

ACC

10000/142/317

0745

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

785016

10000/142/317

DISPOSITION OF WAR MATERIAL
MAY 1944 - SEPT. 1945

CONFIDENTIAL

EX 10045

SEPT 2/11/68

3-SEP-1945

F/6296

SEPT 3/11/68

ROUTINE

ATTN: SIGNED: ALEXANDER CITE HERE

ACTION: ALL NAT ADDRESSES INFO: HQ ALCON ROME

CONFIDENTIAL.

This is MAT 094. Subject is disposal of German private property in ITALY.

Italian government created Ufficio Ricupero Materiali Espianti Pechi (URMEP) on 17 May to locate, recover, conserve, and distribute properties and products belonging to German organizations and persons. URMEP has largely confined activities to physical custody of supplies abandoned by German Army.

Italian govern apparently intends either URMEP or Ministry of Treasury to control German private property in ITALY accordance Italian law.

Should Italian government be permitted to take unilateral action against private German property without reference of specific cases of sale or other disposition to Allied authorities (eg US/British Embassies ROME) in order that such cases may be examined in light safe haven program.

DIST

INFO-ACTION: FINANCE DC

INFO: CHIEF COMMISSIONER
EX COMMISSIONER (2)
ECCH SEC
CA SEC
FILE (2)
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CONFIDENTIAL

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Section	W
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SEP 1945	

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HEADQUARTERS ALLIED COMMISSION
APO 394
War Materials Disposal and Italian
Prisoners of War Sub-Commission

4034/8

WMD/3b/117

25 August 1945

SUBJECT: Captured Enemy Equipment.

TO : Legal Sub-Commission.
A.C.

19A

Reference your letter AC/4034/8/4 dated 22
August 1945.

1. The observations contained in a/m letter have been carefully studied, and this S/C has decided to adopt the course suggested in para 5 of your letter.
2. Lombardia Regional Order No.5 returned herewith as requested.

Wates. May

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

→

23

27 AUG 1945

File

(16A)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/1031/8/L.

/rlp.
22 August 1945.

SUBJECT : Captured enemy equipment.

TO : War Materials Disposal S/C.

*Ref your WMD/36/107
of 20 Aug, 45*

1. I have carefully studied the three documents forming Appendices A and B to AFM letter of 2 August. I have the following observations to make thereon.

2. The instructions contained in Appx. B do not refer to war materials. They refer to the recovery of raw materials, semi-finished or finished products, goods, machinery, fixtures and fittings which were of German ownership. The expression *UFFICIO RICUPERO MATERIALI IMPIANTI Tedeschi*. The policy is expressly approved by AC/AMC and is in fact contained in Lombardia Regional Order No. 5 (herewith for info and return). Other regions decided to issue this order through the press. Hence the document in the *Corriere Padovano*, which has my unqualified approval--except perhaps for a certain vagueness in the expression "not directly connected with production for the war" which may be clearer in the Italian, which I have not seen, though it is in the English.

3. The order and press extract referred to in Appx. A do refer to war materials. There is therefore no conflict between Appendices A and B. However, there is an apparent conflict between the order of the Military Command and the press extract in Appx. A if and in so far as it is to be assumed that materials abandoned by the Pseudo-Republican Italian command were, necessarily, originally property of the Italian army. In so far as this assumption has to be made it seems to me that the military command of Udine was perfectly entitled to make the order that it did and that AMC need not have interfered. The sole concern of AMC should have been to ensure that the Italians did not collect as their own property, items which were in fact German and therefore the property of the Allies.

4. To deal, however with the future:-

a. It is too late to issue any further orders. The original orders have probably been acted on; if they have not, there is no real reason to suppose that future orders will be, since the intention of the original orders was perfectly clear even if the details were sometimes

23

conflicting. Furthermore, it would take at least three weeks for an order to be drafted, signed, printed, distributed and posted. By that time AMG will probably have come to an end and the order will cease to have any validity.

b. If an order could be issued it would have to be limited to war materials, since the UFFI organization is well established and starting to function. It would only create confusion to modify it. So far as Italian war materials are concerned, DLE No. 32 of 1 February 1945 will come automatically into operation on the restoration of territory, and no action on our part can stop it. The only possible action which could be taken would be to issue an order that AMG should not interfere in Italian Government material. This I do not believe to be what is wanted by AMG or what would be appreciated by AMG.

c. The Italian decree expressly gives authority for rewards to be issued. This again will automatically come into operation when territory is restored. If it is postponed for a few days (at most three weeks) it is unlikely that during that brief period much material will be recovered. It is quite certain that the opportunity of enforcing penalties for non-compliance with the order would not be taken by AMG courts who would be confronted with a last minute order, an entirely new type of offence, a desire to leave a good impression on the Italian public, and an anxiety to cease holding AMG courts as soon as possible.

5. For the reasons given above I think it would be unwise to issue any further orders at this stage. I notice that AMG has taken no action to follow up their letter of the 2nd August 1945 so that I think the situation might remain, where it apparently now is, in the limbo of almost forgotten things.

V. E. BIRCHES,
Colonel,
Chief Legal Advisor.

Incl: Lombardia Reg. Order No. 5.

4034/8

HEADQUARTERS ALLIED COMMISSION
APO 394
War Materials Disposal and Italian
Prisoners of War Sub-Commission

15A

WMD/3b/107

20 August 1945

SUBJECT: Captured Enemy Equipment.

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

Attached herewith copy letter received from
Allied Force Headquarters ref. AG 386.3/097 Q (AE) O
dated 2 August 45, also appendix A for information.

1. Will you please let this S/C have your remarks
and advice as to what form the orders referred to in
para 3 should take.

Jordan Bates. mry

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

COMMISSION	
→ CIO	
DELO	
Chief Counsel	
CI	
Commission	
Q. P.	
21 AUG 1945	

38

ALLIED FORCE HEADQUARTERS
APO 512

15B

AG 386.3/097 Q(AE)-0

2 August 1945

SUBJECT: Captured Enemy Equipment

TO : Chief Commissioner
Allied Commission
APO 794

1. Attached as Appendix "A" is a press notice published in "IL GIORNALE DELLE VENEZIE" 3 July 1945 and "CORRIERE PADOVENO" 3 July 1945 by the Prefettura. At Appendix "B" is a copy of an order published in the "CORRIERE PADOVENO" on 9 June 1945 by the Corporation for Industrial Rebuilding, MILAN. Many such conflicting orders are in existence.

2. It has also been brought to the notice of this headquarters that Territorial Recovery Missions acting on behalf of the Italian Government with authority of MMIA, Navy Sub-Commission, and Air Force Sub-Commission, are offering rewards for materials handed in.

3. It is requested that orders be issued at the earliest moment to ensure that

a. A standard procedure is followed by civilians, in reporting and handing in all captured enemy equipment.

b. All contrary instructions are cancelled.

c. No rewards are offered but penalties imposed for non compliance.

4. Material so recovered will be reported to this headquarters through normal channels.

BY COMMAND OF FIELD MARSHAL ALEXANDER:

25

R. A. STUKEY
Captain, AGD
Asst Adjutant General2 Incls
As stated

copies furnished

CEM Section No.1 Dist, CEM Section No.2 Dist, CEN Section, BTA
Army Sub-Commission (MMIA), Fifth Army, PBS.

C O P Y

K I N G D O M O F I T A L Y

TERRITORIAL MILITARY COMMANDO OF UDINE

O R D E R

FOR THE PROVINCES OF ROVIGO - PADOVA - VENEZIA - TREVISO - UDINE

OBLIGATION FOR RESTITUTION

OF MOVEABLE THINGS PREVIOUSLY BELONGING TO THE MILITARY ADMINISTRATION
AND IN POSSESSION OF UNAUTHORISED HOLDERS

As agreed with the Command of the 8th Army and with the Regional Military Allied Command and according to the Legislative Decree of the Lieutenant General No.32 dated 1 February 1945, published in "Gazzetta Ufficiale del Regno d'Italia" No.25 dated 27 February 1945, and made effective by order No.2 of the Vice President of the Civil Affairs Section of the Allied Commission - Brigadier G.R.Upjohn - published in the normal supplement to "GAZZETTA UFFICIALE" of 28 April 1945, I

ORDER :

1. Whoever, after the 10th of July 1943 has come in possession of moveable things belonging to the Military Administration, and is not able to show the legitimacy of such a possession, must return them within 30 days after the date of publication of this order. Among the moveable things as above, it is understood to be included arms, armament parts, ammunition, explosives etc.
2. The delivery of things as above must be made to the Territorial Military Command of Udine, collecting offices of the Commission No.22, the neighboring stations of CC.RR.
3. In lieu of the delivery it will be sufficient, for the present, the report to the following Commands referring to;
 - (a) Quadrapeds, in order to regularise their position;
 - (b) Vehicles used by public and charitable corporations;
 - (c) Materials existing in a great quantity or whose transportation is at present difficult.
4. Similarly are commanded to report things as above, the owners or tenants or estates or of buildings where there might be kept or forsaken materials belonging to the Italian Administration.

For things which will be consigned, quick verifications shall be made and the consignees are responsible for their integrity and preservation.

As agreed with the Command of the 8th Army and with the Regional Military Allied Command and according to the Legislative Decree of the Lieutenant General No.32 dated 1 February 1945, published in "Gazzetta Ufficiale del Regno d'Italia" No.25 dated 27 February 1945, and made effective by order No.2 of the Vice President of the Civil Affairs Section of the Allied Commission - Brigadier G.R. Upjohn - published in the normal supplement to "GAZZETTA UFFICIALE" of 28 April 1945, I

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3. In lieu of the delivery it will be sufficient, for the present, the report to the following Commands referring to:

24

(a) Quadrapeds, in order to regularise their position;
 (b) Vehicles used by public and charitable corporations;
 (c) Materials existing in a great quantity or whose transportation is at present difficult.
4. Similarly are commanded to report things as above, the owners or tenants or estates or of buildings where there might be kept or forsaken materials belonging to the Italian Administration.
 For things which will be consigned, quick verifications shall be made and the consignees are responsible for their integrity and preservation.
5. The above mentioned authorities are permitted to grant, if necessary, to the holder an indemnity not over 20% of the venal value of things up to 10 July 1943.
 The same premium can be granted to them who, after the date of the restitution, give to the Military Administration information useful to retrieve the goods as above.
6. According to the above mentioned decree No.32 whoever does not obey to those dispositions is punishable by imprisonment up to 3 years and fined up to 100,000 lire. In particular serious cases such fines

are both simultaneously applied.
If the value of the thing, the delivery of which has been omitted, or the report is of little value, a fine up to 10,000 lire is applied.

Sd. I. GENERALE
DI CORPO D'ARMATA.
COMANDANTE MILITARE
TERRITORIALE.

C O P Y

P R E S S E X T R A C T

from "IL GIORNALE DELLE VENEZIE" 3 July 1945 (page 2 foot of column 3)
and "CORRIERE PADOVANO" 3 July 1945 (page 2 column 4).

RECOVERY OF MATERIALS ABANDONED BY THE GERMANS

The Prefettura issued the following communique:

The only authority authorized to recover materials of any description (motor vehicles, cattle etc.) abandoned by the Germans or the pseudo-Republican Italian Commands is the A.M.G. and on their behalf the Prefettura acting for them, and it is the Prefettura to make arrangements either directly or indirectly through the Commissar of Recovery Units, Dr. Demetrio OSELE.

No other Authority or Body either civilian or military has the right to deal with these recoveries; demands from any other sources whatever have therefore to be rejected and immediately reported to this Prefettura.

EXTRACTED FROM CORRIERE PADOVANO - 9 JUNE 1945

CORPORATION FOR INDUSTRIAL REBUILDING

Materials and German equipment retrieving office - MILAN 1 Dogana Street

NOTICE

CLNAI's central economic Commission, according to a decree from the emergency Commissioner of Industrial Production Ministry, has ordered the Corporation for Industrial Rebuilding - materials and German equipments retrieving office "URMIT" - to provide for the retrieval, preservation and use of materials or possession which belonged to German concerns in the provinces of Northern Italy.

Therefore we order :

1. All the materials and assets, raw and finished materials, semi-products, pieces of fittings, machineries, equipments, etc., property of German concerns, including materials and possession which belonged to the German armed forces and to their various associations not directly connected with production for the war, are frozen at warehouse by "IRI" (URMIT section). Holder is regarded as trustee of materials and possession and is liable for the execution of freezing and preserving materials. If necessary, he is authorized to ask for assistance from the local CLN in order to have materials and maintaining them.

2. Whoever possesses, with any title, the above mentioned materials is required to notify "Institute for the Reconstruction of Industries - IRI - "URMI" section, indicating name of the firm, surname and address of the reporter, quantity and quality of the said material, the title by which they are vested and the place where the material is warehoused.

3. Contracts for supplies with German concerns, and with the German armed Forces or their organizations, which were in course up to 25 April 1945, including for transfer of machineries with the above said concern against payment, are to be reported, by the interested Italian concerns of firm, to IRI, URMIT section, specifying, for every contract: name of the firm, surname and address of the reporter, the German buyer, terms of contract, the settled price, how far the contract proceeding had arrived, if it is not yet commenced, or in course of working or if it is finished, thoroughly or partly, besides its financial position.

4. All the debts or credits kept by Italian firms with German concerns or Commands for the delivery of materials or for payment in advance of raw and materials for consumption which are not considered by the above mentioned paragraphs, are to be reported to IRI, URMIT section, indicating the name of the firm, surname and address of the reporter, the German office who is a debtor or a creditor, the cause of the report, its amount and expiration date.

ordered the Corporation for Industrial Requisitioning German equipments retrieving office "URMIT" - to provide for the retrieval, preservation and use of materials or possession which belonged to German concerns in the provinces of Northern Italy.

Therefore we order :

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2. Whoever possesses, with any title, the above mentioned materials is required to notify "Institute for the Reconstruction of Industries - IRI - "URMI" section, indicating name of the firm, surname and address of the reporter, quantity and quality of the said material, the title by which they are vested and the place where the material is warehoused.

3. Contracts for supplies with German concerns, and with the German armed Forces or their organisations, which were in course up to 25 April 1945, including for transfer of machineries with the above said concern against payment, are to be reported, by the interested Italian concerns of firm, to IRI, URMIT section, specifying, for every contract: name of the firm, surname and address of the reporter, the German buyer, terms of contract, the settled price, how far the contract proceeding had arrived, if it is not yet commenced, or in course of working or if it is finished, thoroughly or partly, besides its financial position.

4. All the debts or credits kept by Italian firms with German concerns or Commands for the delivery of materials or for payment in advance of raw and materials for consumption which are not considered by the above mentioned paragraphs, are to be reported to IRI, URMIT section, indicating the name of the firm, surname and address of the reporter, the German office who is a debtor or a creditor, the cause of the report, its amount and expiration date.

22

We also advise all the interested persons as follows :

1. Whoever bore any requisition or removal of materials of any type, that is raw and finished materials, semi products, pieces and machineries, equipments, etc. from German authorities in Italy, are requested to make a report to IRI, URMIT section, indicating quantity and quality of the requisitioned or removed materials and, if there is need, the price of payment, even if partial, or of rent, finally the place where they are and any necessary information to retrieve them.

2. Whoever from 1 January 1945 has purchased raw or finished

materials, semi-products pieces or fitting, machinery, implements etc. by German concerns or German armed Forces or by their various organisations, is requested to make a report to IRI, URMIT section, specifying all the available information.

3. Whoever has any information regarding these materials, which are to be reported as above, and whose holder is not known, is requested to inform IRI, URMIT section, specifying all the information useful to retrieve these materials.

The above mentioned reports and notifications are to be signed and presented, before June 30th 1945 in 3 copies, to IRI, URMIT section, through one of the following banks or their branches in the chieftowns of Province :

Banca Commerciale Italiana, Credito Italiano, Banco di Roma, Cassa di Risparmio delle Province Lombarde, only for the province of Sondrio, Banca Cattolica del Veneto, only for the province of Belluno.

IRI, URMIT section, is the only authorised office to give orders for the above mentioned materials or possessions, and to examine the requests of restitution and to take the appropriate measures. These requests are to be addressed directly to IRI, URMIT section, MILAN 1 Dogana Street or through the Commissioners of the entrusted Industrial Committees. Whoever violates the present orders, will be charged by adequate sanctions, and will also be punished according to the value of the incriminated materials or possessions.

4034/8
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 23 July 1945
 RECAP
 ADJUTANT GENERAL COMMISSION
 Office of the Chief Commissioner
 AFO 394

Reg. AC/5098/Commerce

SUBJECT: Procedure for the Distribution of Captured
 Civilian Material in Northern Italy

TO : Distribution below

1. The object of this Order is to set up procedures for the distribution of captured civilian material found in Northern Italy, and it is intended to implement provisions of AFHQ's Directive of 22 June '45, AG386 3/163 LOC-0, on the subject: "Disposition of Captured Enemy Material in Italy," and in particular paragraph 9; thereof (a copy of which is attached), insofar as AG or AIG is concerned therewith.

2. It is intended that captured civilian material made available to AG/AIG under the provisions of the Directive above referred to shall be dealt with under the terms of the plan for the control of the manufacture and sale of industrial products in Northern Italy attached to the letter of this HQ of 9 July '45, ref. 1.00/23.

3. The agency to receive declarations of availability of captured civilian material to be made available to AG/AIG by Armies, Base Sections of Districts in the field, or by controlling services of AFHQ will be the Milan Office of the War Materials Disposal Subcommittee.

4. a. The ownership of materials which are determined to be of Italian origin within the meaning of sub-section (1) to paragraph 9k of the AFHQ Directive above referred to and to which title had not passed to the Germans shall be determined by War Materials Disposal Subcommittee with the assistance of a claims board set up by that Subcommittee consisting of Italian personnel selected with the agreement of the North Italy Industrial Council and the Italian Government. The War Materials Disposal Subcommittee will make the necessary releases of these materials to the owners under financial arrangements to be made where necessary with the advice of Finance Subcommittee. The Finance Subcommittee will designate for this purpose an officer in the Northern Area to give such advice as may be required from time to time.

b. Material of Italian origin, title to which had not passed to the Germans and the ownership of which cannot be determined, will be disposed of in the same manner as all other materials handed over to AG/AIG under the terms of the Directive.

5. All materials made available to AG/AIG other than those referred to in 4a will be disposed of as provided below. The War Materials Disposal Subcommittee is constituted as the authority to issue releases of such materials to the Italian Government represented by the North Italy Industrial Council (NUIC), which is hereby authorized to make suballocations necessary to enable firms and individuals to withdraw the materials in question from controlling services. These releases will contain all the information appearing on the declaration of availability called for in paragraph 7 below.

intended to implement provisions of AMG's Directive of 22 June '45, AG586 •3/163 LOC-0, on the subject: "Disposition of Captured Enemy Material in Italy," and in particular paragraph 9k thereof (a copy of which is attached), insofar as AG or AMG is concerned therewith.

2. It is intended that captured civilian material made available to AG/AMG under the provisions of the Directive above referred to should be dealt with under the terms of the plan for the control of the manufacture and sale of industrial products in Northern Italy attached to the letter of this HQ of 9 July '45, ref. 1.00/15.

3. The agency to receive declarations of availability of captured civilian material to be made available to AG/AMG by Armies, Base Sections of Districts in the Field, or by controlling services of AMG will be the Milan Office of the War Materials Disposal Subcommittee.

4. a. The ownership of materials which are determined to be of Italian origin within the meaning of sub-section (4) to paragraph 9k of the AMG Directive above referred to and to which title had not passed to the Germans shall be determined by War Materials Disposal Subcommittee with the assistance of a claims board set up by that Subcommittee consisting of Italian personnel selected with the agreement of the North Italy Industrial Council and the Italian Government. The War Materials Disposal Subcommittee will make the necessary releases of these materials to the owners under financial arrangements to be made where necessary with the advice of Finance Subcommittee. The Finance Subcommittee will designate for this purpose an officer in the Northern Area to give such advice as may be required from time to time.

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5. All materials made available to AG/AMG other than those referred to in 4a will be disposed of as provided below. The War Materials Disposal Subcommittee is constituted as the authority to issue releases of such materials to the Italian Government represented by the North Italy Industrial Council (NIIC), which is hereby authorized to make suballocations necessary to enable firms and individuals to withdraw the materials in question from controlling services. These releases will contain all the information appearing on the declaration of availability called for in paragraph 7 below.

6. When materials are designated by the NIIC for distribution in Italian Government territory, the Italian Government will issue the necessary instructions through the President of the NIIC for suballocation to such firms and individuals as may be situated outside territory under AG control.

7. The Milan Office of the War Materials Disposal Subcommittee will circulate the appropriate services under the Commanding Generals of 5th Army, PES and the No. 1, No. 2 and No. 3 Districts requesting that declarations of availability of captured civilian materials to AG/AMG be issued in triplicate and in such form as to show the exact location and description of the goods, including quantities, types, condition, packing, date of readiness for shipment, origin (Italian, German or other, or, if unknown, a statement to that effect), and the designation of the unit having physical

- 2 -

control thereof. Whenever possible, declarations of availability of captured civilian materials should be accompanied by existing documents, such as bills of lading, invoices, or evidence of sale or any record from which prior valuation of the goods might be ascertained. The Milan office of the War Materials Disposal Subcommittee will likewise circulate sample copies of the form of the release which it will issue in the name of AC/WD with the appropriate Subcommittee endorsement so that the form may be readily recognizable by units expected to be called upon to honor suballocations made under such releases.

8. The War Materials Disposal Subcommittee will channel all releases covering industrial plant, machinery and equipment, semi-fabricated goods and raw material, in triplicate, to the Milan office of Industry Subcommittee, which will submit a copy of the same to the NIIC for consideration thereby according to the terms of paragraphs 3a (4) (5) and b (4) of the Directive of this HQ of 9 July '45. A second copy bearing the endorsement of the Industry Subcommittee will be forwarded to the controlling service when the program of distribution submitted by the NIIC has been approved thereby.

9. The War Materials Disposal Subcommittee will channel all releases covering consumer goods in triplicate to the Milan office of Commerce Subcommittee, which will transmit one copy of the same to the NIIC for consideration under the terms of paragraph 3a of the Directive of this HQ of 9 July '45. A second copy bearing the endorsement of the Commerce Subcommittee will be forwarded to the controlling service when the program of distribution submitted by the NIIC has been approved thereby.

10. The Milan offices of Industry and Commerce Subcommittees, upon transmitting such releases to the NIIC, will obtain from the latter Receiving Reports in triplicate covering the goods, to be signed by the President of the NIIC or by his delegate on behalf of the Italian Government. These Receiving Reports, in the form attached hereto, will contain all the information called for in paragraph 7 above and will be transmitted to the War Materials Disposal Subcommittee. Two copies of the Receiving Report will be transmitted by the War Materials Disposal Subcommittee to the Chief Accountant, Finance Subcommittee, as evidence of the assumption of obligation of the Italian Government for the value of the materials and will be accompanied by such evidence of prior valuation as may have been obtained from the controlling service. The Chief Accountant will later transmit to the Italian Government one copy of the Receiving Report with request that the Italian Government certify the price at which such materials have been released for sale by the NIIC, or the fair value thereof, in the event of other disposition. Any adjustments which may be required in such Receiving Reports due to non-delivery of materials released shall be submitted subsequently by the NIIC to the War Materials Disposal Subcommittee, which will investigate, where necessary, the justification for such adjustment and transmit its findings to the officer designated by Finance Subcommittee in the Northern Area.

LEGAL SUBCOMMISSION

CLO

DCLO

Chief Counsel

WILLIAM W. STONE
Rear Admiral, USNR,
Chief Commissioner

releases covering industrial plant, machinery and equipment, semi-fabricated goods and raw material, in triplicate, to the Milan office of Commerce Subcommission, which will submit a copy of the same to the NIIC for consideration thereby according to the terms of paragraph 3a (4) (5) and b (1) of the Directive of this HQ of 9 July '45. A second copy bearing the endorsement of the Industry Subcommission will be forwarded to the controlling service when the program of distribution submitted by the NIIC has been approved thereby.

9. The War Materials Disposal Subcommission will channel all releases covering consumer goods in triplicate to the Milan office of Commerce Subcommission, which will transmit one copy of the same to the NIIC for consideration under the terms of paragraph 3d of the Directive of this HQ of 9 July '45. A second copy bearing the endorsement of the Commerce Subcommission will be forwarded to the controlling service when the program of distribution submitted by the NIIC has been approved thereby.

10. The Milan offices of Industry and Commerce Subcommissions, upon transmitting such releases to the NIIC, will obtain from the latter Receiving Reports in triplicate covering the goods, to be signed by the President of the NIIC or by his delegate on behalf of the Italian Government. These Receiving Reports, in the form attached hereto, will contain all the information called for in paragraph 7 above and will be transmitted to the War Materials Disposal Subcommission. Two copies of the Receiving Report will be transmitted by the War Materials Disposal Subcommission to the Chief Accountant, Finance Subcommission, as evidence of the assumption of obligation of the Italian Government for the value of the materials and will be accompanied by such evidence of prior valuation as may have been obtained from the controlling service. The Chief Accountant will later transmit to the Italian Government one copy of the Receiving Report with request that the Italian Government certify the price at which such materials have been released for sale by the NIIC, or the fair value thereof, in the event of other disposition. Any adjustments which may be required in such Receiving Reports due to non-delivery of materials released shall be submitted subsequently by the NIIC to the War Materials Disposal Subcommission, which will investigate, where necessary, the justification for such adjustment and transmit its findings to the officer designated by Finance Subcommission in the Northern Area.

LEGAT SUBCOMMISSION

CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

Signature: *William W. Stone*
Name: WILLIAM W. STONE
Rank: Rear Admiral, USNR
Title: Chief Commissioner

2 Incls.

DISTRIBUTION:

- All Regional Commissioners
- ANG Venezia Giulia
- ANG 5th Army
- ANG 8th Army
- CAS IV Corps
- C-5 AMHQ
- FBS
- HQ No. 1 District
- " " " 2 " "
- " " " 3 " "
- ATI Sections & Subcommissions, HQ AC
- Ministero dell'Industria e del Commercio
- del Tesoro
- per la Ricostruzione

(12A)

EXTRACT

ALLIED FORCE HEADQUARTERS
APO 394

22 June 1945

AG 386.3/163 LOG-0

SUBJECT: Disposition of Captured Enemy Material in ITALY

TO : Commanding Generals, etc.

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9. POLICIESk. Captured Civilian Material

- (1) Captured material, which is not required for military purposes including maintenance of POW, which is apparently of a civil character and of Italian origin, will be turned over to Allied Commission or AGC as appropriate, who will investigate ownership and authorize its return to its owners under such financial arrangements as may be appropriate. Material of this character, the ownership of which cannot be determined, will be disposed of by sale or otherwise, as Allied Commission may determine. Proceeds of sales will be deposited in the Allied Finance Agency under Allied Commission direction and held pending further instruction from CCS.
- (2) Captured German civil material which is not required by the controlling service at this headquarters will be turned over to Allied Commission for disposal as above.
- (3) Captured civil material, which is of neither German or Italian origin will be reported to this headquarters and disposal instructions awaited.

+ + + + +

BY COMMAND OF FIELD MARSHALL ALEXANDER:

(sgd) EDWARD R. SHUGART
Colonel, AGC
Asst. Adjutant General

EXTRACT

ALLIED COMMISSION

No. _____

RECEIVING REPORTTo be Submitted by Agent of Italian Government for
Receipt of Captured Civilian Materials

Release Order No. _____

Endorsed by _____ Subcommission to _____
(controlling unit)

By _____

Date Received	Description of Goods	Origin	Unit	Quantity	Valuation or Price (if Available) State Basis

I certify that the goods described above were duly received from the
Allied Commission on the date quoted above

for the Italian Government

18

Signature_____
Title

Date _____

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

13B
4/22/1
WEB/pa.
2 July 1945.

AC/4034/8/L.

SUBJECT : Salvaged Italian Vehicles.

TO : Brig. A.P. GRAFFTEY-SMITH,
Joint Director Finance Sub-Commission.

1. Your 13069/P of 29 June 1945 is acknowledged.
2. Legal Sub-Commission became involved in this unfortunate affair in order to preserve the name of AMG (Region 4) from being bandied in the Italian Courts and covered with a certain amount of mud.
3. There is no doubt that the AMG officers in Region 4 had no authority to make the contracts which they did make for disposal of the vehicles and from which are derived the funds in your possession.
4. The actual legal position as between the Italian Government and the private firms is obscure and at the moment under study. There can however be no doubt that a reasonable settlement would be beneficial for all and particularly for AC/AMG. Such a settlement must take the form of a surrender of the vehicles to the Italian Government against some compensation.
5. I am endeavouring to negotiate this settlement. Owing to the action of MMIA the Italian Government feels itself on a very strong "wicket" and I stand a far better chance of obtaining the necessary cash to reimburse the private firms if I have it (or a large part of it) in my control than if I have to reclaim it for the Italian Government. Hence I asked Capt. TIPPING to retain it pending negotiations.
- 17 6. I accept your comments about shortage of personnel. I had hoped that if and when the private firms presented their claims to me for negotiation you might have been able to advise me thereon - not of course in detail but on general principles.

DOWN GRADED
UNCLASSIFIED

Col. Inf.
Chief Judicial Officer.
for Chief Civil Affairs Officer.

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

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

RESTRICTED4034/8 ✓
ALLIED FORCE HEADQUARTERS
APO 512

11A

AG 386.3/163 LOG-0

22 June 1945

SUBJECT: Disposition of Captured Enemy Material in Italy

TO : Commanding Generals,
 15th Army Group, APO 777
 Fifth Army, APO 464
 Peninsular Base Section, APO 782
 Headquarters, Eighth Army
 General Officer Commanding, Number 1 District
 General Officer Commanding, Number 2 District
 General Officer Commanding, Number 3 District

* * * * *

3. DEFINITIONS

a. Captured or Surrendered Enemy War Material (hereafter referred to as enemy material) includes any material of whatever nature and wherever situated, intended for war on land, at sea, or in the air, or which is, or may be, or has been at any time in use by, or intended for use by, the armed forces, civil defense or other formations or organizations under the control or influence of the German Government, German authorities, or Governments or authorities of any states now allied to or associated with GERMANY.

* * * * *

BY COMMAND OF FIELD MARSHAL ALEXANDER:

/s/ Edmund R. Shugart
 /t/ EDMUND R. SHUGART
 Colonel, AGD
 Asst Adjutant General

18

A TRUE EXTRACT COPY

J. LANNIN
 Lieut, USNR
 Flag Lieutenant
 Hq Allied Commission

LEGAL SUB COMMISSION	
CLO	☒
DCLO	☐
Chief Counsel	☐
CIO	☐
Italian Section	☐
CL RKS	☐

8 AUG 1945

RESTRICTED

HEADQUARTERS
ALLIED COMMISSION
APO 394
(Establishment Section)

22 March 1945

G4/41/A

SUBJECT: Disposition of Scrap (Requisitioned Vehicles).

TO : See Distribution.

1. Many Regions have written to this headquarters requesting instructions for proper disposal of remnants of requisitioned vehicles which have been scrapped, also stating that these hulks of vehicles could not be used advantageously.

2. All Regions having any such property will make arrangements to turn it over to the Italian Government Authorities in their respective areas and will obtain official receipts signed by competent Italian Government officials. Receipts will be obtained in duplicate and a copy sent to G-4 (A), this headquarters.

3. Provincial Commissioners should be made familiar with these instructions immediately in order to expedite turnover of such property in the area under their jurisdiction.

4. The Regional Requisitioning Officer in each Region should be the officer designated to effect such transfer of property as he is responsible for all requisitioned vehicle records.

BY COMMAND OF REAR ADMIRAL STONE:

C. M. Parkin
C. M. PARKIN
Colonel, Infantry
Acting Vice President

15

DISTRIBUTION:

Group I - Dist. "C"
Group II - Dist. "A"
Group III - Dist. "B"
G-4 (A) - 25

RESTRICTED

CLO	
CLIO	lit
Chief Counsel	
CJO	
Italian Section	
CL RKS	
22 MAR 1945	

0767

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

WEB/cap

9A

AC/4034/8/L

6 March 1945

SUBJECT : Italian Motor Vehicles

TO : Land Forces Sub-Commission (LMLA)

1. The attached file from AFHQ raises two questions :-

(i) the right of Italian civilians to retain articles of equipment, formerly the property of the Italian or German armies, possession of which they have acquired when the equipment became unserviceable or salvaged in the course of operations; and,

(ii) the right of the Italian army to requisition vehicles which are the property of Italian civilians.

2. The first question raises several involved questions of law which it is not profitable to discuss at length. In short the legal principle is that Italian civilians have no right to retain these articles against the Italian Government. Indeed the Italian Government has passed a decree (DL No 32 of 1 Feb 45) making their surrender obligatory. In certain circumstances the civilian is entitled to compensation. There is a possible exception to this principle; if AMG authorities, finding articles of equipment derelict, instructed Italian civilian to repair them and contracted that in consideration for this work title should pass, then I think the civilians should be regarded as entitled to retain the equipment. I believe some such arrangements were made in Region 4. While it may be true that the AMG officers had no legal authority to make such a contract it is hardly fitting for AC (or AFHQ) to take this point and it would be more proper to hold that title has become vested in the Italian civilians. However this only applies, I believe, to Region 4 (if indeed such arrangement was actually made even there) and I gather that the equipment will not be reclaimed by the Italian Government in the near future.

3. The Italian army is authorized by existing Italian law to requisition civilian vehicles. In Italian Government territory neither the AC nor anyone else has any right to intervene, unless the vehicles are required by the Allied Forces themselves for the prosecution of the war.

4. The questions of policy raised in this file are for your consideration together with Economic Section.

14

Col Noakes
375

W. E. BREHNS,
Colonel,
Deputy Chief Legal Officer

Incl: File of papers from AFHQ

CONFIDENTIAL

CR SEC.

4034/8
 ALLIED FORCE HEADQUARTERS
 G-5 Section
 APO 512

7 MAR 1945

8A

Ref. R-16

28 February 1945

-2 MAR 1945

SUBJECT: PWB Broadcasts

TO : Headquarters, Allied Commission, APO 394

1. Minute 1 was initiated by Col. Kinley of the Combined Inspection Team and presents a question which should properly be answered by the Legal Division of the Allied Commission; - briefly, should the Italian civilians be permitted to retain in their possession articles of enemy equipment (both German and Italian) which were sabotaged during the time of the Allied entry into Sicily and the Mainland of Italy.

2. G-4 feels that this is a problem that should be coordinated with both the Allied Commission and M.M.I.A. Col. Kerr of the latter organization after talking informally with Col. Libby of G-4(A) raised certain questions in his letter of 17 February. The legal staff of G-5 AFHQ wrote a rather inconclusive opinion on the 21st of February and later added to it on the 23rd of February. However, it feels that these questions can best be resolved in the A.C.

3. We are therefore sending you the complete file which we request that you study and to which a reply is requested as per Minute 3, 27 February, written by G-4 to G-5 under the subject "Motor Vehicles Belonging to the Italian Army and Ownership of Italian State Property".

4. If it is not possible to have your reply reach this headquarters by 5 March it is suggested that you retain the file until the AFHQ representative to the meeting scheduled on 7 March contacts you in Rome.

15
 For the Assistant Chief of Staff, G-5:

DOWN GRADED

Incl: file, as above

UNCLASSIFIED

Col. Inf.
 Chief Judicial Officer,
 for Chief Staff Affairs Officer.

LEGAL DIVISION

CLO

DELO

CLO

CLO

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CLO

J. E. Butterworth
 Colonel, G.S.C.

Chief, Economics & Supply Division

CONFIDENTIAL

1983

0769

4034/3

Legal S/C 7A

785

29

6A

TO: [illegible]

FROM: [illegible] ✓

TO: [illegible]
[illegible]
[illegible]

RE: [illegible]

1. [illegible]
2. [illegible]

DOWN GRADED
TO
UNCLASSIFIED

HEADQUARTERS

30 AUG 1944

A. C. C.

Col. Inf.
Chief Judicial Officer,
for Chief Civil Affairs Officer.

LEGAL SUBCOMMISSION

CLO

CLO

Chief Counsel

C.M. Taber.

Brigadier,
DAC.

Letter
of
~~the~~

6A

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4034/8/L.

/gb.
25 Aug 44.

SUBJECT : Salvage - Battlefields.

TO : H.Q. A.A.I.

4A

1. Reference your letter 5156/A(P3) of 25/8/44.
2. Enclosed is a copy of a directive issued by me on 19/8/44, which would appear to cover the point raised by your letter. — 3A

11

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

WAR MATERIALS DISPOSAL AND ITALIAN
PRISONERS OF WAR SUB-COMMISSION
HEADQUARTERS A.G.O.
A.F.O. 594.

INTER OFFICE 1050:

To: Legal Sub-Commission.

ACC/WED/31/7.

25 August 1944.

- 1/. Reference conversation Capt. Moore - Lt.-Col. J.A. Campbell.
- 2/. The attached letter is passed to you for action and reply to H.Q. A.A.I.,
- 3/. Please let me have a copy of your reply to A.A.I.

LEGAL SUB-COMMISSION	
CIO	
DELO	
Chief Clerk	
CIO	
Italian Section	
Q. R. S.	

→ Capt Moore

10

J.A. Campbell
J.A. CAMPBELL,
Lt.-Colonel,
Director,
W.M.D. & I.P.W. Sub-Com.

Sis. please see folio 3A.

Let att 5/8

0772

War Material Disposal
7314

CONFIDENTIAL AND URGENT

HQ ALLIED ARMIES IN ITALY

Ref: FILPOT 221

5156/A(PS)

24 Aug 44

4034/8 ✓
SUBJECT: Salvage - Battlefields.

Executive Commissioner, ACC.

Copy to: Q.
Pro.
ADJAG.
Salvage.

1. It has been reported to this HQ that the following situation has arisen in connection with charges laid against Civilians for the unauthorised removal from the ANZIO battlefield areas of articles and equipment of military value.

A Judge of the AMG Superior Court is stated to have given the following ruling:

"If the Allies leave sandbags abandoned which later are emptied and collected by civilians, the civilians are entitled to such sandbags as their own property, and if they are re-sold to the Allies, shipping space is being saved."

2. It will be appreciated that this ruling cannot be accepted in an area concerned with active operations. All material on a battle-site, Allied or Enemy, comes within the definition of "Salvage" and is the property of the Allied Military Authorities. The doctrine that there is no property in things abandoned does not apply in this case, since there is no question of abandonment. The Salvage service is concerned with every item of value and sandbags - one of the items being removed and sold by unauthorised civilians - are all required for military use. Manpower difficulties have slowed up the process of sorting and collection over the very wide areas concerned.

3. I am to request, therefore, that immediate steps be taken to put this matter in order and that the correct position may be made clear to the AMG Authorities.

All military material in any battle areas remains the property of the Allied Military Authorities and will be dealt with by the Salvage service.



CMF/JD

Brigadier,
DAG.

HEADQUARTERS

25 AUG 1944

A. C. C.

Col. Inf.
Chief Judicial Officer
Chief Civil Affairs Officer

0773

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All military material in any battle areas remains the property of the Allied Military Authorities and will be dealt with by the Salvage service.

3

DOWN GRADED
UNCLASSIFIED

CMP/JD

C. H. 1 Jan.

Brigadier,
DAG.

HEADQUARTERS
25 AUG 1944
A. C. C.

Col. Inf.
Chief Judicial Officer
for Chief Commanding Officer

25 Aug. 44.
Yue 51.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB COMMISSION
APO 394

3A

ACC/4034/8/L.

/rlp.
19 August 1944.

SUBJECT : Allied war supplies as abandoned property.

TO : RLOs (THRU: RCOs), Regions I, II, III, IV, V, VI, VII, VIII, IX & Z;
PIO (THRU: PC), Poggia Province.

1. The question has recently arisen whether Allied war supplies lying about the countryside are abandoned property which a civilian may legally take for his own use.

2. Property is not abandoned unless the owner intends to relinquish title thereto and so far as Allied war supplies are concerned, the owner is the War Department. A unit or formation may move and either intentionally or accidentally leave certain articles behind. These articles are not abandoned. They may still be salvaged, and they remain the property of the War Department until an official decision to abandon them has been made on behalf of the War Department by the appropriate salvage or other authority.

3. It follows that it is no defense to a charge of wrongful possession for the accused to say that he thought goods were abandoned. To substantiate his defense he must show an official act of abandonment by the appropriate authority. If he cannot show this he must be convicted and the property restored to the War Department. The general circumstances will, of course, be taken into account in fixing the appropriate punishment.

4. The position is different in relation to enemy war supplies. An occupying force does not automatically acquire title to enemy war supplies in the occupied territory: it only acquires the right to take possession of any public movable property of which it can directly or indirectly make use for military operations. It follows that war supplies left behind by the enemy become the property of the Allied Forces when, but only when, some act is done by the Allied Forces to reduce them into possession. In areas where the new proclamations are posted the interests of the Allies are protected by Proc I, Art V, para 28.

5. Sufficient copies of this instruction are enclosed for distribution to all legal officers in your region: they should bring the contents to the notice of other officers sitting on courts within their respective provinces.

8

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

Copies to: ROAMG Sec (6).

FROM: ACC/4034/8/L
LEGAL SUBCOMMISSION

To Legal
20 AUG 44

TO : DISTRIBUTION CENTRE

Will you please distribute as per list :-

RLO REGION	I	12 Copies
" "	2	7 "
" "	3	10 "
" "	4	20 "
" "	5	10 "
" "	6	5 "
" "	7	5 "
" "	8	10 "
" "	9	10 "
" "	2	10 "
PLO (thru PC)		3 "

TOTAL COPIES 102

Distribution completed

7 Carps. Scamell

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

2A

/rlp.
19 August 1944.

ACC/4034/8/L.

SUBJECT : Allied war supplies as abandoned property.

TO : Brig. A. Low, RAAC.

1. As a result of your letter AI/jg of 15 Aug 44 a directive has been sent out to all regions concerned, and a copy is attached.
2. You will see from that directive that the opinion of the Legal Sub-Commission supports your contention.
3. While the precise facts of the case against BLANCHI are not known, it seems that the Court went wrong on a point of law. Thank you for bringing the case to our attention.

RICHARD H. WILDER,
Colonel, CAC,
Acting Chief Legal Officer.

ROME ALLIED AREA COMMAND
APO #794, US ARMY

AL/jg
15 August 1944

Lt. Col. Campbell,
Chief Legal Officer,
Headquarters,
A.C.C.

In reference to my recent conversation with you, herewith report on the case referred to.

It is felt that the court's ruling cannot be accepted since it is apparent that the sandbags are property either of the Allied or hostile armies.

This ruling may logically be extended to all military material left in the battlefield. Such material is methodically collected by the salvage organization. Its collection takes time and it seems that this ruling raises the danger that civilians may establish claims to ownership of tanks, guns, ammunition, etc.

I shall be glad of your advice before raising the matter with superior military authority.

Alm
A. LOW,
Brigadier

RESTRICTED.Ref: SIB76/A/44/407/76th. Section,
Special Investigation Branch,
Corps of Military Police,
Central Mediterranean Forces,

18

Subject:- Military Equipment at Anzio.To:- Provost Marshal, (Br.) Rome Allied Area Command.

With reference to the attached correspondence, received at this Office under cover of your letter Pro 38 dated 5th. August 1944, referring to the sale of Sand-bags by Italian civilians in ROME, enquiries have now been made, resulting in the following.

S & T., H.Q., A.A.I. were contacted and supplied the information that civilian contractors were in fact supplying them with sand-bags, at the price of 25 Lire per sand-bag, but as yet no payments had been made. As a result two civilians by the names of BERGOZZINI, Via Vaticano No.75, and MENCATTINI, Via Fascisto No.19, both of ROME, were arrested. They stated that they sold the sand-bags in turn to a Dr. BOCCANELLI, who in turn sold the sand-bags to S. & T., A.A.I. All these civilians have been arrested together with another ERCOLI, Via Orazio Coclide, No.8, ROME.

It would appear that the sandbags come from the old battle-fields of Anzio and Velletri, and these sandbags are undoubtedly the property of either the Allies or the enemy.

During the investigation it was found that BERGOZZINI had purchased a lot of these sandbags from a civilian named BIANCHI Serafino of Cenzano. BIANCHI was arrested by the Military Police (Western Div.) on or about the 20th. July 1944, for being in improper possession of a large quantity of these sandbags, and had appeared before the Superior Court and had been 'Acquitted'; the Judge ruling that the sandbags be returned to him as his rightful property.

In consequence the Prosecuting Officer, Palazzo di Justizia, ROME, was contacted, who explained the ruling of the Superior Court to be as follows.

"BIANCHI Serafino had collected the sandbags found in his possession after the property had been abandoned by the Allies. Therefore if the Allies leave sandbags abandoned which later are emptied and collected by civilians, the civilians are entitled to such sandbags as their own property, and if they are re-sold to the Allies, shipping space is being saved".

In view of this I immediately suspended my investigations, pending a clarification of the matter, as at the moment D.A.D. Salvage considers the transaction illegal, whilst the A.M.G. Judges have decided there is no offence.

..2..

P.T.O.

.2.

May a ruling please be given to this Section, in due course, as no other arrests are being effected at the moment.

The cases in which arrests have been made, will appear at the Courts as usual, but dismissals can only be expected in view of the former case.

In the Field.
11th. August, 1944.

(R.A. ARCHER.) Captain,
D.A.P.M., 76th. Section.
Special Investigation Branch.

AS/

Subject:- Military Equipment at Anzio.

British Increment
Fifth Army
att Rome Allied Area Command
Tel: 66440-9 Ext.82
Ref: 128/1/ SAL

4 August 1944

Provost Marshal,
Rome Allied Area Command.

Confirming conversations Lt.Col. White - Capt.Charlton-Major Kendall.

1. As there is a market for second-hand sandbags in Rome a scheme for the recovery and sale of sandbags by contract is being investigated.
2. It has been found, however, that the local Italians recover sacks from the woods and sell them in Rome for anything up to 40 lire each.
3. It would be appreciated if steps could be taken to stop, or at least minimise, this illegal removal and sale of sandbags, possibly by means of the Black Market patrols round Rome.
4. To assist in locating the individuals financing the present racket the following information is available:
 - (a) On 31 July 1944 a large lorry was stopped by a patrol of 19 Salvage Unit on the Main Anzio - Rome road and found to contain from 5.000 to 6.000 sandbags. These were removed and placed in the Salvage Depot at Padiglione, MR 8624. The driver was Antonio Gianette, it seems the lorry belonged to the Comune di Cisternade di Littoria, licence number ROME 7629.
 - (b) On 1 Aug 44 a smaller lorry, licence number ROME 6. 8745 was seen by D.A.D. Salvage entering Rome with a load of bags. It was stopped and then handed over to Sgt.Ryan, 76 Sect, S.I.B. who chanced to be passing. He arranged to make investigations. The bags were handed in to the Salvage Depot at Tor Sapienza.
 - (c) These are only two cases but there is no doubt that there is an extensive trade going on and O.C., 140 Coy, Pioneer Corps, can supply further information to this effect.

AS/

Major.
D.A.A. Salvage.

U.S. RESTRICTED Equals British RESTRICTED

ALLIED FORCE HEADQUARTERS
APO 512

OA

1 May 1944

CIRCULAR)

NUMBER 13)

INSTRUCTIONS FOR ALLOCATION AND ASSIGNMENT
OF CAPTURED ENEMY MATERIEL

Circular Number 63, this headquarters, 1943, is hereby rescinded. The following instructions outline the organization, and prescribe in general the procedure to be followed in the allocation and assignment of serviceable and repairable captured enemy materiel.

1. Definitions.

a. Captured Enemy Materiel. For the purpose of this directive all equipment, stores, and supplies previously belonging to all arms and services of the Ground Forces of the enemy. (Equipment, stores and supplies previously belonging and peculiar to Naval and Air Forces of the enemy will be dealt with in accordance with directives to be issued by C-inC Mediterranean Naval Forces and CG, MAAF).

b. Italian Materiel. All Italian Materiel belonging to all arms and services of the Italian Ground Forces and in the possession of the Italians at the time of the armistice is considered as Italian Materiel and, except as otherwise directed by this headquarters is reserved for the use of the Italian Army under the direction of the Army Sub-Commission, Allied Control Commission.

2. Organization.

a. The responsibility for the assignment of serviceable and repairable captured enemy materiel and the maintenance of necessary records pertaining to such materiel and supplies is placed upon a Special Staff Sub-Section of the Quartermaster Section this headquarters, known as Captured Enemy Materiel Section (previously called Captured Enemy Materiel Executive Committee). It is an integrated section consisting of American and British officers.

b. Captured Enemy Materiel (C.E.M.) Sub-Section representing C.E.M. Section this headquarters will be attached to Headquarters of Armies, Districts, Areas and Base Sections whenever the presence of captured enemy materiel renders it necessary.

c. The instructions contained herein are not to be interpreted in any way as relieving Commanding Generals of Armies and Areas of their responsibility for collecting, sorting, classifying, safeguarding and evacuating captured enemy materiel in accordance with existing instructions to specified parks, dumps, etc.

- 2 -

U.S. RESTRICTED Equals British RESTRICTED

U.S. RESTRICTED Equals British RESTRICTED

AFHQ Cir. No. 13 (cont'd)

3. Duties and Responsibilities.

a. G-3 (Org), this headquarters.

- (1) Formulates and assigns priorities for captured enemy materiel.
- (2) Processes all communications with higher authorities.

b. Quartermaster C.E.M. Section, this headquarters.

- (1) Formulates policies for the operation and controls C.E.M. Sub-Sections at subordinate headquarters.
- (2) Calls for, receives, and collates all reports from C.E.M. Sub-Sections at subordinate headquarters.
- (3) Lists separately serviceable and repairable materiel and obtains allocation instructions from G-3 (Org).
- (4) Receives all demands for allocations of captured materiel and processes such demands to G-3 (Org) for allocation instructions.
- (5) Issues disposition instructions based on G-3 allocations.

c. C.E.M. Sub-Sections at other headquarters.

- (1) Forwards to this headquarters (C.E.M.) lists of captured enemy materiel. These lists will, as far as practicable differentiate between serviceable and repairable materiel, and will normally be prepared by the special staff or service concerned.
- (2) Advises and cooperates with Special Staff or Service on matters pertaining to the collection, classification, listing and servicing of captured enemy materiel.
- (3) Makes inspections of dumps or parks containing captured enemy materiel to determine whether instructions for collection, sorting, classification, and safeguarding are being followed.
- (4) Renders reports called for by higher authority.
- (5) Obtains and processes disposal orders on serviceable and repairable captured enemy materiel from Quartermaster C.E.M. Section this headquarters. (For disposal of Salvage (British) or unserviceable materiel (U.S.) see paragraph 4 below).

U.S. RESTRICTED Equals British RESTRICTED

U.S. RESTRICTED Equals British RESTRICTED

AFHQ Cir. No. 13 (cont'd)

4. Procedure for collection and Disposal of Salvage (British definition) and unserviceable materiel or scrap (U.S. equivalent). This will continue under normal procedure. The basic document in the case of United States forces is Circular Number 18, Headquarters MATOUSA, 1944.

5. Demands for Captured Enemy Materiel. These will be addressed to C.E.M. Quartermaster Section, this headquarters, through the following channels:

Inside the Theater

For Intelligence Research through G-2; this headquarters.
For Operations through G-3 Operations, this headquarters.
For Training through G-3 (Trg), this headquarters.

Outside the Theater

For Intelligence Research through G-2, this headquarters.
For all other purposes through London Munitions Assignment Board.

6. Removal of Materiel or Supplies. When an agency or supply service is allocated captured enemy materiel or supplies, it must assume the responsibility for identifying material or supplies for which they have approved allocation instructions and to arrange for their removal from area, park, or dump in which located, and for their preparation for shipment within the theater or for destinations outside the theater. (AG 400.93-1-D-0)

By command of General WILSON:

J. A. H. GAMMELL,
Lieutenant General, Chief of Staff

OFFICIAL:

/s/ H. V. Roberts
H. V. ROBERTS,
Colonel, AGD,
Adjutant General.

Reproduced, Hq. Peninsular Base Section,
APO 782, 6 May 1944 MA.

DISTRIBUTION:
"A" and "E"

1

