

No 20 carrelli senza ruote e senza cassone;
 No 20 scambi da ml. 5 mancanti degli assi;
 No 4 scambi da ml. 4,30 " " "
 No 6 scambi da ml. 6 " " "
 ml. 120 di binario completo da 60;
 No 16 casse per vagonetti sfondati;
 No 20 assi sciolti con ruote, inservibili;
 No 4 vagonetti a barche su ruote, sfondati;
 No 3 benne con gancio per gru ~~max~~ sfondate;
 No 1 tramoggia di carico per bitoneria completamente ossidata.

DEPOSITO SICURI

No 1 compressore "Ingersoll" n° 28223, tipo 9 x 8 -

Mancano: le serbatoine di attacco, la valvola di sicurezza, il tubo di aduzione dell'acqua e il coperchio;

ml. 20 binario da 60;

Kg. 600 rottami vari;

PUNTA SIDERI

No 1 motocompressore Mattei n° 709 ridotto a rottame per distruzione ed asportazione delle parti mobili.

MARICOMI

No 1 betoniera "Loro e Parisini"; manca il motore, il dispositivo per il sollevamento ed il rovesciamento del materiale da impasto, benne di carico, ingranaggi di rotazione ed altri accessori.

...//..

LOCCALITA' BUCCURATI

N° 1. 18 rotelle sciolite da m/m 60;
N° 2 casse ossidate da mc. 0,75;
N° 1 carrello senza casse.

AEROPORTO - presso AUTOCENTRO

N° 1 rullo compressore stradale con motore Deutz Diesel n°269052 del peso di 8 Tonn.; in pessime condizioni, mancano: l'iniettore, la corona dentata dello sterzo, perno di fissaggio del carro con la ruota anteriore ed il bilanciere.

Il motore è da ricostituire.

N° 1 rullo compressore stradale da 16 Tonn. con motore Deutz Diesel n°260030, in pessime condizioni, mancano:

l'ingranaggio di movimento ed il relativo albero di trasmissione; l'albero, ingranaggi, catene per la guida; iniettore, bombole dell'aria, bombole di avviamento, tubazione acqua raffreddamento, tubazione varie di adduzione della nafta ed olio; la tettoia; il serbatoio della nafta è sfondato; gli apparecchi di misura e controllo, la sottopacca; mancano - Il motore è completamente da ricostituire.

LA RAPPRESENTANTE DECCA S.A.
INGG. FRATELLI DAMICOLI
(ING. GIOVANNI RICO)

Ing. R. Rico

LA DECCA S.p.A. DIREZIONE AUT.
DE- GENIO MIL. PER LA MARINA DI
MESSINA
(Geometra Giuseppe RUONDO)

G. Ruondo

Vito

Ing. Cesare del Conte

No 2 casse ossidate da me. 0,75;
No 1 carrello senza casse.

AEROPOMO - presso AUTOSCHIRO

No 1 rullo compressore stradale con motore Dantz Diesel
n°269052 del peso di 8 Tonn.; in pessime condizioni, mancano:
l'iniettore, la corona dentata dello sterzo, perno di fis-
saggio del carro con la ruota anteriore ed il bilanciere.
Il motore è da sostituire.

No 1 rullo compressore stradale da 16 Tonn. con motore Dantz
Diesel n°260030, in pessime condizioni, mancano:
l'ingranaggio di movimento ed il relativo albero di tra-
missione; l'albero, ingranaggi, catene per la guida;
iniettore, bombola dell'aria, bombola di avviamento, tu-
bazione acqua raffreddamento, tubazione varie di adduzio-
ne della nafta ed olio; la tettoia; il serbatoio della
nafta è sfondato; gli amperometri di misura e controllo,
la sottopacca: mancano - Il motore è completamente da
ricostituire.

LA RAPPRESENTANZA DELLA S.A.
INGG. FRATELLI DANIOLO
(ING. GIOVANNI RISO)

Angelo Riso

LA DIZIONE DELLA DIREZIONE AUT.
DE- GENIO P.L. PER LA MARINA DI
MESSINA
(Geometra Ginsanto Blando)

Ginsanto Blando

Visto:
Galante



H.O., SICILY LIAISON GROUP, A.C.
APO 394

25 March 1946

SUBJECT: Special Report

TO : Major Lund, ACIO, Palermo

Sir,

1. I have to report to you on my visit to Pantelleria on March 23rd, 1946, with Dott. Berton and Dott. Mattioli, representatives of the engineering Firm of Cidonia & Co. This visit was undertaken in accordance with instructions received from Lt. Col. G.G. Hannaford, Legal Sub-Commission and yourself.
2. Cidonia & Co., a private firm, were employed by the Italian Government, on work connected with the Harbour. When Pantelleria fell to the Allied Armies in 1943, all their material was placed with the captured booty from the Royal Italian Navy, and although their representatives frequently attempted to obtain permission to take care of it and to watch it, the various C.A.O.'s on the island refused to allow them to go near it, as it was considered by the latter as captured enemy property.
3. Needless to say considerable damage has been suffered by the firm, owing to theft exposure, sales by C.A.O.s to various individuals, removal by various army units etc. Together with the aforementioned individuals and their representative on Pantelleria itself, we carried out an inspection of the remaining material. There is little doubt that some of the damage received was avoidable - for example the roof of the locomotive shed had been removed for some reason or other, but no steps taken to protect the four locomotives inside, which are now in an execrable condition owing to exposure and pilferage. Also a diesel engine in the stone quarry had been dismantled and the pieces just left lying about, - needless to say many are missing. According to the local representatives, this happened when some local individual offered to buy the motor from the C.A.O. of the island, but subsequently found the price too high - He had already started to dismantle the motor and did not bother to put it together again.
4. By way of further comment, two huts belonging to the Company have been taken over by the local authorities, patched up and used as a hotel and a ~~by~~ ^{by} ~~the~~ ^{the} ~~local~~ ^{local} ~~authorities~~ ^{authorities}.
5. I am enclosing (1) a list of the material remaining on the island, which was compiled by Dott. Berton in my presence. I am satisfied this is covered in all essential detail. (2) A photostatic copy of the material brought onto the island by Cidonia & Company before its capture. I have added to this

- 2 -

document various observations made by myself during my visit, which may be of interest to you. (3) A copy of an order, issued by myself personally to the various local authorities and designed to prevent further loss to the firm until a final decision is taken as to the disposal of all this material.

6. I would suggest that a back-dated requisition form be given to Cidonia & Co. for all the material listed on the photostatic copies, and also a de-requisitioning form so that they can file their claim for damage with the appropriate authorities. The firm are anxious to remove what is left from the island in order that it may be used for reconstruction work elsewhere in the country.

7. By way of further comment the firm are asking permission to buy up various stocks of AMG oil, grease etc. left in Pantelleria, in order that they may apply it to preserving what remains of their property. Can the authority please be given for this, especially as these oil deposits, seen by me, are gradually getting smaller, owing to leaking barrels, evaporation etc., and may as well be used for something useful.

8. Also Dott. Berton has requested permission for the firm to buy up three Electric Generators (approximately 300 H.P. in all) with three dynamos. These were, according to him, formerly the property of the Royal Italian Navy and presumably can be classified as captured booty. I gather they would be of considerable use to Cidonio & Co., who have already suffered so much damage.



C.A.G. MOORE, Captain,
H.Q., Sicily Liaison Group, A.C.

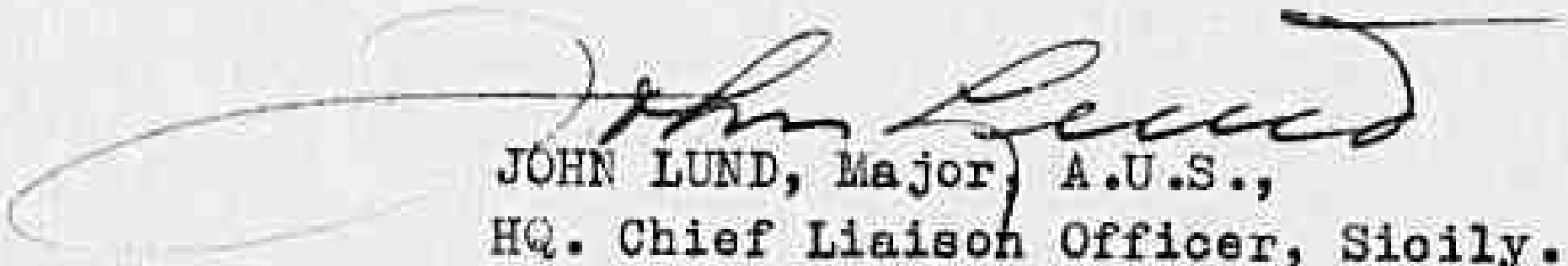
1st Ind.

AC/S/N 01.

From HQ. Sicily Liaison Group, A.C.
To HQ. Allied Commission, APO 394,
(attn Legal Sub-Commission).

I. Forwarded with request for advice concerning recommendations in para's 6, 7, and 8.

15



JOHN LUND, Major, A.U.S.,
HQ. Chief Liaison Officer, Sicily.

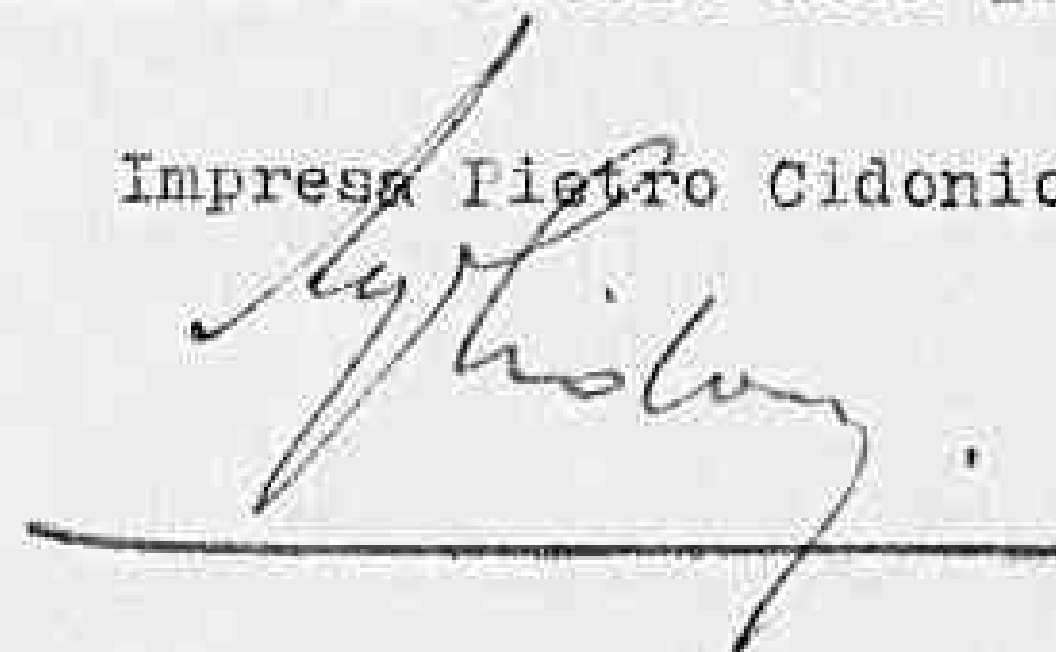
IMPRESA PIETRO CIDONIO
COSTRUZIONI EDILI FERROVIARIE PORTUALI E IDRAULICHE

TELEGRAMMI: CIDONIO - ROMA
TELEFONI: 60-835 - 65-140

ROMA 2 febbraio 1946
VIA DEI PONTEFICI, 3

Il nostro sig. Dr. Antonio Berton di Beniamino
è da questa Impresa incaricato di rappresentarla nei con-
fronti delle Autorità Alleate ed Italiane per quanto ri-
guarda il cantiere posseduto dall'Impresa a Pantelleria e
così è autorizzato a redigere inventari delle attuali con-
sistenze del cantiere stesso, a riprenderne la consegna e
ad esercitare ogni azione nell'interesse dell'Impresa.

Impresa Pietro Cidonio



J.

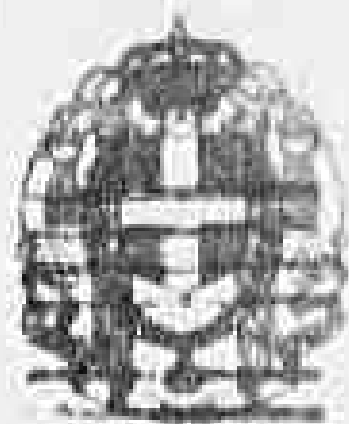
144

The bearer of this letter, dr. Antonio BERTON of Beniamino has full powers to represent the Pietro CIDONIO firm in front of Allied and Italian Authorities in connection with all the installations owned by our firm in Pantelleria.

He is authorized to make an inventory of all materials, machinery and installations of our property which have been left, to take them back and to take every step which may be necessary in the interest of our firm.

Signed:

Pietro Cidonio Firm



21 GEN. 1946

Roma

15 GEN. 1946

Ministero della Marina

DIREZIONE GENERALE DEL GENIO MILITARE

Divisione Ann. va Sez. 1°

INDIRIZZO TELEGRAFICO: MARIGENIMIL - ROMA

Prot. N° 3/600 Allegati //

c.p.c.

MARIGENIMIL - MARINA -
All'IMPRESA PIETRO CIDONIO
via dei Pontefici n. 3

= ROMA =

(rif.f.n. 6732/DA del 28.12.1945)

ARGOMENTO: Lavori a Pantelleria.-

Con foglio n. 1005/DA del 6.3.1945 l'Impresa Pietro Cidonio richiese a questo Ministero una dichiarazione con la quale potesse comprovare a chi di dovere la proprietà dell'attrezzatura, dei macchinari e dei mezzi d'opera dei propri cantieri nel porto di Pantelleria.-

Questo Ministero fornì all'Impresa tale precisazione come rilevò dal dispaccio n. 2/2093 in data 8 marzo 1945, che si allega in copia per opportuna conoscenza di codesta Direzione.-

L'Impresa Cidonio ha ora fatto presente che, malgrado i diretti interventi e sollecitazioni, non ha avuto dal Governatore Inglese dell'Isola di Pantelleria alcuna notificazione circa la riconsegna delle attrezzature dei propri cantieri e pertanto ha chiesto l'intervento della R. Marina per la tutela dei suoi interessi.-

Premesso che il Ministero non intende verso l'Impresa Cidonio, in merito a quanto precede, assumere alcun impegno, si segnala all'attenzione di codesta Direzione di tenere in considerazione gli interessi della predetta Impresa nell'occasione del ritorno dell'Isola all'Amministrazione Italiana.-

p. IL MINISTRO

Il Generale di Divisione Crist. Sen.
(F. Incontro Amore)

STUDIO VASSALLI
19.1 LUNGOTEVERE VALLATI, ROMA

TEL. 55521

PROF. FILIPPO VASSALLI
PROF. GIUSEPPE FERRI
PROF. GIULIANO VASSALLI
PROF. PASQUALE CHIOMENTI

7th March 1946

To: Captain Moore,
A.S. Liaison Officer,
P a l e r m o .

Re: CIPOLLO claim in Pantelleria.

1.- With reference to the conversation we held in Rome on February 28th, I am sending to you, enclosed herewith, the following documents:

- (a) inventory of machinery, equipment and materials - the property of CIPOLLO's Firm - which were brought to Pantelleria by the Firm in order to carry out the works in the harbour of Pantelleria. This inventory was made up on February 23th, 1943, and was checked - and signed on each page - by Ing. De Maio, Director of Works at the Ministry of Public Works;
- (b) list of additional equipment and materials - the property of the Firm -, which were brought by the Firm to Pantelleria after the above mentioned inventory had been made up;
- (c) inventory of machinery, equipment and materials - the property of the Firm - which were brought by the Firm to Pantelleria in order to carry out the works for the Royal Navy in Pantelleria. This inventory was made up on May 5th, 1943, and was checked and countersigned by Major Trombetta, representative of the Italian Royal Navy in Pantelleria;
- (d) minute from N.I.C., A.P.E.G. to Italian Naval Mission dated 28/3/1945, attached to which is a memorandum submitted by the Italian Naval Mission to C. in C. Med.;
- (e) letter of Italian Ministry of Navy - dated 8/3/1945 - stating that all the machinery, equipment, mate-

./.

STUDIO VASSALLI
10 LUNGOTEVERE VALLATI, ROMA

TEL. 55521

PROF. FILIPPO VASSALLI
PROF. GIUSEPPE FERRI
PROF. GIULIANO VASSALLI
PROF. PASQUALE CHIOMENTI

2.

rials etc. which the Firm brought to Pantelleria in order to carry out the contracts it had with the Ministry of Navy and the Ministry of Public Works have never been in custody or in possession of nor have they become the property of, the Ministry of Navy.

2.- From the above documents (vide: enclosures marked (d) and (e)) it clearly appears that the property in question is private property and that it has never been the property of the Italian State.

I understand that some Italian civilians have wrongly informed the local Allied Authorities of Pantelleria that Cidonio's property had been handed over to the Italian Ministry of Navy. This wrong information is contradicted by the official statements made by the Ministry of Navy (enclosure marked (e)) and by the Italian Naval Mission to G. in S. Med. (enclosure marked (d)).

The inventories referred to in Para 1, (a), (b), (c), prove that all the items described therein are the property of the Firm and give a full and exact description of such property, so that you will be in a position to ascertain what materials, equipment and machinery have been disposed of by A.M.G., and what is left.

3.- It is respectfully requested that your office issue proper requisition documents covering all machinery, equipment and materials that have been disposed of by A.M.G., for their direct use or for selling them to private firms and individuals; and that all the existing material be given back to the Firm.

40 Until the Firm gets the requisition papers it cannot apply to the Italian Government for compensation: and this means a huge loss for no fault of its own.

On the other hand, according to well established and undisputed principles of International law, private property can-

./.

STUDIO VASSALLI
10 LUNGOTEVERE VALLATI, ROMA

TEL. 55521

PROF. FILIPPO VASSALLI
PROF. GIUSEPPE FERRI
PROF. GIULIANO VASSALLI
PROF. PASQUALE CHIOMENTI

3.

not be confiscated but can only be requisitioned by a military
occupant.

With kindest regards,

I am,

Yours very faithfully

Pasquale Chiomenti

ELENCO DEI MATERIALI DELL'IMPRESA PIETRO CIDONIO LA CUI CONSISTENZA VIENE CONSTATATA IN DATA 23 MARZO 1946- NEL CANALIERE DI PANTELLERIA IN PRESENZA DEL CAPITANO MOORE RAPPRESENTANTE DELLA SOTTOCOMMISSIONE LEGALE DELLA COMMISSIONE ALLEATA .- E DEL PROCURATORE LEGALE DELLA IMPRESA PIETRO CIDONIO DOTT. ANTONIO BERTON .-

SULLA SCORTA DELL'INVENTARIO ORIGINALE VISTATO PER CONTROLLO DAL MINISTERO DEI LL.PP.-----

FABBRICATO IN muratore ex centrale aria compresse nella cava .-, Deposito cemento al piano massi ridotto alla lunghezza di ml. 58.-

Silos pietrisco e sabbia al piano massi .-

Due fabbricati in muratura della centrale termoelettrica .-

Due vasche in muratura del deposito locomotive .-

Ex fabbricato alloggi impiegati dell'Impresa adibito attualmente ad albergo ed ufficio armatore Rizzo .- (Previa riparazione)

Ex fabbricato ufficio tecnico amministrativo dell'Impresa adibito a casa di tolleranza .- (previa riparazione)

NOTA- Esistono poi i seguenti fabbricati danneggiati .-

Ex abitazione cava; cucina cava ; (questi due semidistrutti)

Ufficio personale Genio al piano massi; cisterne acqua ; ex cucina piano massi ; Rimessa locomotive (senza la copertura ed in parte demolita nell'asportazione della copertura ; Officina meccanica

al porto ; officina fabbri ; ex magazzino materiali ; centrale

Diesel ; sala pompe stessa ;

Binario scartamento 600 m/m . ml. 1178 -

38 Binario scartamento 750 " ml. 9755 (ivi dedotto il quantitativo danneggiato da azioni belliche)

Scambi n° 40 (ivi dedotto come sopra)

Vagoni scartamento 750 n° 75 - (30 in cattivo stato)

Vagoni scartamento 600 n° 13 (parte in uso per sgombero macerie)

Telai mobili per piattine n° 36

Piattine portascogli n° 63 - (10 in pessime condizioni)

Portamassi n° 4 -

Carrello trasbordatore privato dei meccanismi .-

Piattaforme girevoli n° 6-

-2-

Piegaretaie n° 1

N° 9 locomotive private dei congegni esterni ed in cattivo stato.-

N° 3 locomotori fuori uso ed uno in uso attualmente per sgomberi.-

Centrale termoelettrica, con le caldaie in buone condizioni; i meccanismi ausiliari privati dei congegni; così dicasi per la turbina e alternatore; attrezzatura elettrica asportata.-

Gru Titano danneggiata da azione bellica; sono stati asportati i motori ed il trasformatore.-

Escavatore NORTHWEST danneggiato da azione bellica

Escavatore PH danneggiato da azione bellica.-

Escavatore 1030 privati di compressore ausiliario e congegni esterni (n°2)

Gru portamassi privata dei motori.-

Derrick triade in ferro senza motore che è stato asportato.-

Gru a vapore n° 64 matr. senza i congegni esterni.-

Motore Deutch-Werkehl in cava reso fuori uso.- (Pezzi sequestrati a suo tempo all'armatore Rizzo dal Governatore)

Compressore Sullivan in cava.-

Compressore Tooli fuori uso.-

Compressore Ingersoll Rand fuori uso.-

Motocompressore ingersoll Rand fuori uso.-

Compressore Diatto fuori uso.-

Motore Wisconsin Nord West privo del magnete e della testata.-

Motore Hatz (noleggiato all'armatore Rizzo che lo tiene sul veliero Olga)

Frantoio Cluss e motore Bubba (motore fuori uso)

idem come sopra due gruppi fuori uso.-

Mulino a sabbia Magutt.-

{ Alimentatore Magutt (privato delle griglie)

Elevatore a tazze.-

Argano a mano Gentili.-

Rullo compressore Deutz (reso fuori uso)

Autocarro 621A (venduto motore e ruota da M.G.)

Carro a trazione animale (ex carro botte senza la botte)

Pressa idraulica (senza i congegni esterni)

Gli scheletri delle macchine utensili della officina privati di tutti i congegni.-

4 Martinetti idraulici.-

./.

vedi

Dubois Birkner

- 3 -

† Paranco da 10 tonn. † Paranco da 3 tonn. † da 500 kg.-

Bascula pesa scogli (per binario 750 m/m. Falcot Maire)

Bilancia Berkei.-

Impianto tubi rimessa locomotive ml. 58 tubo da 2" e 10 ml. da 3"

Centrale elettrica Diesel 300 HP ; tanto il motore Tosi quanto il generatore elettrico privati dei congegni e molto danneggiati per le asportazioni .-

Mulino Clemen-Alimentatore per mulino - Frantoio Clemen- Granulatore Magut-
Vaglio vibrante-

Nessun motore elettrico in efficienza é stato rinvenuto , sono esistenti alcune carcasse e rotor che potranno essere utilizzati come rottami .-

Una partita di binario accatastato in cava e al porto per complessivi ml. 2004 - sito 75 m/m.-

Una partita di traverse di quercia per complessivi mq 120-

Una betoniera del piano massi.- (21 S)

Per l'impossibilità di elencarli minutamente non vengono riportati tutti quei pezzi minuti o rottami , o macchine in tale stato , la cui appartenenza é evidente o probabile dalla Ditta stessa .-

I galleggianti non sono stati inclusi .-

p. p. Luperon Pietro Codur
p. b. Dubois Berken

36

sono elencati nel tutto gli
dell'azienda
vaglio
Caffarelli
Luperon
12-3-46

HEADQUARTERS ALLIED COMMISSION
470 794
LEGAL DIVISION

FILE
6-1946

AC/4034/15/L

MT/ns
2 November 1946

SUBJECT : Allied requisitioning in
Pantelleria
TO : The Ministry of Treasury,
Rome.

1. Studio Vasselli has brought to our notice that a question has been raised as to the correct translation of certain words inserted in paragraph 4 and 5 of the letter of the Chief Liaison Officer, Sicily, a copy of which was sent to you on 4th May, 1946.

2. The question is as to the meaning of the terms "requisitions....should be treated..." and "all material....should be returned..." in paragraph 4 and 5 respectively.

3. In official correspondence on grounds of courtesy it is the practice to employ the term "should" rather than the term "shall", which indicates a peremptory order, or "must", but the meaning is certainly "must", and this meaning can only be correctly conveyed by employing a term in Italian that is equivalent to "must" or "ought to".

MUSGRAVE THOMAS,
Italian Branch,
For Chief Legal Advisor.

27 July 1946.

AC/9/11 CA

ADDRESS : PROPERTY at "Antellina" - Fratelli Damioli.

to : Società' Fratelli DANIELI, Milano.

1. Further to this office letter 10/3/77 Cf dated 18 April 1946, the following observations supplement those contained in the above mentioned communication.

2. All material and machinery described in list "A" (copy of which has been forwarded to Ministry of Treasury) were duly requisitioned by Allied Military Government Bartolieri from the date of the landing of Allied troops on the Island up to 31 December 1945. All material and machinery described in said list "A" is to be considered as requisitioned within the meaning of the Italian term "requisizioni in proprietà".

3. All material and property described in list "B" (copy of which has been forwarded to Ministry of Treasury) were duly requisitioned by Allied Military Government Cantaliera as from the date of the landing of Allied troops on the Island up to 31 December 1943, on which date the said material and property have ceased to be used by Allied Military Government. All material and property mentioned in the said list "B" are considered requisitioned within the meaning of the Italian term "requisizione in uso".

4. Unfortunately both requisitions were only made verbally, but they are confirmed and should be treated in exactly the same way as other property for which proper requisition forms have been issued.

5. All material and property belonging to Damioli & Coy at Santalleria, which is described in list "B" should be returned to the owner by the Italian authorities concerned.

L. MONTAGUE, Lt. Col., C.E.,

Former A.C. Chief Liaison Officer, SIXTY

1. Further to this office letter AG/3/H of dated 18 April 1946, the following observations supplement those mentioned in the above mentioned communication.
2. All material and machinery described in list "A" (copy of which has been forwarded to Ministry of Treasury) were duly requisitioned by Allied Military Government Pantelleria from the date of the landing of Allied troops on the island up to 31 December 1945. All material and machinery described in said list "A" is to be considered as requisitioned within the meaning of the Italian term "requisizione in proprietà".
3. All material and property described in list "B" (copy of which has been forwarded to Ministry of Treasury) were duly requisitioned by Allied Military Government Pantelleria as from the date of the landing of Allied troops on the island up to 31 December 1945, on which date the said material and property have ceased to be used by Allied Military Government. All material and property mentioned in the said list "B" are considered requisitioned within the meaning of the Italian term "requisizione in uso".
4. Unfortunately both requisitions were only made verbally, but they are confirmed and should be treated in exactly the same way as other property for which proper requisition forms have been issued.
5. All material and property belonging to Danioli & Coy at Pantelleria, which is described in list "B" should be returned to the owner by the Italian authorities concerned.

34

[Handwritten signature]

L. MORICONE, Lt. Col., C.I.A.

Former A.C. Chief Liaison Officer, SICILY

Copy to:

Ministry of Treasury, Rome, (with enclos list "A" & "B")
 Intendenza di Finanza, Trapani
 Ufficio del Genio Civile, Trapani
 Ufficio del Genio Civile, Palermo
 Legal Sub-Commission, H.Q. Allied Commission.

R.O., HUNTER LIAISON GROUP, A.C.
APO 394

60/34/M 01

27 July 1945.

OGGETTO: Proprieta' della Ditta Demoli giacente in Pantelleria.

A : Societa' Fratelli Demoli, Milano.

1. Facendo seguito alla lettera No. 40/34/M 01 del 18 Aprile 1945 al nostro Ufficio, con la presente si aggiungono a quella contenuta nella suddetta lettera, le seguenti osservazioni.

2. Tutto il materiale ed il macchinario descritto nello elenco "A" (di cui copia e' stata inviata al Ministero del Tesoro) venne debitamente richiesto dal Governo Militare Alleato di Pantelleria con effetto dalla data dello sbarco delle truppe Alleate nell'Isola fino al 31 Dicembre 1945. Tutto il materiale ed il macchinario descritto nel suddetto elenco "A" deve essere considerato come requisito entro il significato del termine italiano "requisizione in proprieta'".

3. Tutto il materiale o la proprieta' descritti nell'elenco "B" (di cui copia e' stata inviata al Ministero del Tesoro) venne debitamente richiesto dal Governo Militare Alleato di Pantelleria con effetto dalla data dello sbarco delle truppe Alleate nella Isola fino al 31 Dicembre 1945, data in cui il Governo Militare Alleato ha cessato di farne uso. Tutto il materiale e la proprieta' indicati nel suddetto elenco "B" e' considerato requisito entro il significato del termine italiano "requisizione in uso".

4. Sfortunatamente ambedue le requisizioni vennero fatte solo verbalmente, ma le stesse vengono confermate e dovrebbero essere trattate esattamente colle stesse modalita' usate per altre proprieta' per cui sono stati cessati appropriati moduli di requisizione.

5. Tutto il materiale e la proprieta' appartenente alla Ditta Demoli & Co., giacente in Pantelleria, descritto nell'elenco "B" dovrebbe essere restituito al proprietario dalla competenti autorita' Italiane.

(Signature)

L. MONTAGNA, Lt. Col., G.L.,

Former A.C., Chief Liaison Officer, SICILY

OGGETTO : Proprietà della Ditta Demicoli rincente in Artilleria.

A : Società Fratelli Demicoli, Milano.

1. Facendo seguito alla lettera No. AC/3/H 01 del 19 Aprile 1946 di questo Ufficio, con la presente si aggiungerò a quello contenuto nella suddetta lettera, le seguenti osservazioni.

2. Tutto il materiale ed il magazzino descritto nello elenco "A" (di cui copia è stata inviata al Ministero del Tesoro) venne debitamente richiesto dal Governo Militare Alleato di Artilleria con effetto dalla data dello sbarco delle truppe Alleate nell'Isola fino al 31 Dicembre 1945. Tutto il materiale ed il magazzino descritto nel suddetto elenco "A" deve essere considerato come richiesto entro il significato del termine italiano "requisizione in proprietà".

3. Tutto il materiale e la proprietà descritti nell'elenco "B" (di cui copia è stata inviata al Ministero del Tesoro) venne debitamente richiesto dal Governo Militare Alleato di Artilleria con effetto dalla data dello sbarco delle truppe Alleate nella Isola fino al 31 Dicembre 1945, data in cui il Governo Militare Alleato ha cessato di farne uso. Tutto il materiale e la proprietà indicati nel suddetto elenco "B" è considerato richiesto entro il significato del termine italiano "requisizione in uso".

4. Sfortunatamente ambedue le requisizioni vennero fatte solo verbalmente, ma le stesse vengono confermate e dovrebbero essere trattate esattamente colla stessa modalità usate per altre proprietà per cui sono stati emessi appropriati moduli di requisizione.

5. Tutto il materiale e la proprietà appartenente alla Ditta Demicoli & Co., giacente in Artilleria, descritto nell'elenco "B" dovrebbe essere restituito al proprietario dalle competenti autorità italiane.

[Signature]

L. MERTAGLIA, Lt. Col., G.I.,

Former A.C. Chief Liaison Officer, SICRY

Copia a: Ministero del Tesoro, Roma (con esclusi elenchi "A" e "B")
Intendenza di Finanza, Napoli
Ufficio del Genio Civile, Trapani
Ufficio del Genio Civile, Palermo
Legal Sub-Commission, H.Q. Allied Commission.

H.Q., BULLY LIAISON GROUP, A.C.
APO 394

AG/S/H 01

8 May 1946

SUBJECT: Property at Pantelleria - CIDONIO & COY.

TO : Ditta Cidonio & Coy., Rome.

1. Further to this office letter AG/S/H 01 dated 18 April 1946, the following observations supplement those contained in the above mentioned communication.
2. All material and machinery described in list 'A' (copy of which has been forwarded to Ministry of Treasury) were duly requisitioned by Allied Military Government Pantelleria from the date of the landing of Allied troops on the Island up to 31 December 1945. All material and machinery described in said list 'A' is to be considered as requisitioned within the meaning of the Italian term "requisizioni in proprietà".
3. All material and property described in list 'B' (copy of which has been forwarded to Ministry of Treasury) were duly requisitioned by Allied Military Government Pantelleria as from the date of the landing of Allied troops on the Island up to 31 December 1945, on which date the said material and property have ceased to be used by Allied Military Government. All material and property mentioned in the said list 'B' are considered requisitioned within the meaning of the Italian term "requisizioni in uso".
4. Unfortunately both requisitions were only made verbally, but they are confirmed and should be treated in exactly the same way as other property for which proper requisition forms have been issued.
5. All material and property belonging to Cidonio & Coy

SUBJECT: Property at Pantelleria - CIGONIO & COY.

TO : Ditta Cigonio & Coy., Rome.

1. Further to this office letter AG/8/H 01 dated 18 April 1946, the following observations supplement those contained in the above mentioned communication.

2. All material and machinery described in list 'A' (copy of which has been forwarded to Ministry of Treasury) were duly requisitioned by Allied Military Government Pantelleria from the date of the landing of Allied troops on the Island up to 31 December 1945. All material and machinery described in said list 'A' is to be considered as requisitioned within the meaning of the Italian term "requisizioni in proprietà".

3. All material and property described in list 'B' (copy of which has been forwarded to Ministry of Treasury) were duly requisitioned by Allied Military Government Pantelleria as from the date of the landing of Allied troops on the Island up to 31 December 1945, on which date the said material and property have ceased to be used by Allied Military Government. All material and property mentioned in the said list 'B' are considered requisitioned within the meaning of the Italian term "requisizioni in uso".

4. Unfortunately both requisitions were only made verbally, but they are confirmed and should be treated in exactly the same way as other property for which proper requisition forms have been issued.

5. All material and property belonging to Cigonio & Coy at Pantelleria, which is described in list 'B' should be re-quired by the Italian authorities concerned.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Consulate	
CL RK	
13 May 46	

John P. ...
Major General
Chief Liaison Officer, SICILY

Ministry of Treasury, Rome, (with encs list 'A' & 'B')
Suntendenza di Finanza, Trapani
Ufficio del Genio Civile, Trapani
Ufficio del Genio Civile, Palermo
Legal Sub-Commission, U.S. Allied Commission.

H.Q., SIG. BY LIAISON GROUP, A.C.,
APO 394

AO/S/M 01

8 Maggio 1946.

OGGETTO: Proprietà della Ditta Cidonio Ginoente in Pantelleria.

A : Ditta Cidonio e Co., ROMA

1. Facendo seguito alla lettera N° AO/S/M 01 del 18 Aprile 1946 di questo Ufficio, con la presente si aggiungono a quelle contenute nella suddetta lettera, le seguenti osservazioni.

2. Tutto il materiale ed il macchinario descritto nello elenco 'A' (di cui copia è stata inviata al Ministero del Tesoro) venne debitamente requisito dal Governo Militare Alleato di Pantelleria con effetto dalla data dello sbarco delle truppe Alleate nell'Isola fino al 31 Dicembre 1945. Tutto il materiale ed il macchinario descritto nel suddetto elenco 'A' deve essere considerato come requisito entro il significato del termine italiano "requisizione in proprietà".

31 3. Tutto il materiale e la proprietà descritti nell'elenco 'B' (di cui copia è stata inviata al Ministero del Tesoro) venne debitamente requisito dal Governo Militare Alleato di Pantelleria con effetto dalla data dello sbarco delle truppe Alleate nella Isola fino al 31 Dicembre 1945, data in cui il Governo Militare Alleato ha cessato di farne uso. Tutto il materiale e la proprietà indicati nel suddetto elenco 'B' è considerato requisito entro il significato del termine italiano "requisizione in uso".

4. Sfortunatamente ambedue le requisizioni vennero fatte solo verbalmente, ma le stesse vengono confermate e dovrebbero essere trattate esattamente colle stesse modalità usate per altre proprietà per cui sono stati annessi appropriati moduli di requisizione.

5. Tutto il materiale e la proprietà appartenente alla Ditta Cidonio e Co., Ginoente in Pantelleria, descritto nell'elenco 'B' dovrebbe essere restituito al proprietario dalle competenti autorità italiane.

1. Facendo seguito alla lettera N° AC/S/W 01 del 18 Aprile 1946 di questo Ufficio, con la presente si aggiungono a quelle contenute nella suddetta lettera, le seguenti osservazioni.

2. Tutto il materiale ed il macchinario descritto nello elenco 'A' (di cui copia è stata inviata al Ministero del Tesoro) venne debitamente requisito dal Governo Militare Alleato di Pantelleria con effetto dalla data dello sbarco delle truppe Alleate nell'Isola fino al 31 Dicembre 1945. Tutto il materiale ed il macchinario descritto nel suddetto elenco 'A' deve essere considerato come requisito entro il significato del termine italiano "requisizione in proprietà".

31 3. Tutto il materiale e la proprietà descritti nell'elenco 'B' (di cui copia è stata inviata al Ministero del Tesoro) venne debitamente requisito dal Governo Militare Alleato di Pantelleria con effetto dalla data dello sbarco delle truppe Alleate nella Isola fino al 31 Dicembre 1945, data in cui il Governo Militare Alleato ha cessato di farne uso. Tutto il materiale e la proprietà indicati nel suddetto elenco 'B' è considerato requisito entro il significato del termine italiano "requisizione in uso".

4. Sfortunatamente ambedue le requisizioni vennero fatte solo verbalmente, ma le stesse vengono confermate e dovrebbero essere trattate esattamente colle stesse modalità usate per altre proprietà per cui sono stati emessi appropriati moduli di requisizione.

5. Tutto il materiale e la proprietà appartenente alla Ditta Cidonio e Co., giacente in Pantelleria, descritto nell'elenco 'B' dovrebbe essere restituito al proprietario dalle competenti autorità italiane.


John H. Bucci
Chief Liaison Officer, SICILY

Copie a: Ministero del Tesoro, Roma, (con acclusi elenchi 'A' e 'B')
Intendenza di Finanza, Trapani
Ufficio del Genio Civile, Trapani
Ufficio del Genio Civile, Palermo
Legal Sub-Commission, H.Q. Allied Commission.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

14A

AC/4034/15/L

MF/ns
2 May 1946.

SUBJECT : CIRONIO & COY's property at Pantelleria.

TO : Major Lund -
Allied Commission
Chief Liaison Officer, Sicily.

1. Reference is made to your AC/S/ N 01 of 18th April 1946 and our letter AC/4034/15/L dated 8th April.

2. In order to enable the firm to recover from the Italian Government all losses and damages incurred it is necessary that in conformity with the instructions contained in our above mentioned letter of 8 April 1946, you send a letter to Cironio & Coy stating that:

(a) All material and machinery described in list A attached hereto were duly requisitioned by Allied Military Government Pantelleria from the date of the landing of Allied troops on the island up to 31 December 1945. All material and machinery described in said List A is to be considered as requisitioned within the meaning of the Italian term "requisizione in proprietà".

(b) All material and property described in List B attached hereto were duly requisitioned by A.M.G. Pantelleria as from the date of the landing of Allied troops on the island up to 31st December 1945, on which date the said material and property have ceased to be used by A.M.G. All material and property mentioned in the said List B are considered requisitioned within the meaning of the Italian term "requisizione in uso" (requisitioned for use).

(c) Unfortunately both requisitions were only made verbally, but they are confirmed and should be treated by the Italian authorities in exactly the same way as

- 2 -

other property for which proper requisition forms have been issued.

- (d) All material and property belonging to Cidonio & Coy at Pantelleria, which is described in List B should be returned to the owner by the Italian authorities concerned.

3. A copy of the letter suggested in para 2 above should be sent to:

- (a) Ministry of Treasury - Rome
- (b) Intendenza di Finanza - Trapani
- (c) Ufficio del Genio Civile - Trapani
Ufficio del Genio Civile - Palermo

4. Lists A and B enclosed herewith should be attached to the copy of the letter to the Ministry of Treasury.

5. The matter is an urgent one, and it would be greatly appreciated if you could deal personally with the matter before you leave Sicily.

29

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

4039/5
AVV. PROF. F. VASSALLI13A
ROMA, Lungotevere Vallati, 19 - Tel. 55-521
GENOVA, Piazza Ponente, 6 - Tel. 28-583

Roma, 30 aprile 1946

Alla Commissione Alleata,
Sotto Commissione Legale,

R o m a.

OGGETTO: Materiali e macchinari di proprietà dell'Impresa
PIETRO CIDONIO in Pantelleria.

1.- Il Gruppo di Collegamento della Sicilia del Quartier Generale della Commissione Alleata ha inviato all'Impresa Cidonio una lettera in data 18 aprile 1946, con la quale conferma:

(a) che i materiali e macchinari in oggetto furono regolarmente requisiti dal Governo Militare Alleato;

(b) che tali materiali e macchinari debbono essere trattati dalle Autorità Italiane esattamente nello stesso modo come gli altri beni per i quali sia stato emesso un regolare modulo di requisizione;

28 (c) che qualsiasi materiale, di proprietà dell'Impresa Pietro Cidonio e tuttora esistente in Pantelleria, il quale non sia stato incluso nell'ordine di requisizione, sarà restituito all'Impresa dalle competenti Autorità Italiane.

1 2.- Tale comunicazione definisce, in principio, la situazione giuridica dei beni in oggetto.

Perchè, tuttavia, l'Impresa Cidonio possa, dopo tanti anni di attesa, far valere nei confronti del Governo Italiano i propri diritti al ricevimento delle indennità di requisizione, occorre che:

(a) il Gruppo di Collegamento della Sicilia della A.C. dia comunicazione al Ministero del Tesoro dell'avvenuta requisizione;

(b) che a tale comunicazione sia allegato un elenco preciso dei materiali e macchinari che furono requisiti, indicando tutto il periodo di tempo nel quale le requisizioni sono state effettuate.

Avv. PROF. F. VASSALLI

Foglio N. 2

Come è stato già rappresentato a codesta On.Sotto Commissione, dei beni il oggetto il Governo Militare Alleato di Pantelleria ha disposto in varie epoche, dalla data dello sbarco delle Truppe Alleate nell'isola, fino alla data di cessazione del Governo Militare Alleato nell'isola stessa, cioè fino al dicembre 1945.

3.-Rispetto ai materiali e macchinari di cui fu accertata l'esistenza nell'isola durante il sopralluogo effettuato dal Sig.Cap.Moore dell'A.C., il Gruppo di Collegamento della Sicilia dovrebbe comunicare alle Autorità Italiane:

(a) che tali macchinari e materiali furono requisiti in uso dal Governo Militare Alleato di Pantelleria all'atto dello sbarco delle truppe alleate nell'isola e che sono stati adoperati fino alla fine di dicembre 1945;

(b) che, cessata la requisizione in uso, essi si intendono da quella data derequisiti e che pertanto debbono essere restituiti al proprietario.

4.- Alla presente sono allegati due elenchi e precisamente:

27 (a) l'elenco dei materiali e macchinari requisiti e disposti dal Governo Militare Alleato dalla data dello sbarco alla fine del 1945: tale elenco è la copia integrale dell'elenco fotostatico già rimesso a codesta Sotto Commissione, detratti i materiali e macchinari che durante il sopralluogo del Cap.Moore risultarono tuttora esistenti nell'isola e riguarda pertanto le requisizioni effettuate "per acquisto";

(b) l'elenco di questi ultimi materiali e macchinari, di cui deve essere regolarizzata la requisizione in uso.

F. Vassalli

H.Q. SICILY LIAISON GROUP, A.C.
APO 394

12A
18 April 1946.

File: AC/S/N 01

Subject:- Property and Material at Pantelleria.

To :- Ditta Pietro CIDONIO, Via dei Pontefici N° 2, Rome.

1. Reference the recent inspection by Capt Moore of Allied Commission, together with your Ditta Berton and Mattioli, of the property and material owned by your Firm and located at Pantelleria.

2. The property and material in question were duly requisitioned by Allied Military Government from the date of the landing of Allied Troops on the Island. Unfortunately such requisition was only made verbally but it is hereby confirmed and covers such materials as are listed on the photostatic copies forwarded by you, and which are herewith returned.

3. This material should be treated by the Italian authorities in exactly the same way as other property for which proper requisition forms have been issued. It is presumed that any material belonging to you at Pantelleria which is not covered by the requisition order will be returned to you by the Italian authorities concerned.

4. A copy of this letter is being forwarded to the Italian authorities at Pantelleria for their information.

26

John Lund
JOHN LUND, Major, A.U.S.
A.C. Chief Liaison Officer Sicily

Copy to: Impresa Pietro Cidonio, Cantiere di Pantelleria.
Comando Marina, Trapani.
Sindaco di Pantelleria.
HQ Allied Commission, (for Legal Sub-Commission - your AC/4034/15/L dated 8 April 46 refers).

CL RKS
24 April 46

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

11A

AC/4034/15/L

GCH/ns
8 April 1946.

SUBJECT : CIGONIO Co property at Pantelleria.

TO : Major Lund - S.L.O. - Sicily.

1. Captain Moore's letter and your comments as the above matter have been duly received.

2. The position of AC is as follows :

Although it is realized that serious hardship and losses have been caused to Cigionio & Co through no fault of theirs but by the oversight of an AMG official, it is not considered possible to issue a post dated requisition order.

3. However after discussing the matter with Brigadier Carr, V P C A , considering that Navy Sub - Commission, Public Works Sub Commission and the Ministry of Marine are all in agreement that Cigionio should be placed in a position to recover its material and claim compensation for losses and damage, the following course is recommended.

4. A letter to be written by you as S.L.O., Sicily to Cigionio stressing that the property and material of the Company on Pantelleria were duly requisitioned by AMG from the date of the landing of Allied troops on the island. That unfortunately such requisition was made verbally that it is hereby confirmed and covers the lists of material for which Capt. Moore forwarded photostatic copies. That such material should be treated by Italian authorities in exactly the same way as other property for which proper requisition forms have been issued.

5. As you are aware under the Armistice terms the Italian Government is financially responsible for Allied requisitions. Therefore copy of your letter should be forwarded to the Italian authorities in Pantelleria.

- 2 -

6. Paras 7 and 8 of Capt. Moore's are being forwarded to the competent authority and you will receive due notice of their decisions.

7. Photostatic copies are returned herewith.

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

P.S. It goes without saying that Cidonio's material on Pantelleria not covered by the requisition order will be returned to them without further questions by the Italian authorities.

5th February, 1946.

With reference to Legal Sub-Commission letter AG/4034/15/L dated 3rd January 1946, paragraph (2) is concurred in.

2. With regard to paragraph (3), however, it is regretted that the Navy Sub-Commission is not of the opinion that the decision as to the bona fide of the claim rests with it, and cannot therefore state whether the facts set out in the memorandum are correct for the following reasons: -

(a) This material and equipment was never requisitioned, controlled, blocked, or taken over as "war booty" by the British Navy".

(b) All material and equipment is for civil engineering and public works purposes and would not appear to concern the Navy.

(c) The government and control of the island was at the time of landing and is at present a military responsibility.

(d) The material and equipment have been blocked by an AMG Officer - a Military Authority.

(e) This Officer is stated to require authorisation for release from an Allied General.

(f) The matter would therefore, appear to concern either Public Works and Utilities Sub-Commission or the Executive Commissioner.

3. The only connection this matter appears to have with the "Navy" is the erroneous statement made by the AMG Liaison Officer in paragraph 7 of the memo dated 7th July, 1945, that the material was considered to be Italian Navy property. The error of the statement is confirmed by the letter from the Ministry of Marine, dated 2nd March 1945.

4. Observing the above therefore, attention is invited to paragraphs 1 and 4 of the memo. It will be seen that the work, this firm was performing at the time, which would appear to be sustained by the nature of the equipment used, was obviously that of Public Works and Civil Engineering under contract for the Ministry of Public Works & Utilities. The reason why, therefore, this material and equipment was treated as "war booty" as the property of the Italian Royal Navy is not understood.

5. Furthermore, in Public Works Sub-Commission's letter, dated 7th March, 1945, it is mentioned: (1) that the firm has contracts with Genio Civile, (2) that the material and equipment are blocked by AMG and (3) that their release would be appreciated "in order that they may be employed for work on Military Highroads."

With reference to Legal Sub-Commission letter AG/4034/1571 dated 3rd January 1946, paragraph (2) is concurred in.

2. With regard to paragraph (3), however, it is requested that the Navy Sub-Commission is not of the opinion that the decision as to the bona fide of the claim rests with it, and cannot therefore state whether the facts set out in the memorandum are correct for the following reasons: -

(a) This material and equipment was never requisitioned, controlled, blocked, or taken over as 'war booty' by the British Navy.

(b) All material and equipment is for civil engineering and public works purposes and would not appear to concern the Navy.

(c) The government and control of the island was at the time of landing and is at present a military responsibility.

(d) The material and equipment have been blocked by an AMG Officer - a Military Authority.

(e) This Officer is stated to require authorisation for release from an Allied General.

(f) The matter would therefore, appear to concern either Public Works and Utilities Sub-Commission or the Executive Commissioner.

3. The only connection this matter appears to have with the "Navy" is the erroneous statement made by the AMG Liaison Officer in paragraph 7 of the memo dated 7th July, 1945, that the material was considered to be Italian Navy property. The error of the statement is confirmed by the letter from the Ministry of Marine, dated 2nd March 1945.

4. Observing the above therefore, attention is invited to paragraphs 1 and 4 of the memo. It will be seen that the work, this firm was performing at the time, which would appear to be sustained by the nature of the equipment used, was obviously that of Public Works and Civil Engineering under contract for the Ministry of Public Works & Utilities. The reason why, therefore, this material and equipment was treated as "war booty" as the property of the Italian Royal Navy is not understood.

5. Furthermore, in Public Works Sub-Commission's letter, dated 7th March, 1945, it is mentioned: (1) that the firm has contracts with Genio Civile, (2) that the material and equipment are blocked by AMG and (3) that their release would be appreciated "in order that they may be employed for work on Military Highroads."

6. Notwithstanding this, however, the matter was referred to the Commander-in-Chief, Mediterranean Station through the Italian Navy Mission requesting the release of those materials if not required by "Allied Military Authorities". In these circumstances the Navy Sub-Commission fully agrees

with the remarks made by the N.L.O. to Commander-in-Chief, Mediterranean Station since the matter would seem to be out of Commander-in-Chief, Mediterranean Station's province. The fact that this private civilian firm is stated to have had a contract with the Italian Royal Navy is not considered to warrant the matter being referred to the Commander-in-Chief, Mediterranean Station or the Navy Sub-Commission.

7. With regard to paragraph 4 of the firm's lawyers letter dated 17th January, 1946, it is suggested that the Allied Military Government authority concerned be approached with a view to satisfying their request.

s/ C.F. MENTZ,
Captain, U.S. Navy.

file
14034/15

(9A)

HQ ATCOM

4 March 46

S.I.G. PALERMO (SICILY) (Attn: Capt. MOORE)

1550

UNCLASSIFIED

CIGONIO REPRESENTATIVES ARRIVING PALERMO FRIDAY 6TH MARCH

21

ROUTINE

LEGAL SUB-COMMISSION

302

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4034/15/L.

(JA)
/es
28 February 1946

SUBJECT : Cidonio claim in Pantelleria.

TO : SLO - Palermo.

1. This is to introduce Dott. Berta and Dott. Matteoli of Cidonio & Co. who are visiting Pantelleria on a matter of claim against Allied or Italian authorities as the case may be.
2. The material of Cidonio & Co. in Pantelleria was requisitioned by the AMG after the landing of the Allied troops in the island.
3. Unfortunately no proper documents of requisition were issued at the time and in order to clarify the position it will be necessary to make an inventory of the existing material, check deficiencies, losses, etc.
4. Navy Sub-Commission dealt with the question at first but in view of the legal implications attached this Sub-Commission has been requested to handle the matter.
5. In order to prevent any claim being lodged against the Allied authorities, the bona fide of Cidonio's must be ascertained and if justified proper requisition documents should be issued, thus transferring the responsibility of the settlement to the Italian Government under the Armistice terms.
6. It is therefore suggested that the former Liaison Officer of Pantelleria proceed to the island with Dott. Berta and Matteoli and that the inventory and the amount of the claim finally agreed between the parties.
7. If the Liaison Officer is not available could you please designate a representative on the spot who could perform the same functions, and report fully on the position.
8. A number of translations of documents relating to this matter are enclosed.

G.G. HANNAFORD, Lt. Col.,
DeC.L.A.

STUDIO VASSALLI
10, LUNGOTEVERE VALLATI, ROMA

PROF. FILIPPO VASSALLI
PROF. GIUSEPPE FERRI
PROF. GIULIANO VASSALLI
PROF. PASQUALE CHIOMENTI

TEL. 55521

Rome, 19th February 1946

SUBJECT: Cidonio Claim in Pantelleria

TO: Allied Commission, H.Q.

(Attention: Legal Sub Commission)

With reference to your letter AG/4034/15/L dated 13th February 1946, we beg to inform you that our client, Pietro Cidonio Firm, would like to send to Pantelleria their representative, Dott. Antonio Berton, in order to draw up with the AMG Liaison Officer in Sicily, an inventory of the machineries, equipment, materials left in order to make arrangements for the handing over of such machineries, equipment, materials to the Firm.

The Allied Authorities concerned should issue proper requisition receipts for machineries, equipment, materials that have been disposed of by AMG.

We shall be much obliged to the Allied Commission if they will kindly facilitate the journey of the firm's representative: Dott. Berton is ready to leave for Pantelleria at any time.

Pasquale Chiomenti

19

P.S. It will be in order if the representative of AMG is the Italian Naval Minister of Pantelleria (Nav S/c agrees)

HEADQUARTERS ALLIED COMMISSION
AFC 394
LEGAL SUB-COMMISSION

GGH /ada. (6A)

AC/4034/15/L.

13 February 1946.

SUBJECT : CIBONIO claim in Pastelleria.

TO : Studio Vesceff.

1. The opinion of the Naval Sub-Commission in regard to this claim is attached herewith.
2. Arrangements will be made to have an Allied representative check with a member of the firm the inventory sent by you in order to assess the damages and loss if any.
3. This Sub-Commission is of opinion that the whole matter lies on a question of issue of regular requisition papers and the responsibility for settling the claim will eventually be borne by the Italian Government under the terms of the armistice.

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

Copy to: Naval Sub-Commission.

C - O - P - Y

(B)

5th February, 1945.

With reference to Legal Sub-Commission letter AG/4054/15/L dated 3rd January 1946, paragraph (2) is concurred in.

2. With regard to paragraph (3), however, it is regretted that the Navy Sub-Commission is not of the opinion that the decision as to the bona fide of the claim rests with it, and cannot therefore state whether the facts set out in the memorandum are correct for the following reasons: -

(a) This material and equipment was never requisitioned, controlled, blocked, or taken over as "war booty" by the British Navy.

(b) All material and equipment is for civil engineering and public works purposes and would not appear to concern the Navy.

(c) The government and control of the island was at the time of landing and is at present a military responsibility.

(d) The material and equipment have been blocked by an AMG Officer - a Military Authority.

(e) This Officer is stated to require authorisation for release from an Allied General.

(f) The matter would therefore, appear to concern either Public Works and Utilities Sub-Commission or the Executive Commissioner.

3. The only connection this matter appears to have with the "Navy" is the erroneous statement made by the AMG Liaison Officer in paragraph 7 of the memo dated 7th July, 1945, that the material was considered to be Italian Navy property. The error of the statement is confirmed by the letter from the Ministry of Marine, dated 2nd March 1945.

4. Observing the above therefore, attention is invited to paragraphs 1 and 4 of the memo. It will be seen that the work, this firm was performing at the time, which would appear to be sustained by the nature of the equipment used, was obviously that of Public Works and Civil Engineering under contract for the Ministry of Public Works & Utilities. The reason why, therefore, this material and equipment was treated as "war booty" as the property of the Italian Royal Navy is not understood.

5. Furthermore, in Public Works Sub-Commission's letter, dated 7th March, 1945, it is mentioned: (1) that the firm has contracts with Genio Civile, (2) that the material and equipment are blocked by AMG and (3) that their release would be appreciated "in order that they may be used".

2. With regard to paragraph (3), however, it is regretted that the Navy Sub-Commission is not of the opinion that the decision as to the bona fide of the claim rests with it, and cannot therefore state whether the facts set out in the memorandum are correct for the following reasons: -

- (a) This material and equipment was never requisitioned, controlled, blocked, or taken over as "war booty" by the British Navy.
- (b) All material and equipment is for civil engineering and public works purposes and would not appear to concern the Navy.
- (c) The government and control of the island was at the time of landing and is at present a military responsibility.
- (d) The material and equipment have been blocked by an AMG Officer - a Military Authority.
- (e) This Officer in stated to require authorization for release from an Allied General.
- (f) The matter would therefore, appear to concern either Public Works and Utilities Sub-Commission or the Executive Commissioner.

3. The only connection this matter appears to have with the "Navy" is the erroneous statement made by the AMG Liaison Officer in paragraph 7 of the memo dated 7th July, 1945, that the material was considered to be Italian Navy property. The error of the statement is confirmed by the letter from the Ministry of Marine, dated 2nd March 1945.

4. Observing the above therefore, attention is invited to paragraphs 1 and 4 of the memo. It will be seen that the work, this firm was performing at the time, which would appear to be sustained by the nature of the equipment used, was obviously that of Public Works and Civil Engineering under contract for the Ministry of Public Works & Utilities. The reason why, therefore, this material and equipment was treated as "war booty" as the property of the Italian Royal Navy is not understood.

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6. Notwithstanding this, however, the matter was referred to the Commander-in-Chief, Mediterranean Station through the Italian Navy Mission requesting the release of these materials if not required by "Allied Military Authorities". In these circumstances the Navy Sub-Commission fully agrees

with the remarks made by the N.I.O. to Commander-in-Chief, Mediterranean Station since the matter would seem to be out of Commander-in-Chief, Mediterranean Station's province. The fact that this private civilian firm is stated to have had a contact with the Italian Royal Navy is not considered to warrant the matter being referred to the Commander-in-Chief, Mediterranean Station or the Navy Sub-Commission.

7. With regard to paragraph 4 of the firm's lawyers letter dated 17th January, 1946, it is suggested that the Allied Military Government authority concerned be approached with a view to satisfying their request.

a/ G.P. MEMUS,
Captain, U.S. Navy.

5th February, 1946.

With reference to Legal Sub-Commission letter AC/4034/15/L dated 3rd January 1946, paragraph (2) is concurred in.

2. With regard to paragraph (3), however, it is regretted that the Navy Sub Commission is not of the opinion that the decision as to the bona fide of the claim rests with it, and cannot therefore state whether the facts set out in the memorandum are correct for the following reasons :-

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G. F. Mentz
Capt. JST
G. F. MENTZ,
CAPTAIN, U. S. NAVY,

Ex. Comm.

re Compagnia Nazionale aeronautica

1. This Sub-Commission is of opinion that the objections raised by the Ministero della Marina are not founded.

2. The ^{United Nations} powers of the United Nations vis a vis the Italian administration are set out:

a) Under art. 10 of the armistice terms where the Government pledges itself to make available to the Allies all informations about naval, military, air devices, installations and defenses etc.

b) Under art. 13 where the Italian Government must comply with any directions given by the United Nations for the manufacture, production or construction etc. of war material.

3. The powers of the Italian State in respect of its own nationals are clear. Although art. 53 of the Hague Convention could be interpreted in such a way as excluding the possibility of interference in private concerns once military operations are terminated, there is no doubt that the Italian Government under its own legislation possess the right to expropriate seize or requisition in the interest of national defence or for reasons of public necessity any patent, invention, war material etc. owned, manufactured or in the possession of private individuals.

4. Art. 16 of Law 1415 of 21 May 1940 deals solely with requisition of inventions, but the powers of the Italian State are more fully set out in art. 60 and foll. of T.U. 1127 of 29 June 1939 confirming art. 50 etc. of R.D. 1602 of 13 September 1934 etc.

14

5. The text of art. 60 reads as follows.

"The rights under patents, even if not already registered, can be expropriated by the State in the interest of the military defence of the country or for other reasons of public necessity". Such expropriation may be limited to the right to use the invention for the requirements of the State.

Such expropriation when it is effected in the interest of the military defence of the country and in regard to patents owned by Italian citizens transfers to the administration effecting the expropriation the right to register the patents concerned in foreign countries, unless the use of such right is abandoned or limited by the administration itself."

- b) Under art. 13 where the Italian Government must comply with any directions given by the United Nations for the manufacture, production or construction etc. of war material.

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14

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6. Therefore the objections put forward by the Ministry of Marine that Italian authorities are powerless to intervene and cannot enforce the production of the required documents by the Compagnia Nazionale aeronautica are completely groundless under their own legislation.

1181

7. The procedure of expropriation is however cumbersome, but no doubt the powers held by the Italian authorities ought to enable them to obtain what is required without much difficulty.

13 December 1945
Legal Sub-Commission

G. G. Hannaford
G. G. HANNAFORD
Lt. Col.,
for Chief Legal Advisor.

STUDIO VASSALLI
10. LUNGOTEVERE VALLATI, ROMA

TEL. 55521

PROF. FILIPPO VASSALLI
PROF. GIUSEPPE FERRI
PROF. GIULIANO VASSALLI
PROF. PASQUALE CHIOMENTI

17th January 1946

SUBJECT: PIETRO CIBONIO Firm.

TO: Allied Commission, Legal Sub-Commission,
R o m e

1.- With reference to the petition that we have lodged with the Allied Commission on behalf of our client, Pietro CIBONIO, and pursuant to the conversation we had the honour to have with your Deputy Chief Legal Advisor, we are sending to you, enclosed herewith, the three following documents:

(a) inventory of machinery, equipment and materials - the property of CIBONIO's Firm - which were brought to Pantelleria by the Firm in order to carry out the works in the harbour of Pantelleria.

This inventory was made up on February 23th, 1943, and was checked - and signed on each page - by Ing. De Maio, Director of works at the Ministry of Public Works;

(b) list of additional equipment and materials, which were brought by the Firm to Pantelleria after the above mentioned inventory had been made up;

STUDIO VASSALLI
10 LUNGOTEVERE VALLATI, ROMA

TEL. 55521

PROF. FILIPPO VASSALLI
PROF. GIUSEPPE FERRI
PROF. GIULIANO VASSALLI
PROF. PASQUALE CHIOMENTI

2.

(c) inventory of machinery, equipment and materials - the property of the Firm - which were brought by the Firm to Pantelleria in order to carry out the works for the Royal Navy in Pantelleria.

Blanch This inventory was made up on May 5th, 1943, and was checked and countersigned by Major Trombetta, representative of the *Italian* Royal Navy in Pantelleria.

2.- The above mentioned documents prove beyond any doubt:

- (a) that the machinery, equipment and materials in question were the property of the Firm;
- (b) what were exactly those materials, machinery and equipment.

3.- As it has been already pointed out, according to International Law, and particularly to the Hague Regulations, private property cannot be confiscated by a Military Occupant. It can be requisitioned, but observing the procedure and the formalities prescribed by International Law.

In the present case no requisition form has ever been issued, and after more than 2 years and a half since the Allies first went to Pantelleria the Firm has not even been able to ascertain how much and what of its property has been used or taken away, and what has been left.

STUDIO VASSALLI
19. LUNGOTEVERE VALLATI, ROMA

TEL. 55521

PROF. FILIPPO VASSALLI
PROF. GIUSEPPE FERRI
PROF. GIULIANO VASSALLI
PROF. PASQUALE CHIOMENTI

3.

We fully appreciate the position of the Allied Forces according to the Armistice terms and the rights they have. But it seems to us that not even the Armistice terms waive the formality of the issuance of a requisition form, which in the eyes of the law is an essential safeguard of the individual rights; otherwise individuals would be left without remedy, as unfortunately it appears to be in this case.

4.- Our client would be much obliged if the Allied Commission - Legal and Navy Sub Commissions - would please examine the case and enable the Firm:

- (a) to know what materials, machinery and equipment have eventually been used by the Allied Forces and to have for them a receipt, on the basis of which the Firm can apply to the Italian Government for restoration of damages;
- (b) to take back those materials, machinery and equipment that are not needed by the Allies.

5.- Our client wishes also to point out that his materials, machinery and equipment, which were left at Pantelleria, are most urgently needed in the mainland, where the Firm is engaged in reconstruction works, that cannot be carried out for

STUDIO VASSALLI
19 LUNGOTEVERE VALLATI, ROMA

PROF. FILIPPO VASSALLI
PROF. GIUSEPPE FERRI
PROF. GIULIANO VASSALLI
PROF. PASQUALE CHIOMENTI

TEL. 55521

4.

lack of machinery and equipment.

The Firm has suffered huge damages by the war: a kind and quick consideration of the case by the Allies would serve the scope of helping the reconstruction of Italy and would save the Firm from a financial disaster.

5.- We remain at your disposal for any information that may be wanted by you.

T. Vassalli

G. A. Lenas

J. A. SERRAO K.B.E.

36 VIA REGINA ELENA

Roma, 21st December 1945

Dear Col. Hannaford,

I am writing to you on behalf and in=
structions of Sir John Serrao, who is ill in U.
bed.

With reference to the Cidonio's posi=
tion in Pantelleria, about which Sir John wrote
to you on December 1st, he has received the en=
closed letter which speaks by itself; and he
would be extremely obliged to you, if you could
kindly help him in advising what steps, under the
circumstances, are available for the protection
of the firm's rights, in connection with the
claims mentioned in Sir John's letter above quo=
ted.

with my best regards,

Your sincerely,

G. Bonanni
(Avv. G. Bonanni)

81 Enclosure.

Lt. Col. G.G. Hannaford
Legal Sub-Commission
A.C.

R O M E

8 JAN 1946

IMPRESA PIETRO CICONIO

Roma 17 Dicembre 1945

SIG. AVV. GIOVANNI SERRA
Via Botteghe Oscure 32
R O M A

Egregio Avvocato,

L'Avv. Ungaro, al quale mi ero rivolto per avere Sue notizie, mi informa che Lei è indisposto.

Nell'esprimerLe i miei più vivi auguri per una Sua pronta guarigione, mi permetto di scriverLe la presente in luogo della conversazione che avrei voluto chiederLe dovendo assentarmi per qualche giorno da Roma.

In presenza del fatto nuovo della restituzione dell'Isola di Pantelleria all'Italia, con la fine del mese corr., mi sembra che, nei riguardi della nostra pratica, ci sia da preoccuparci seriamente della possibilità che quel Governatore lasci subito l'Isola abbandonando ogni cosa a sè stessa.

In tal caso chi deve effettuarci la riconsegna dei nostri cantieri? Chi dovrà procedere alla constatazione in contraddittorio con noi dei danni che ci sono stati procurati, delle asportazioni e delle alienazioni che sono state arbitrariamente operate e di cui dobbiamo essere indennizzati?

7
Richiamo la Sua attenzione sul fatto già a Lei noto che i nostri cantieri ~~non erano~~ non formarono oggetto neppure di una regolare requisizione per cui non esistono neppure i documenti di rito delle requisizioni, ma furono semplicemente occupati e ne fu disposto quale preda bellica.

In relazione a quanto sopra La prego di esaminare come ci si possa cautelare nella prospettata evenienza e prendere con l'M.C. gli accordi che Le sembrano più opportuni.

Con rinnovati auguri ed i migliori saluti.

J.

*app.
P. Ciconio*

Dr. Hall. E. 480.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda

3 January 1946.

AC/4034/15/L.

SUBJECT : Cidonio Coy Pantelleria.

TO : Navy Sub-Commission.

1. The enclosed correspondence has been forwarded to this Sub-Commission by H.B.M. Embassy legal adviser.

2. On the strength of the documents submitted, this Sub-Commission is of opinion that the claims of Cidonio are legally well founded and that their equipment should be returned to them and compensation paid for damages and loss.

3. The decision rests with your Sub-Commission as to the "bona fide" of the claim and as to whether the facts set out in the memorandum are correct.

4. Will you please let this Sub-Commission have your comments thereon.

6

G.C. HARTFORD, Lt.Col.,
Deputy Chief Legal Advisor.

See p. 10 A

COMMANDER-IN-CHIEF MEDITERRANEAN

Pack No.

Final letter to be signed by

STAFF MINUTE SHEET

Subject

Cidoia Company

Reference and Date

Pantelleria

Referred to

Where possible minutes should be in the form draft letter or signal in which it is desired action should be taken.

Italian
Naval
MissionThe attached
have been returned to
me by G-5.The Allied
Commission in Rome
are the only competent
authority to deal with
this matter.

After Action

Final Disposal

5

R.U.

E. L. V. N.L.O.
2/8

Continue on a separate sheet

Royal Italian Naval Mission to C. in C. Med.

Caserta, 19th AUG 1945

G-5 Section 9-8

A.F.H.Q.

Ref. N° 1330 -

MEMORANDUM FOR M.H.O. A.F.H.Q.

The following has been submitted to this Naval Mission.-

The well-known Italian firm of contractors, Pietro Cillio, had from 1937 until the invasion, the Contract with the Ministry of Marine for all strategic building on the island of Pantelleria. The work comprised harbour installation, roads, tunnels and houses. At the moment of the invasion, the firm's employees were evacuated to the mainland leaving all the firm's machinery and equipment which was private property and in no way belonged to the Italian Navy. Only in January 1945 was it possible for the firm to send a Representative to Pantelleria in order to retrieve the said equipment. On arrival he was told by the Military Governor that the equipment, notwithstanding a letter of the Allied Sub-Commission for Public Works and a letter of the Ministry of Marine, could not be removed as it was by him considered as war-booty. In order to obtain the release it would be necessary for him to receive an order from the proper authorities in Caserta.-

As the equipment is private property and is urgently required for reconstruction purposes in Italy, it would be greatly appreciated, in the event of the said equipment not being needed by the Allied Military Authorities, if the necessary orders for its release to the owners could be speedily granted.-

I enclose a copy of the A/C Sub-Commission letter addressed to the C.C. Pantelleria, and one from the Ministry of Marine.-

A. CIPPICO
Lieut. Cdr R. Italian Navy
A. Cippico

Ref. No. 1330 -

MEMORANDUM FOR W.F.O. A.F.H.Q.

The following has been submitted to this Naval Mission.-

The well-known Italian firm of contractors, Pietro Cidonio, had from 1937 until the invasion, the contract with the Ministry of Marine for all strategic building on the island of Pantelleria. The work comprised harbour installation, roads, tunnels and houses. At the moment of the invasion, the firm's employees were evacuated to the mainland leaving behind all the firm's machinery and equipment which was private property and in no way belonged to the Italian Navy. Only in January 1945 was it possible for the firm to send a Representative to Pantelleria in order to retrieve the said equipment. On arrival he was told by the Military Governor that the equipment, notwithstanding a letter of the Allied Sub-Commission for Public Works and a letter of the Ministry of Marine, could not be removed as it was by him considered as war-booty. In order to obtain the release it would be necessary for him to receive an order from the proper authorities in Caserta.-

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A. CIPPICO
Lieut. Cdr R. Italian Navy

ac Cipico

(1A)

J. A. SERRAO K.B.E.

36 VIA REGINA ELENA

Rome, December 1, 1945

Lt. Col. G.S. Hannaford
Legal Sub-Commission
A.C.
Rome

Dear Hannaford:-

I have to ask you if you could kindly have the Legal Sub-Commission to express their legal opinion on the matter of properties at Pantelleria, belonging to the private Firm "Pietro Cidonio", which appears to have been considered war-booty and refused back to the owners.

We had brought the question to the attention of the Commander in Chief Mediterranean, through the Royal Italian Naval Mission to C. in Mediterranean, but the whole file - which you find herewith enclosed - has been returned by G-5, "the A.C. in Rome being the only competent Authority to deal with".

The position becomes worse as by the other day last memo - handed to me by the Firm, which also I enclose herewith.

I would be obliged to you if you could inform about the matter the competent offices of the A.C. for a prompt action.

With my best regards,

yours sincerely

mine

N° 6 Incl.

GS/mv

TRANSLATION

From Ministry of Marine
General Direction of Genio Militare

Ref.: Works Dir. - 2nd Section 2/2093
of 8th March 1945

TO: Cidonio Company.

SUBJECT: Work Undertaken at Pantelleria.

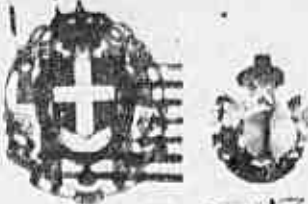
Answer to letter n.1005/D.A. of the 5th march.

In order that your Company may let it be known to the competent authorities it is hereby declared that the administration of the Italian Navy has never had the custody of, or the possession or property of, the equipment (lighters, machinery, materials, ecc.) employed by your company for the execution of works in the harbour of Pantelleria for the account of the Public Works Administration and of the Royal Italian Navy.

For the Minister of Marine

Brig.Gen. Director General
S.d. Vincenzo ANCORA

Off. 39

*Ministero della Marina*

DIREZIONE GENERALE DEL GENIO MILITARE

Lavori 2°

INDIZIO TELEGRAFICO MARIGENMIL - ROMA

Dist. V° 2/2091 Allegato

ARGOMENTO: Lavori a Pantelleria. =

Roma 8 marzo 1945

L'Impresa
PIETRO CIDONIO
Via dei Pontefici n° 3

= ROMA =

Si risponde al foglio n. 1005/DA del 6 c.m. =

Affinchè codesta Impresa possa renderlo noto a chi di dovere si dichiara che l'Amministrazione della R. Marina non ha mai avuto in consegna nè in possesso e tanto meno in proprietà, le attrezzature (galleggianti, macchinari, mezzi d'opera, materiali, ecc.) dei cantieri di codesta Impresa per la esecuzione dei lavori del porto di Pantelleria per conto dell'Amministrazione dei LL.PP. e degli altri lavori ^{pure a Pantelleria} per conto della R. Marina. =

p. IL MINISTRO

Il Generale di Brigata Dirett. Gen.
(Ingenzo Ancora)

1

