical forces. Many have been cut by ignorant farmers thinking it to be old Italian wire which they desired to use to bind grain. This has become so prevalent that it is the present policy to impose heavy sentences as a deterrent to others whether the act was done intentionally to interfere with communications or not. It need not be pointed out that in some areas orders to shoot have been issued if anyone is seen tampering with the communication lines. If and when the wire cutting would cease consideration can be given to commutation of sentences in those cases where the cutting was done through ignorance.

II PROCEDURES AND FORMS

On the whole there has been general use of the forms issued. Some minor modifications are being made in several of the forms which were found advisable. The Italian oath for witnesses has been properly translated and is administered to all witnesses since it conforms substantially to the oath used in Great Britain and America.

On the whole there has been general satisfaction with the procedure, except insofar as the Summary Military Court has been precluded from retaining cases where the death penalty is imposed. This we understand is to be changed.

On the minor offenses it is suggested a wider use of the summons be made so that a person will not be detained in jail. In Syracuse, Catania and Enna this is being done. Instructions to S.C.A.O.s should be given on this point.

Nearly all of the C.A.O.s acting as Summary Military Courts are performing their work, and the prosecutions conducted by and under the supervision of the C.A.P.O., particularly former London police officers, has been outstanding.

One interesting observation might be made. At first some of the British officers complained about the American system of rebuttal as unfair. Now it is generally reported that it is absolutely necessary to secure convictions because of the general untruthfulness and evasiveness of Sicilian offenders.

III JUVENILE CASES

11

It has been the policy of the courts to be lenient with juvenile offenders. Unfortunately there are not facilities for separate detention of adults and juveniles. This situation should not prevail, and efforts to have a separate place of confinement for juveniles should be made.

IV PRISON SITUATION

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IV PRISON SITUATION

It is not necessary to comment on the present prison situation where due to overcrowded and unsanitary conditions most of the places of imprisonment are undesirable, because Major Campbell now has charge of such problems.

V SICILIAN GAZETTE

Aside from the court situation, Major Howe has raised the question under Article I of Proclamation No. 9 all local orders must be published in the Sicilian Gazette. If it is then, supplements for the provinces and communes where local orders have been issued will have to be published. If it is not then Section I should be modified.

VI SENTENCES

It is the observation of the writer that generally the sentences imposed have been far too light. While each case stands on its own merits nevertheless the fact that many of the accused have large families or are poor has tended to result in the suspension of sentences where they should not have been granted. Italian justice and punishment is quite severe, and our light sentences have not impressed the Italians, and in some ways discouraged the police. The sentences have not been as great as those imposed for similar offenses in Britain and America. The sentences have not acted as a deterrent.

On the other hand the fairness of our courts has more than counterbalanced this fact, and has caused greater cooperation from the law abiding elements who do not feel that for every mistake no matter how slight they will be imprisoned without trial.

Because of the great variance in conditions it is not possible to make up a minimum and maximum schedule of punishments. At a later date this may be advisable.

VII ITALIAN COURTS

Italian courts are beginning to function, but it is very difficult to get them working as they were before occupation ~~not only~~ due to the character of the people and the transportation system. Unless the Italian judicial officials are impressed that they must function completely the tendency will be to allow the Allied Military Courts to try many cases which it would be advisable to dispose of in Italian courts. The lawyers and judges are quite willing to let the military courts assume as much jurisdiction as possible.

The principle purpose of closing the Italian courts was to "vet" the judges. The longer they remain closed the more difficult it is to get them to function properly. While each occupation will depend largely on the cooperation from local judges, the ultimate aim should be to have the local courts perform as many duties in preserving law and order as possible. Any actions detrimental to the military affairs can be checked by appropriate review of their proceedings or adequate supervision.

ADDENDA

This was written before the Italian armistice, but having re-read it I think that the change in situation will not cause any change in the comments.

Robert N. Corman

ROBERT N. CORMAN
Major, C.M.F.
Legal Division

C.L.O.4032

Ref within report from
CAO Agrigento City.

1 C.I.C. (Capt HOWES) had
14 men in goal at the
material date

2 I have spoken to the
prison dept. They have
temporarily a representative
at AGRIGENTO to look
into affairs there.

3 It appears that the
situation is now in hand
& ~~to~~ that no intervention
is called for from
this HQ

10 Sept 43

12

Noted
H.C.

(a aut. prov.) N. _____

Ente Economico della Ortoflorofrutticoltura

UFFICIO PROVINCIALE _____

**BOLLETTA DI ACCOMPAGNA-
MENTO** per trasferimento **patate** con-
sumo familiare per N. _____ persone
rilasciata a (1) _____

per chili _____ (colli _____)
da (2) _____

a (3) _____

a mezzo (4) _____

trasportatore (5) _____

il giorno _____

Valido solo per tr.

Ente Econ. della Ortoflorofrutticoltura

di _____

194

(1) Richiedente della bolletta - (2) località di par-
tenza - (3) località di arrivo - (4) carro, auto-
trasporto, ferrovia, natante, bestia da soma, tra-
sporto manuale, ecc. - (5) nome trasportatore e
conducente.

ALLIED MILITARY GOVERNMENT
CIVIL AFFAIRS OFFICE
CITY OF AGRIGENTO

2 September 1943

SUBJECT: Report of Summary Court

TO : Chief Legal Officer, AMGOT Headquarters
(Thru S. C. A. O. Province of Agrigento)

1. Thos. D. Roberts, 1st. Lt. C.M.P., Was appointed a Summary Court Officer, 24 August 1943, by Lt. Colonel McCaffrey; S. C. A. O., Province of Agrigento.

2. During the last week in August, Lt. Roberts was instructed by Lt. Colonel Hill, Legal Officer of Agrigento Province, to make a survey of the list of prisoners held in the Prison at Agrigento, and dispose of those cases that came under the jurisdiction of a Summary Court, referring others to Superior Court for trial.

3. More than 100 prisoners were found confined under orders of the Military Police, Fiscal Police, Carabinieri, Municipal Police, and Agents of Public Security, and in many cases no record could be found of charges having been made showing offense for which they were being held; and the arresting party had moved from this vicinity and could not be reached for the necessary testimony. Sixty of these cases have been disposed of and the remainder referred to Superior Court or to Civil Courts, now opening. The situation now is greatly improved and there is no congested condition at the prison, at the present time, and the normal functioning of the Civil Courts, together with our Military Courts should prevent this condition reoccurring.

4. Steps have been taken to have charges promptly filed for every person arrested in the future. These charges are to be sent promptly to the Office of the Summary Court Officer in the City of Agrigento by all branches of the arresting police. The Summary Court Officer has been directed to dispose of those cases that are in his jurisdiction, and refer others to higher courts. It is believed that this procedure will result in an orderly, prompt and efficient judicial procedure in this Province, in the future.

Thos. D. Roberts

Thos. D. Roberts
1st. Lt. C.M.P.

14 CIE Cam
in Agrigento

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TO : Chief Legal Officer, AMGOT Headquarters
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Thos. D. Roberts

Thos. D. Roberts
1st. Lt. C.M.P.
Civil Affairs Officer
City of Agrigento

14 C. A. O. Agrigento on 1 Sep.

Copies to:
Lt. Col. Hill
File

Submitted to and Approved by:

*G. H. McCaffrey
Lt. Col., Staff.
SCAO.*

SUBJECT: Inspection trip and General Court.

AMGOT/4032/L.

25th Aug. 43.

TO: C.C.A.O.

1. It is contemplated that Lt.Col. W.R. Jordan, Chief Judicial Officer, and Major Robert N. Gorman, Chief Prosecutor be directed to inspect and visit the AMGOT Courts in Enna, Caltanissetta, Agrigento Ragusa and Catania.

2. These officers will be instructed to report to each S.C.A.O. in each Province to be visited and discuss with each S.C.A.O. and Provincial Legal Officer the following matters and send reports to me.

- (a) General status of the legal work of the Province.
- (b) Cases. - Summary, Superior and General Military Courts.
- (c) Prosecutions.
- (d) Appointment of Courts.
- (e) Instruction of Judges.
- (f) Forms to be submitted.
- (g) Any difficulties encountered. - Curfew, black-out, black market, and other offences.
- (h) Any suggested changes in procedure or operation of the AMGOT courts.

3. At least eight General Court cases are set for trial commencing on August 27th 1943 in the Province of Agrigento. An order appointing a General Court to dispose of these cases is hereto attached.

4. Although it is not known that any General Court cases now exist for trial in Enna, Caltanissetta and Ragusa, an order appointing a General Court to sit in those provinces is attached, to be effective during this trip only, in order to dispatch any such cases that may develop in the next week.

5. Approval of this trip and the appointment to the General Court, in accordance with attached orders is requested.

AMGOT HQ.
15 Army Group.

W.C. Chandler
W.C. CHANLER.
Lt. Col. AUS.,
Chief Legal Officer.

SUBJECT: Inspection Trip and General Court.

DATE: 10/12/44.

25th AUG. 43.

TO: C.G.A.C.

1. It is contemplated that Lt. Col. W. Jordan, Chief Judicial Officer, and Major Robert E. Green, Chief Prosecutor be directed to inspect and visit the PROV. Courts in Lima, Callamanga, Agrigento, Pagan and Catevia.

2. These officers will be instructed to report to each C.G.A.C. in each Province to be visited and discuss with each C.G.A.C. and Provincial legal officer the following matters and send reports to me.

- (a) General status of the legal work of the Province.
- (b) Cases. - Summary, Superior and General Military Courts.
- (c) Prosecutions.
- (d) Appointment of Courts.
- (e) Instruction of Judges.
- (f) Forms to be submitted.
- (g) Any difficulties encountered. - Surfers, black-out, black market, and other offences.
- (h) Any suggested changes in procedure or operation of the PROV. courts.

3. At least eight General Court cases are set for trial commencing on August 27th 1945 in the Province of Agrigento. An order appointing a General Court to dispose of these cases is hereto attached.

4. Although it is not known that any General Court cases now exist for trial in Lima, Callamanga and Pagan, an order appointing a General Court to sit in those provinces is attached, to be effective during this trip only, in order to dispatch any such cases that may develop in the next week.

5. Approval of this trip and the appointment to the General Court, in accordance with attached orders is requested.

ALBERT H. J.
15 Army Group.

W. O. CHURCHMAN
Lt. Col. U.S.A.
Chief Legal Officer.

*Original orders
in file 4002.*

To: C.C.A.O.

AMGOT/4032/L.
25th Aug. 1943.

I request that the following two orders appointing General Military Courts be signed for the reasons indicated in the accompanying memorandum.

5

AMGOT HQ.
15 Army Group.

W. E. Chanler
W. CHANLER.
Lt. Col. AUS.,
Chief Legal Officer.

AMCOT/1002/1.

ALLIED MILITARY COURTS - PROCLAMATION NO. 4 OF 1943.

In terms of Article III Section 4 of Proclamation 4 of 1943 and by virtue of the powers delegated to me by Sir Harold R.L.G. Alexander, G.C.B., G.S.I., D.S.O., M.C., General, General Officer Commanding the Allied Forces in Sicily and Military Governor of the Occupied Territory in Sicily by letter dated July 1943 to constitute Allied Military Courts and to appoint the members thereof, I Francis, Baron Remell of Rodd, Major-General, Chief Civil Affairs Officer, hereby appoint Lieut.Colonel William R. Jordan to be President, Lieut.Colonel Richard F. Hill and Major Robert R. Gorman, and such other officers as may be designated by the G.C.A.O. of the Province of Agrigento, to be members of a General Military Court, in the Province of Agrigento for the trial of any person or persons brought before such court charged with any offence or offences under any Proclamations or notices issued by the Military Governor of the Occupied Territory in Sicily; and this court so constituted shall continue to have jurisdiction for the trial of any such persons until dissolved by order under my hand.

Any three members of the above named court shall constitute a quorum, providing at least one of them shall be a Judicial Officer of AMCOT.

Given under my hand at Palermo this 25th day of August, 1943.

4

Major-General,
Chief Civil Affairs Officer.

AMIE/1002/1ALLIED MILITARY COURTS - PROCLAMATION NO. 4 OF 1943.

In terms of Article III Section 1 of Proclamation 4 of 1943 and by virtue of the powers delegated to me by Sir Harold R.L.G. Alexander, G.C.B., D.S.O., D.S.C., M.C., General, General Officer Commanding the Allied Forces in Sicily and Military Governor of the Occupied Territory in Sicily by letter dated July 1943 to constitute Allied Military Courts and to appoint the members thereof, I Francis, Baron Bennett of Rode, Major-General, Chief Civil Affairs Officer, hereby appoint Lieut. Colonel William A. Jordan to be President, and such other officers as may be designated by the S.C.A.O. of Messina for the Province of Messina; by the S.C.A.O. of Catanzarotta for the Province of Catanzarotta, and by the S.C.A.O. for Ragusa for the Province of Ragusa, for the trial of any person or persons brought before such court charged with any offence or offences under any Proclamations or notices issued by the Military Governor of the Occupied Territory in Sicily; and this court so constituted shall continue to have jurisdiction for the trial of any such persons until September 15th, 1943.

Any three members of the above named court shall constitute a quorum, providing at least one of them shall be a Judicial Officer of AMIE.

Given under my hand at Palermo this 25th day of August, 1943.

3

Major-General,
Chief Civil Affairs Officer.

SECRETALLIED MILITARY COURTS - PROCLAMATION NO. 4 OF 1943

In terms of Article III Section 1 of Proclamation 4 of 1943 and by virtue of the powers delegated to me by Sir Harold S. S. G. Alexander, G.C.B., G.C.I., D.S.O., M.C., General, General Officer Commanding the Allied Forces in Sicily and Military Governor of the Occupied Territory in Sicily by letter dated July 1943 to constitute Allied Military Courts and to appoint the members thereof, I Francis, James Arnold of Read, Major-General, Chief Civil Affairs Officer, hereby appoint Lieut. Colonel William R. Jordan to be President, and such other officers as may be designated by the U.S.A.C. of Rome for the Province of Rome; by the U.S.A.C. of Catanzaro for the Province of Catanzaro, and by the U.S.A.C. for Naples for the Province of Naples, for the trial of any person or persons brought before such court charged with any offence or offences under any Proclamations or orders issued by the Military Governor of the Occupied Territory in Sicily; and this court so constituted shall continue to have jurisdiction for the trial of any such persons until September 30th, 1943.

Any three members of the above named court shall constitute a quorum, providing at least one of them shall be a Judicial Officer of the U.S.A.C.

Given under my hand at Palermo this 25th day of August, 1943.

2

Major-General,
Chief Civil Affairs Officer.

ANGOT/1002/1.ALLIED MILITARY COURTS - PROCLAMATION NO 4 OF 1943.

In terms of Article III Section 1 of Proclamation 4 of 1943 and by virtue of the powers delegated to me by Sir Harold R.I.C. Alexander, G.C.B., C.B.I., D.S.O., M.C., General, General Officer Commanding the Allied Forces in Sicily and Military Governor of the Occupied Territory in Sicily by letter dated July 1943 to constitute Allied Military Courts and to appoint the members thereof, I Francis, Baron Remell of Lou, Major-General, Chief Civil Affairs Officer, hereby appoint Lieut. Colonel William B. Jordan to be President, Lieut. Colonel Richard H. Hill and Major Robert H. Gorman, and such other officers as may be designated by the S.C.A.O. of the Province of Agrigento, to be members of a General Military Court, in the Province of Agrigento for the trial of any person or persons brought before such court charged with any offence or offences under any Proclamations or notices issued by the Military Governor of the Occupied Territory in Sicily; and this court so constituted shall continue to have jurisdiction for the trial of any such persons until dissolved by order under my hand.

Any three members of the above named court shall constitute a quorum, providing at least one of them shall be a Judicial Officer of ANGOT.

Given under my hand at Palermo this 25th day of August, 1943.

Major-General,
Chief Civil Affairs Officer.

