

1213

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

ACC

10000/142/327

10000/142/327

ESTATES OF DECEASED ITALIANS
JAN. 1944 - SEPT. 1946

AIR MAIL4035 ✓
Subject: Ceragioli Ettore e Figli.-

Telep. : 2597/183.-

CUSTODIAN OF ENEMY PROPERTY,
Civil Affairs Branch, E.A.C.,
P.O. Box 4000 - Nairobi......
EAC/MCEP/GEN/43/Vol.II/539/CA.
25th September, 1946.-Direttore Generale degli
Affari Civili,
Ministero dell' Africa,
Rome.

Copy to:

Headquarters, Allied Commission,
Legal Sub-Commission,
APO. 394,
Italy. 13A

Ref.: AC/4035/L of 14/11/45.

The above named account stands in the books of the Custodian of Enemy Property with a credit balance of Shs.562.50 in respect of rents, less fees, collected on properties in Harar.

I enclose copy of a letter dated 20th Jan.1944 addressed to the Ceragioli brothers at the time they applied to this office for payment to them of the rentals. Ceragioli Rodolfo was repatriated to Italy on the "Alcantara" in July and his brother went on the "Oxfordshire" at the beginning of this month.

You will realise that before payment of the rentals can be made it will be necessary for proof of the death of the Father, Ettore Ceragioli to be produced and evidence that the two sons are entitled to the Estate. I take this opportunity of enclosing a copy of my letter to you of the 13th Aug. to which I have not received any reply.

I am anxious to proceed with the disposal of the funds etc. in all these deceased estates and I shall appreciate your ~~co-operation~~ ^{Community} with me as early as possible.

19

GFI/az

Encls:

LEGAL SUB-COMMISSION	
CIO-GIA	
PCLO	
CHIEF COUNSEL	
ITALIAN SECTION	
Recd	OCT 1 0 1946

[Signature] Major,
Custodian of Enemy Property,
Civil Affairs Branch.

File : no action required by
Legal Div. *[Signature]* 2/10

C O P Y

Subject: Property in Harar.-

E.27138 CERAGIOLI Rodolfo

E.27137 CERAGIOLI Enzo,

u. f. s.

Camp Commandant,
No.1 Evacuee Camp,
Nyeri Station.
-----Custodian of Enemy Property,
Civil Affairs Branch,
H.Q., East Africa Command,
NAIROBI.

Phone 2476. Ext.10.

20th January, 1944.

EAC/MCEP/C/145/28/CA.

Ref. your enquiry through Major Ellis, the details are as follows:-

House No.284 situated in Harar. Requisitioned for occupation by British Troops from 18 Feb.1942 to 18 April 1943. Rent in respect of this property is not payable until the cessation of hostilities.

Yard of the Cantiere. Harar - Diredawa Rd. Requisitioned from 1. Sep. 1941 - 22 April. 1943. Rent not payable until cessation of hostilities

House No.205 - Via degli Artigiani. Requisitioned in part from 18 Feb. 42 to 16 Apr.1943. Rent not payable until cessation of hostilities/

Occupied in part by civilians from 16 May 1942 to 26 March 1943 and rent amounting to £ 27.8.1 in respect of this period, has been credited to the account of CERAGIOLI Ettore & Figli.

2. According to our records, there is no evidence that you and your brother are the owners of this Property, or in fact that Ettore Ceragioli is deceased, and unless you are able to produce such evidence, this amount cannot be paid.

3. In April 1943 all the above property was handed over to the Ethiopian custodian of Enemy Property, and enquiries are being made as to whether any rents have been collected by him since that date.

4. As regards the rest of the property which you claim, there is no record in this Branch of it having been taken into custody.

Sgd.....Captain,
Custodian of Enemy Property,
Civil Affairs Branch.

PW EFC.

O. G. P. A.Subject: Deceased estates.

Director General
Affairs Division,
Ministry of War Affairs,
Rome.

Reference: 2598/183.-
CUSTOMIAN OF ENEMY PROPERTY,
Civil Affairs Branch, C.A.C.,
P.O. Box 4030 - Nairobi -

Enc/RCMP/GEN/43/536/CA.
13th August, 1945.

I refer to my letters SAC/RCMP/GEN/43/523/CA of
23rd May and 20th June.

I have received advice from the War Office, London
confirming the arrangement whereby you will deal with the
winding up of the deceased estates.

In view of this confirmation I shall be glad to hear
from you in reply to the questions raised in my previous letters.

SFL/az

Sgt. G.F. Lynn Major,
Customian of Enemy Property,
Civil Affairs Branch.

LEGAL AC

Roma, 6 Feb. 1940

TO CIVIL AFFAIRS BRANCH H.Q. EAST AFRICA
COMMANDE

P.O. Box 4000-Nairobi-

H.Q. ALLIED COMMISSION LEGAL SUB-COMMISSION
APO 394-AL MINISTERO DI GRAZIA E GIUSTIZIA
Gabinetto-

KENYA

ROMA

GIUSTIZIA

ROMA

GABINETTO AA.PP.

Allegati

Deposita al P. V.

del

OGGETTO: Effetti di evacuati civili italiani deceduti in Est Africa.

Si fa riferimento alla lettera di codesto Comando-Sezione Affari Civili EAC/MLEP/Gen/ 43/39/CA, in data 25 Ottobre 45, indirizzata alla Commissione Alleata in Roma, nonché alla lettera della predetta Commissione Alleata AC/4035/L del 14 Nov., qui acclusa in copia, diretta al Ministro di Grazia e Giustizia, e da questo rimessa per competenza al Ministero scrivente.

Per invito della Commissione Alleata in Roma, e per evitare perdita di tempo, questo Ministero ritiene di dover prendere contatto diretto con codesto Comando.

Un funzionario italiano, non certo equivalente al "Public Trustee" inglese, ma che uguali facoltà e poteri nella questione proposta, potrebbe essere il Direttore Generale degli Affari Civili del Ministero dell'Africa.

Il predetto Direttore Generale potrà prendere in consegna gli effetti, somme, documenti ecc. già appartenenti agli evacuati civili italiani deceduti in Est Africa e curarne la distribuzione agli aventi diritto domiciliati in Italia.

Se codesto Comando troverà soddisfacente la soluzione suggerita, potrà proporre gli opportuni accordi per il materiale trasferimento in Italia degli effetti predetti, trasferimento che potrebbe essere fatto per il tramite della Commissione Alleata in Roma.

16

IL MINISTRO

TRANSLATION

SUBJECT: Property of Italian Subjects deceased in East Africa.

COPY TO: H.Q. ALLIED COMMISSION APO 394 LEGAL SUB-COMMISSION.

THE MINISTER OF PARDON AND JUSTICE

H O M E

1°) Reference to your letter EAC/MLEP/Gen/ 43/39/CA/dated 25 Oct. 45, addressed to Hq. Allied Commission, Rome, and to letter AC/4035/L of the Hq. Allied

OGGETTO: Effetti di evacuati civili italiani deceduti in Est Africa.

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16

IL MINISTRO

TRANSLATION

SUBJECT: Property of Italian Subjects deceased in East Africa.
COPY TO: H.Q. ALLIED COMMISSION APO 394 LEGAL SUB-COMMISSION.
THE MINISTER OF PARDON AND JUSTICE
R O M E

- 1°) Reference to your letter EAC/MLSP/Gen/ 43/39/CA/dated 25 Oct. 45, addressed to H.Q. Allied Commission, Rome, and to letter AC/4035/L of the H.Q. Allied Commission-Legal Sub-Commission, addressed to the Italian Minister of Pardon and Justice, dated 14 Nov. 1945, subsequently forwarded to this Ministry that is competent in the matter. Of this letter you will find here a copy. (only for the E.A.C.)
- 2°) It is according to the suggestion of the H.Q. Allied Commission-Legal Sub-Commission, that we undertake to communicate directly with you in order to avoid loss of time.
- 3°) An Italian Official, if not equivalent to the "Public Trustee" in England, but certainly having the same authority and powers in this particular matter, is the "Direttore Generale degli Affari Civili" (Civil Affairs Branch

General Director) of the Ministero dell'Africa. The "Direttore Generale Affari Civili" is entitled to receive the funds and personal effects, documents etc. of deceased persons evacuated in East Africa and to distribute them, according to the Italian law, to the heirs living in Italy.

If you find satisfactory this solution, you may suggest the appropriate arrangements for the material transfer of the assets, that could be done through the H.Q. Allied Commission, Rome.

4°)

FOR THE MINISTER

sgd. R. Morelli

Under Secretary of State

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(13A)

AC/4035/L.

/es
14 November 1945

SUBJECT : Property of Italian subjects deceased in East Africa.

TO : The Minister of Pardon and Justice.

1. A copy of a letter addressed to this Sub-Commission by Civil Affairs, East Africa Command is enclosed for your necessary action.

2. It would be appreciated if the Ministry undertook to communicate direct with East Africa Command in regard to this matter, as it is felt that transmission of mail through A.C. channels will only entail loss of time.

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

15

Copy to :
C.A. Branch
HQ East Africa Command PO Box 4000, Nairobi (ref. EAC/
MCEP/gen/43/ GA of 6 November 1945.

10/20/45

4035

Will you please deal with this
in case you see any objection to it
suggested that after in house execution
the direct channel - HQ SA, be asked
to communicate direct with that office
not through this HQ.
The mails are now available.

6 NOV 1945

W. J. [Signature]

Subject: ESTATES OF DECEASED ITALIANS.

6 NOV. 1945

Headquarters,
Allied Commission,
ROME.

CIVIL AFFAIRS BRANCH,
H.Q. EAST AFRICA COMMAND,
P.O. B. 4000, NAIROBI.

EAC/MCEP/Gen/43/391/CA.

25 Oct. '45. - 6 NOV. '45

I am directed to inform you that the Custodian of Enemy Property of this Command holds substantial funds for the credit of the estates of Italians who were evacuated to East Africa, mainly from Ethiopia, and who have since died. He also holds a quantity of personal effects of deceased persons, chiefly articles of sentimental value and private documents.

2. Hitherto assets of deceased Italians have not been transferred to their representatives as it was considered that that could only be done on production of the Italian equivalents of Probate or Letters of Administration. It is now felt, however, that consideration should be given to the distribution of assets and how that may be effected.

3. It is understood that the majority of the persons entitled to the estates are now resident in Italy and as the value of the estates held by the Custodian are mostly less than £50 it is considered that the expense and inconvenience of obtaining and forwarding Probate and Letters of Administration would not be justified. It is essential, however, for the protection of the Custodian that the assets should be transferred only to the persons entitled thereto.

4. It is suggested that there may be in Italy an official who is equivalent to the Public Trustee in England to whom the assets might be transferred for distribution amongst the persons entitled thereto according to Italian law. If this were the case, such a transfer would provide a satisfactory solution of the problem, and the Custodian could obtain protection in an undertaking by the official concerned to distribute the assets according to law.

5. I should be grateful, therefore, if you would raise this matter with the appropriate authorities in Italy with a view to ascertaining if this procedure could be adopted. Alternatively, if you have any other suggestion to offer or if to your knowledge a different procedure has already been followed in the distribution of assets held by Custodians in other Commands, perhaps you will be good enough to supply me with particulars thereof for consideration.

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RMV/VB.

CumDunnell

Colonel.
CHIEF CIVIL AFFAIRS STAFF OFFICER.

5862

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

6 June, 1944.

REFERENCE : ACC/4035/L.
SUBJECT : Estate of PERCY HULBURN deceased.
TO : The War Office (C.A.2),
Hotel Victoria,
Northumberland Avenue,
LONDON, W. C. 2.

Your letter C.A.2/EM/87 dated 17 April, 1944 with attached documents relating to the estate of Percy Hulburn deceased has been received. These documents have been forwarded by me, through channels, to the Provincial Commissioner at CATANIA Province, Sicily, for delivery.

12

GRU/wow.

GERALD R. UPJOHN,
Colonel,
Chief Legal Officer.

file

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

10

6 June, 1944.

REFERENCE : ACC/4035/L.

SUBJECT : Estate of PERCY HULBURD deceased.

TO : R.L.O. (thru Regional Commissioner), Region 1.

11 1. I am sending you herewith for delivery to Provincial Commissioner CATANIA a letter from the War Office in London reference C.A.2/EM/87 dated 17 April 1944 enclosing certain papers in connection with the above estate which are self explanatory.

2. I will appreciate it if you will see that these papers are forwarded to Provincial Commissioner, CATANIA.

Gerald R. Upjohn,
Colonel,
Chief Legal Officer.

COPY.

(9)

THE WAR OFFICE (C.A.2.),
HOTEL VICTORIA,
NORTHUMBERLAND AVENUE,
LONDON, W. C. 2.

17th April, 1944.

C.A.2/FM/87.

Sir,

I am directed to forward the attached documents relating to the estate of PERCY HILBURN deceased, I am to say that these documents were required by the :-

"Provincial Control Commissioner,
Catania Province,
Piazza Duomo,
Catania, Sicily."

in a letter to Messrs. Weld and Beaven, Solicitors, dated 2nd February, 1944.

I am further directed to request that you will acknowledge receipt of these documents, and to inform you that there is considered to be no security objection to their onward transmission.

I am,

Sir,

Your obedient servant,

(SGA) ? ? ? ? ? ?

Major,
for DIRECTOR OF CIVIL AFFAIRS.

The Director,
Legal Sub-Commission,
10 Headquarters,
Allied Control Commission,
A.P.C. 394.

28th May, 1944

8

Dear Chauncy,

We enclose herewith copy of a letter dated 18th February, 1944 from the Acting Judicial Advisor to the Italian Government to the Legal Advisor U.S.A.F. Headquarters regarding the estate of a deceased Italian named Maria Pinella.

The required form of attorney will have been forwarded to you for transmission to the Judicial Advisor by Mr. Harold Lewis, the Joint Vice-President of the United States Commission of the Allied Control Commission, and is enclosed herewith. We shall be grateful if you will pass it on, if you see no objection.

Yours truly,

Office of the British High
Commissioner in Italy

Chauncy,
British Legation,
Rome.
/WEC

4035

(7)

TO C.L.O. Resr H.Q.A.C.C.

FROM H.Q. Region 5 A.M.G.

SUBJECT Estate of Deseases Italian in Ethiopia.

REF R5/511/19.

DATE 22 May 1944.

(4)

1. Referring to your letter ACC/4035/L, 16 March 1944 approving the execution of a Power of Attorney as requested, to be forwarded to Addis Ababa where it is required in the administration of an estate:-

We were requested to return this instrument to Mr. Harold Caccia, Political Department A.C.C.

Political Section

For the Regional Commissioner

Do you wish copies of Comune di Lora family archive, Italian document attached, which contains deed to be forwarded to Addis Ababa as well as Power of Attorney? Form 8 does appear to be merely an exemption of opinion on Italian law by an unknown person? 30/5.

W. E. BEYRENS
Lt. Colonel
R.L.O.

Ref conversation with Mr. Hopkins
30/5. Power of Attorney only
forwarded - copy letter attached 30/5.

by A. R. TRICKELL
A. R. TRICKELL
Major F.A.
D.R.L.O.

4 enclosures
ART/EP

8.

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

5265

REAP HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

4 April 1944

ACC/4035/L

SUBJECT: Transfer of funds of deceased Italians from Eritrea.

TO : Regional Commissioner, Region 3.

7 Ref your 3/6044/L dated 1 March 1944 this matter has been referred to Finance Subcommittee who report that Col. Grafftey-Smith of AFA proposes to discuss this matter in London during his visit there. On his return this correspondence will be reopened.

G. R. UPJOHN, Colonel
Chief Legal Officer.

4035 ✓
HEADQUARTERS
ALLIED MILITARY FINANCIAL AGENCY

HEADQUARTERS,
ALLIED FINANCIAL AGENCY,
APO 394

REF: FAH/

FAH/175/Subject: Transfer of funds from EritreaTo: F.A.C., Finance Sub-Commission, A.C.C.20 March 1944See folio ①

1. Ref. attached correspondence. Before replying to Legal Sub-Commission it is suggested that Political Section be asked to consider and advise on the general question of the desirability, or otherwise of re-establishing, at this stage, financial relations between the territory in question, and Italy.
2. Would it be considered desirable to do so, we are prepared to work out the mechanics for putting some form of remittance scheme into operation.
3. We enclose copies of all the correspondence for the convenience of the Political Section.

DUPLICATE

JA/dar

James H. Penick
J.H. PENICK,
Major,
Chief of AFA.

Copy to Chief Legal Officer, who is asked to kindly note that Col. Craffley-Smith proposes to discuss this matter in London during his visit there. On his return this correspondence will be re-opened.

[Signature]

1 2 3 2

4

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

rlp.
16 March 1944.

AOC/4035/L.

SUBJECT : Estate of deceased Italian in Ethiopia.
TO : RC, Region V (Attn: RIO).

Reference your R5/511/19 dated 10 March 1944, arrangements can be made to forward any power of attorney to Addis Ababa.

5

GERALD R. UPJOHN,
Colonel,
Chief Legal Officer.

TO : Chief Legal Officer, Headquarters, ACC.
 FROM : ~~Regional Legal Officer~~, Region V, A.M.G.-C.M.F.
 SUBJECT : Estate of deceased Italian in Ethiopia.
 REFERENCE : R5/51./19
 DATE : 10 March 1944.

3

4035

1. Herewith, a copy of a self-explanatory letter received from HQ, AMG 8th Army, where it had been sent by Mr. Harold Caccia. The enclosures are not attached. They merely verify the death.
2. It is presumed that the estate of the deceased consists of personal and not real estate since Italian law is to be applied.
3. Action is being taken to discover any material information concerning the father of the deceased, the nominee, the nature of the property, etc. If anything can be discovered, you will be informed.
4. If the father desires to adopt Mr. Law's suggestion, and subject to any information which may be elicited, it is presumed that there will be no objection to the transmittal of the power of attorney, through your Headquarters, to Addis Ababa.

For the Regional Commissioner:

W. E. Berrens

W. E. BERRENS,
 Lieutenant Colonel,
 Regional Legal Officer

C O P Y

(2)

IMPERIAL ETHIOPIAN GOVERNMENT

MINISTRY OF JUSTICE

JUDICIAL ADVISER

ADDIS ABABA

(P.O. BOX 72)

MISC/8

18 February 1944

Legal Adviser,

A.M.G.O.T. Headquarters,

ITALY

Sir,

I would be grateful for your assistance in the following matter.

On 11/1/44, one MANNA GIUSEPPE, Italian subject, died at Dessie (Ethiopia) as the result of a motor-cycle accident. He was unmarried and died intestate. I believe that on his intestacy his heir is, under Italian law, his father MANNA GIOVANNI, at present living at TROIA near FOGGIA. One CASERTA EOLO, who is related to the deceased, is prepared to administer the estate in Ethiopia, thought to amount to something between 1,000 and 2,000 pounds. Before he can do this, he will need a power of attorney to act on behalf of the lawful heir, MANNA GIOVANNI.

I enclose the following papers -

3

- (a) death certificate;
- (b) sworn statement in support; (Dr. PAPA.)
- (c) affidavit of CASERTA EOLO.

I would be grateful if you would forward these papers to MANNA GIOVANNI, TROIA near FOGGIA, so that he can if he wishes empower CASERTA EOLO to act on his behalf.

I am, Sir,
your obedient servant

/s/ E. J. E. LAW

ACTING JUDICIAL ADVISER.

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

10th March, 1944.

REFERENCE : ACC/4014/2/L.
SUBJECT : Transfer of funds of deceased Italians from Eritrea.
TO : Finance Section, A.C.C. SALERNO.

1. With reference to this mornings conversation Major Kayser - Lt.Cand. Lawler on the above subject, attached please find correspondence on the above subject with reference to the Estate of Perifano, Luigi, * deceased late of Asmara, Eritrea.

2. Information is requested :-

(a) As to the possibility of the transfer of this estate or any part of it for the benefit of Perifano's destitute family here and

(b) If this is possible as to the steps that should be taken to effect it.

3. It is further requested that the attached correspondence be returned with your reply.

mt
Major.
for Chief Legal Officer.

2
/wow.

* Received from RC Reg 3 Ref 3/6044/L d. 1/3/44

COMUNE DI TROIA

STATO DI FAMIGLIA

Il Podestà del Comune suddetto CERTIFICA che la famiglia del Sig. *Manno*
Giorgio fu Giuseppe si compone delle persone descritte nel prospetto:

N.	Cognome e Nome	Paternità	Maternità	N A S C I T A		Relazioni di parentela	Professione
				Comune	Data		
1	Manno Giorgio	Giuseppe	Podestà M. Angelo	Troia	15 9 85	C. f.	Doc. agr.
2	Velluto Maria	Antonio	Debono Giovanni	"	13-2 91	moglie	serv.
3	Manno Giuseppe	Giorgio	Velluto Maria	"	29 5 13	figlio	militare
4	" Antonio	"	"	"	10 3 23	"	militare
5	" Diamante	"	"	"	11 10 24	"	"
6	" Mario	"	"	"	8 9 29	"	"
per uso amministrativo							

Gratie Campoli - R. 43 - 5000 - 18210

Troia, li 3 - 10 - 1944

Comune di Troia
 Prefetto
 Micichello

