

ACC

10000/142/377

10000/142/377

FREEDOM OF POLITICAL PARTIES
FEB. - NOV. 1944

FILE CLOSED 5 November 1944

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394

230

Ref:- ACC/4041/1/L

5 November 1944.

SUBJECT:- Freedom of Political Parties
Prosecution of Professor DI NATALE Enrico.

TO:- Regional Commissioner, SICILIA Region.

Reference your RLF.013.27/EKM dated 21 Oct '44 to Legal S/C.

1. While this Commission is not now in a position to interfere with the proceedings instituted under Italian law in Italian Government territory, except in such cases as are governed by the Armistice Terms, it is considered that in this particular case where a policy has already been laid down as was done by this HQ letter ACC/4041/1/L dated 17 March '44, that policy should be continued and therefore should be respected by the Italian authorities.

2. You will accordingly communicate this opinion to the High Commissioner for Sicily and request him not to proceed with the u/m charges against Prof. DI NATALE which are set out in para.2 of your letter referred to above.

- a) Political conspiracy contrary to Article 304 in relation to Article 241 - CP.
- b) Offending known head of the Government contrary to Article 282 - CP.

3. There does not appear to be any objection to proceedings being taken on the third charge, i.e. affixing posters without authorisation contrary to Article 363, if the High Commissioner so desires to do.

4. From the information so far received in this HQ it is not clear whether the five other persons mentioned in your letter are being charged in connection with the same incident in February this year. If that is the case, the policy laid down in para.1 above should also apply to them.

This letter
typed by Col. R. L. P.
9 typed in CA Sec 5/11/44

G.R. W. [Signature]
G.I. UPJOHN. Brig.
VP CA Sec.
D.C.O.S.

4841/1

ARMED TERROR COMMISSION
SICILIA REGIONAL HEADQUARTERS
AFS 304

(22A)

FILE: FIS 013.27/AFS

31 October 1944

SUBJECT: Fusion of Political Parties. Prosecution of
Professor Di Nafale, Tarico.

TO: Legal Sub-Commission, A.C.C. HQ., AFS 304.

1. With reference to your letter AFS 4041/1/1 to R.C. of 17.3.44 it has now come to my notice that the Italian Military Court Palermo is about to try the A/C who as previously reported is alleged to have put out posters at Syracuse on 13.2.44 advocating Separatism for Sicily.

2. The charges are as follows:-

1. Political Conspiracy contrary Art. 304 in relation to Art. 241-c.p.

2. Offending known of Head of the Government contrary to Art. 252-c.p.

3. Affixing posters without authorization contrary to Art. 563.

It will be noted that certainly charge 1 and possibly charge 2 are closely akin to a charge under Art. 241 which your letter expressly forbids.

3. I have accordingly arranged that the trial will not take place pending receipt of your further comments.

4. There are five other persons to answer charge 1 and one other accused to answer charge 1, 2, and 3 but DI NAFALE is regarded as the Singlerer Provoker. The latter has been on "provisional liberty" since April 14 so it seems that the charges are not regarded too seriously.

For the Regional Commission:

E. H. Matthews Capt.
Regional Legal Officer.

404111 ✓
 ALLIED CONTROL COMMISSION
 SICILY REGION HEADQUARTERS
 APO 394.

Legal Sub Comm
 2/A (Recd No)
 1-5617
 3702

FILE - No. RPS/371.2

24th April, 1944.

SUBJECT : DI NATALE Enrico, and others.

TO : Regional Control and Military Government
 Section, A.C.C., HQ.



1. Reference your Signal No. 2513 and reply thereto from this Headquarters.
2. Attached hereto are the papers relating to the case against the above named.
3. It is requested that they be returned in order that the result may be forwarded in due course.

For the Regional Commissioner.

R. A. Snook
 Russell A. SNOOK,
 Lt. Colonel,

Regional Public Safety Officer.

Encls.-7

- 1- Copy of cable No. 2513.
- 1-Copy of reply thereto dated 27/3/44.
- 2-Copy of letter to Dr. MODICA 28/3/44 with translation.
- 3-Reply from Dr. MODICA 20/4/44 with report and translation.



*Security they were
 annexed.*

*I shall get confirmation
 from M of S*

LEGAL SUB-COMMISSION	
CLO	3
DCLO	
Chief Counsel	
CIO	
Italian Section	
CLERKS	

8,609

SUBSTANTIA SIRACUSA.

No. 3025 Div. II

Siracusa, 29.2.44.

SUBJECT - Michele PATTI, of Carmelo and of the late Lucia RIZZA, born at Siracusa on July 7, 1923, living here at No. 19 Via dei SS. Coronati, Enrico DI NATALE, of Carlo and of Maria Isabella ROMANO, born at Pachino on December 24, 1914, residing here at No. 2 Via Rivitiera, Ugo MOSCHELLA, of Salvatore, born at Siracusa on May 16, 1920, residing here at Via Arsenale.

TO THE KING'S ATTORNEY

SIRACUSA.

The Police agents, Salvatore ALBITTA and Francesco CARTA, on patrol in this town, on the current 19th caught Michele PATTI, as above described, intent on posting up some anti-national bills on the town walls.

The above-mentioned bills read: "Sicilian Mourning" - Pietro BAPOLLIO: We have read your proclamation; it could be but that! You talk about death!..... But in order to our entitlement to liberty that you would smother, we are always decided to fight and if necessary to die.-- Try to shoot cowardly us! Sicilians! The mourning will not last long! The Vespers bells will soon be ringing the tocsin.

When Michele PATTI was interrogated he declared that at the end of the first ten days of the current month he met here a young student, a Corrado CARRUBBA, from Catania, who invited him to be a member of the Sicilian Separatist Movement and that on the instant 19th the aforesaid Corrado CARRUBBA delivered him a bundle of bills reading as above stated in order to post them up on the town walls, with the obvious purpose of making rise in the island people the wish of a politic and administrative separation from the Italian peninsula. (Enclos. 2)

Successively, Michele Patti was interrogated and he stated that an association of students and workmen is going to be formed at Siracusa, led by Enrico DI NATALE, a history and philosophy Professor, who has been mentioned above; that association has the end of separating the island from the Continent; he has exactly specified that about forty days ago all the members of this association, Ugo SAPIENZA, Nunzio CALABRO', Giuseppe ARENA, Giuseppe DI NATALE, Ugo MOSCHELLA, and others assembled at Michele PATTI's house in order to discuss about that matter and

- 2 -

Prof. DI NATALE explained them the convenier that Sicily has to separate herself, because Sicily has always been exploited and ill-treated by continentals.

He also added that the bills he had posted up on the town walls had not been delivered to him by the would-be CARRUBBA Corrado, but by Prof. Enrico DI NATALE, at the Ugo MOSCHELLA' house; he has been mentioned above (Enclosure 3)

When Prof. Enrico DI NATALE was interrogated he stated that he represents in Siracusa the Italian Confederation Movement, that has the end of uniting on federal basis the various Italian Republics and should not that confederation be attained, Sicily would work hard in order to obtain a large administrative self-government, even requesting Anglo-American assistance. The Movement he is representing in Siracusa has not been, however been officially recognised. (Enclosure 4)

Having set the above facts I declare Prof. Enrico DI NATALE under arrest on the ground of violation of the art. 241 of the P.C., having attempted by propaganda to dissolve the National Union, of the art. 282 for having offended the honour and prestige of the Chief of the Government, since in the above-mentioned bills offending expressions addressed to Marshal Pietro Badoglio were inserted; of the article 286 for having instigated Sicilian people to rebel against the authority constituted of the State.

On the ground of cooperation to such misdemeanours, Michele PATTI arrested but not confined, on the ground of cooperation to the first misdemeanour, attempt upon the State union, UGO SAPIENZA, Nunzio CALABRO', Giuseppe ARENA, Giuseppe DI NATALE and Ugo MOSCHELLA. we are going to identify the letters.

By a separate note we shall give their full particulars.

Prof. Enrico DI NATALE is in these Prisons at your Office's disposal.

I enclose the papers made as well as copy of the bill that was seized to Michele PATTI

The Vice P.S. Commissary

Copy true to the original
14/4/44.

The Vice P.S. Commissary.

ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

27th March, 1944.

MESSAGE.

REPLY :- FROM REGIONAL COMMISSIONER, REGION No. 1.

TO :- FATIME REAR FOR UPJOHN SGD MACFARLEANE

Re cable ref. 2513.

Persons named are in custody and have been denounced by Italian Authorities for offences contrary to Italian Penal Code. Full fact being compiled and will be forwarded in due course.

210

INCOMING MESSAGE

NR: 2513
RESTRICTED

ADDRESSED FOR ACTION TO:	SEARS FOR HANCOCK	IBS NUMBER :	1106
FOR INFORMATION TO :		TIME SENT :	230345A
FROM :	FATIMA REAR FROM	SIME REC'D :	240800A
IN REPLY REFER TO :	2513	PRECEDENCE :	ROUTINE
	UPJOHN SGB MACFARLANE		

EDITOR LITERAL TEXT

Kindly investigate and report present position regarding arrest at Syracuse on 25 February last of Professor Di Natale. Our Memorandum ACC/4041/2/L of 17 March refers.

Report is also required concerning arrest of party. Michele di Carmelo, student, alleged supported of Sicilia Indipendente, and any others arrested in same connection.

DISTRIBUTION :

REG 1 (ACTION)

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33

ALLIED CONTROL COMMISSION

SICILY REGION HEADQUARTERS

APO. 394

(PUBLIC SAFETY DIVISION - SPECIAL POLICE SECTION)

FILE NO:

SUBJECT:

TO:

DATE 22nd March 1944

Attached.

Regional Public Safety Officer, ACC, H.Q. Region I.

1.

As directed I have examined the attached. The offences have been committed by the persons named - members of the separatist movement - and the evidence in substantiation seems perfectly clear. However, we should not encourage prosecutions of a political character such as this, particularly at the present time when the Italian Government is in its infancy - our 'support' could be construed quite into a suppression of a political party. Nevertheless, in this case I suggest the proceedings be allowed to continue under the existing Italian law.

2.

It is noticed that CAPO took an active part in the investigation of this case; he should not have done so as the offence and arrests took place after the withdrawal of ~~the~~ AMG. I think it would be a good idea to draw attention of all Officers to our present position by a short paragraph in the next issue of the Bulletin.

3.

With regard to the other element in this matter, viz., the obvious continuance of animosity between CAPO and FSS. This state of affairs cannot be permitted to continue. The solution is difficult to determine, but obviously rests in the transfer of one or other of the individuals concerned. I would suggest that you deal with the matter personally, possibly discussing the matter with someone at H.Q. No.1 District at your conference on 28/3/44 and also by paying a visit to Syracuse yourself and interviewing the Officers in question.

G. Richardson, Major.

CONFIDENTIAL

(20A)

SUBJECT:- Securit Political.

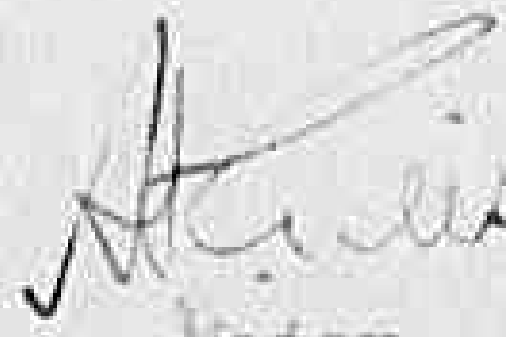
To:- Regional Commissioner,
Headquarters, Region No.1,
Allied Control Commission.

PCS/H/8

Herewith report of Public Safety Officer,
Siracusa Commune of the case of the publication of
an alleged subversive manifesto by the Sicilian
Separatist Movement.

It is regretted that there still appears to be
a lack of whole hearted co-operation on the part
of P.S.O., due, it would seem, to feeling about the
case of Alfredo BASSI already reported.

Siracusa.
4 March 44.



Major.
Provincial Commissioner
A.C.C.

Copy to: H.Q.'s 71 Garrison.

504/89

27

Ref. No. SY/PAT/3

SUBJECT: Security. - A list of Prof. DI NATALE RA. co, PATTI Michele and others.

To/c Public Safety Division, No. 1 Region, PALERMO.
Provincial Commissioner, SYRACUSE.

1. On the 19th of February 1944, at 21.30 hours, at Syracuse, two members of the Questura arrested PATTI Michele, di Carmelo, student, aged 21, of Via dei Santi Ceramati No. 19, Syracuse, when they caught in the act of posting manifests on the walls of this town.

The manifests were about 12" square and were verses as follows:-

SICILIAN MOURNING.

PIETRO BADOLIC.

" WE HAVE READ YOUR PROCLAMATION, IT COULDN'T BE DIFFERENT. WE ASKED FOR LIFE, YOU ARE TALKING OF DEATH. BUT OUR RIGHT TO LIBERTY WHICH YOU WANT TO SUPPlicate, WE ARE DETERMINED TO STRUGGLE AND IF NECESSARY TO DIE.

TRY TO USE YOUR VILE LEAD AGAINST US.

THE SICILIANS

THE MOURNING WILL BE VERY SHORT, VERY SOON THE BELLS WILL RING FOR " VESTRI".

2. PATTI was interrogated and after several days he made a statement (copy attached) to the effect that about a month ago, a meeting was held in his house when points were discussed on the separation of Sicily from the Mainland. Amongst the persons present were 1. Prof. Di Natale teacher at the Scientific Lyceum, Syracuse, students: 2. Ugo Sapience, 3. Nunzio Galabro, 4. Giuseppe Arena, 5. Di Natale di Giuseppe, 6. a merchant Ugo Macchella. Prof. Di Natale addressed the members and pointed out that it was not convenient for the population of Sicily to fight under the flag of Italy on the orders of Maresciallo Pietro Badoglio, because the Sicilians had always been exploited and ill-treated by the gentlemen from the Continent. He further stated that on the 19th of February 1944, in the house and in the presence of Ugo Macchella, Di Natale delivered to him a quantity of manifests similar to the type which had been sequestered. The manifests came from Catania and he (PATTI) volunteered to stick them on the walls during the

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3.

On the 24th of February, DI NATALE Barice was sent for and in answer to my questions, he denied all knowledge of manifests or separatist Organization. However, after a time, he volunteered a statement under caution (copy attached), to the effect that he was the President of the Separatist Movement in Syracuse, whose Headquarters are in Lalerne. He also stated that he had held meetings in private houses and that he had delivered the manifests to PATTI Michele to be stuck on the walls. He also said that he received the manifests from Catania, but his conscience and not fear because of the clandestine nature of the manifests, imposed him not to mention any names.

4.

Ugo Meschella was then sent for and he volunteered a statement under caution (copy attached), in which he declared that he was a member of the Separatist Movement and confirmed the fact that he was present on 19th of February 1944 in his house when Prof. Di

...

-- 2 --

5. NATALE delivered TATTI MICHELE a quantity of notices with instructions to place them on the walls.

The other persons mentioned above, have been interrogated and have declared themselves members of this separatist organization.

6. In view of the serious nature of these manifests about which the following observations may be made:-

- 1) BADOLIO Government. This Government has been approved by the Allies and I submit that any disrespect or threats to the functioning of this Government may reasonably be termed Anti-Ally.
- 2) "VRSIRI". The inclusion of this word in the manifests, is definitely an invitation to the public to insurrection against the Government by the use of violence.

The wording of the manifest generally, is obviously to encourage the civil population and Italian Military to disobey orders issued by the Badoglio Government. Bearing these points in mind, it can be safely said that this Separatist Organization whose chief Organizer is the Hon. APRILE PINOCCHIO, whose Office is in Palermo, is definitely Anti-Ally and one if tolerated, would undoubtedly prove a serious problem against security.

This is a matter which requires urgent attention and I suggest that this man's Office be searched and records seized to ascertain the strength and objects of the organization which undoubtedly is functioning in every Province of Sicily.

7. In view of the facts mentioned above, the following offences against the Italian Penal Code / Crimes against State, have been committed:-

- 1) Art. 241 - Any person who commits an act directed to put the State Territory or a part of it under the sovereignty of a stranger State is punished with death. Some punishment will be inflicted to any one who commits an act directed to dissolve the unity of the State or to detach from the Netherland a Colony or any other territory subjected to her.
- 2) Art. 282.- Any one who offends the honour or the prestige of the Chief of Government is punished by imprisonment from 1 to 5 years.
- 3) Art. 265.- Any one who in war-time diffuses or communicates false or exaggerated news which can alarm the population, depress their spirit or lessen the resistance of the Nation before the enemy, or any way performs an activity such as to harm the interests of the Nation, is punished by imprisonment not less than 5 years.

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- 1) Art. 241 - Any person who commits an act directed to put the State Territory or a part of it under the sovereignty of a stranger State is punished with death. Same punishment will be inflicted to any one who commits an act directed to dissolve the unity of the State or to detach from the Motherland a Colony or any other territory subjected to her.
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 - a) if the act is committed through propaganda or direct communication with the Military;
 - b) if the accused has acted under communication with the enemy.

The latter is punished by life imprisonment; the first by 15 years imprisonment.

It is for these three offences that the prisoners Prof. Di Matale, MATTEO Michele, Ugo Moschella, Ugo Sapiente, Nunzio Calabro, Arena Giuseppe, Di Matale di Giuseppe, have been denounced to the Procuratore del Re and they are now awaiting trial when instructions are received from the Ministry of Justice, Palermo.

Prof. DI MATALE Enrico is obviously the leading light of this Movement in Syracuse and his antecedents are as follows:-

He was born at Pachino, Syracuse, on 24/12/1914, and joined the Fascist Party at the age of 21. He was until his arrest a teacher of Science in the Lyceum, Syracuse. It is undoubtedly in this capacity that he impacts in the minds of his students, hatred against

Maresciallo Pietro Degaglio which, if allowed to continue, would certainly lead to subversive activity.

It is rather strange that DI NATALE should be described in 314 P.S. Section weekly report No. 31, dated 25/2/44 as a well-known anti-Fascist when under the heading of RASSI Alfredo di Ugo, an interpreter employed at this Office, it was alleged by the P.S.S. that RASSI Alfredo during the interrogation of Prof. DI NATALE deliberately misinterpreted, so much so that he asked for a lawyer to be present.

In reply to this, I would like to point out that Alfredo Bassi did not see or speak to Prof. Di Natale and at no time has Bassi Alfredo seen Prof. Di Natale.

On the 29th of February, after the allegation of the P.S.S., I interviewed Prof. Di Natale in Syracuse Prison and in the presence of his lawyer, he made a statement that during his arrest and interrogation he was spoken to by Lt. Hunt in the sole presence of a woman-interpreter Bassi Maria. He also declared that at no time did he make any request for an advocate and that he made his statement purely voluntarily. This statement was written by the Professor and was witnessed by his advocate MIMMI Resario (copy attached).

The same day I went to the Office of 314 P.S.O. and in the absence of Capt. Robinson, I spoke to Sergeant Mitchell and I explained to him the mistake made in their weekly report concerning Bassi Alfredo and I requested him to amend it immediately.

9. About an hour later the above Sergeant came to my Office and supplied me with a copy of the amendment No. 314/TH/31, dated 25/2/44; (copy attached) in which the allegation was transferred from Bassi Alfredo to Bassi Maria. In this amendment, it is alleged that on the 24th Febr. 44, after Prof. Di Natale a well-known anti-Fascist and leader of the local Sicilian Independence Movement, had been interrogated by CAPO, his lawyer came to this Office and asked that a member of this Section be sent to interpret at a subsequent interview between himself (advocate) and D.A.F.O.- The lawyer MIMMI Resario alleged that RASSI's sister Maria, had deliberately misrepresented and made him, (the lawyer), appear in a very unfavourable light.

It is emphasized that the question of Mrs. Maria Bassi's misrepresentation is reported merely as an allegation by the said lawyer, and that Di Natale was NOT present at the interview concerned.

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It is emphasized that the question of Mrs. Maria Bassi's mistranslation is reported merely as an allegation by the said lawyer, and that Di Natale was NOT present at the interview concerned.

10. In view of the falseness of this allegation and report, I immediately sent for the lawyer MIDIRI Rosario and in the presence of Capt. Thernett Smith, who acted as interpreter, the advocate made a voluntary statement (copy attached).

It will be noted in this statement that the advocate states that "It is not TRUE that in the Office of Capt. Robinson I declared that Lt. Hunt's interpreter had mistranslated or falsely translated my words as the advocate of Prof. Di Natale Enrico, and that he was present on the 29th at the interrogation of Di Natale made by Lt. Hunt in the Prison of Syracuse, when Di Natale declared both to Lt. Hunt and myself (advocate) that he was much satisfied with the treatment and work made by the interpreter BASSI Maria". He further stated that when he went to the P.S.O. on 24/2/44, he declared to the Sergeant that he experienced difficulty in communicating with Lt. Hunt through the interpreter his meaning and shades of the Penal Code. He further stated that on the evening of the 24th, during his interview with Lt. Hunt through the interpreter Signora Bassi, he was perfectly

satisfied when talking about judicial ideas and single Articles of the Penal Code, that their meanings were interpreted correctly to the Lieutenant and that at no time has he accused Signore Bassi of omitting or false interpretation and that he was quite satisfied.

He also stated that on the 24th of February, he asked the P.S.S. Sergeant to come along to the Office of Lt. Hunt with a view to helping him Di Natale who was then in prison.

11. On 1st of March, I went to the Office of 314 P.S.O. and made a complaint about the amendment to the weekly report and at the same time, Sgt. Mitchell said that when Avv. MIDIRI made the request and the allegation he only mentioned the name BASSI. I said to the Sgt:-- "Did you ascertain the christian name of the person Bassi?" He replied: "No, I was only interested in one person named BASSI". I said to him:-- "Did you take the complaint down in writing?" He replied:-- "No, we don't do that." I then pointed out in the presence of Capt. Robinson that there was definitely a neglect of duty on the part of this Sergeant Mitchell and that the facts would be reported.

12. It appears that the man Alfredo Bassi, about whom correspondence has already been submitted to Palermo, is the subject of many kinds of vindictiveness and accusations in several cases which have been dealt with by this Office recently. It will be noted in this weekly report No. 31, that the facts mentioned are nothing but hearsay where no attempt whatsoever has been made to verify the truth of the matter, and in view of the statements made by the alleged complainants which are written and signed in their own hand-writing, it leaves a doubt in one's mind whether such complaints were in fact ever made, and in view of the evidence in my possession I do not hesitate to say that the facts are false and are made with a vindictive intention of ruining the excellent characters of two respectable persons who have been employed in this Office since the first days of the occupation.

13. In furtherance to this, I beg reference to all Field Security reports relating to Prison Director Mesolese, escaped criminal Arena Giuseppe and Tassari Alfredo.

By referring to these reports it will undoubtedly be seen that they are based solely on uncorroborated hearsay evidence, where very little attempt has been made to verify the facts and the characters of the persons making such allegations. A glaring example of this, is why P.S.O. should refer to Prof. Di Natale as a well-known ANTI-FASCIST, when in fact their records show him as having been a Fascist, for nine years up to the day of the Allied occupation, and even on

"No, we don't do that." I then pointed out in the presence of Capt. Robinson that there was definitely a neglect of duty on the part of this Sergeant Mitchell and that the facts would be reported.

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14. I respectfully suggest that these facts are far from consistent with justice and security and I ask that the matter be fully investigated.

H. Hunt Lt.
C.A.P.O.
A.C.C.

COPY OF STATEMENT MADE BY PATRI MICHELE di Carmelo in Syracuse.

(20c)

About one month ago, a meeting was held in my house and the points discussed were the separation of Sicily from the Mainland. The persons present were about twenty. They were: Prof. Di Natale teacher at the Scientific Lyceum; students: Ugo Sapienza, Nunzio Calabro, Giuseppe Arona, Di Natale di Giuseppe I think who lives opposite the Stadium, merchant Ugo Meschella who lives opposite the Granary and others whose names I don't remember. During the conference Prof. Di Natale spoke and pointed out that it is not convenient for the population of Sicily to fight under the flag of Italy on the orders of Maresciallo Pietro Badoglio, because the Sicilians have always been exploited and ill-treated by the Gentlemen from the Continent, and have always been left into misery and slavery. Then, each at a time, the members explained their personal ideas on the argument.

On the 19th inst. Prof. Di Natale in the house of merchant Ugo Meschella delivered to me a quantity of notices of the same type of that which has been requested to me; Merchant Meschella was present when Prof. Di Natale gave to me the manifests. I knew that these manifests came from Catania but I don't know who gave them to him. I volunteered to stick the manifests on the walls; nobody asked me to do it.

I have no more to say.

22

22.3.44

20D

COPY OF STATEMENT MADE BY PROP. DI NATALE ENRICO di Carlo.

I, the undersigned DI NATALE Enrico di Carlo, hereby declare to belong to the Separatist Movement for Independence of Sicily with Head-Quarters at Palermo.

I declare that I represent the Provincial Committee of Syracuse:
I declare that the aims of our Movement are to defend the interests and rights of the Sicilians against the exploiting of the Northerners; it is absolutely not against the Allied Authorities, but against Basaglia who is a Northerner. We want to cooperate to the full with the Allies because we are convinced that an independent Sicily could never exist without the help of the Anglo-Americans. We are also ready to fight on the side of the Allies against the Germans as Sicilian volunteers.

We want the plebiscite for independence of Sicily.

I also declare that in Syracuse we meet often in the house of our relatives having yet been unable to find a public meeting place.

I declare having delivered manifests to Michele Fatti to be stuck on the walls, similar to the one which was sequestered. Such manifests came from Catania.

My conscience, and not fear because of clandestine things, imposed on me not to mention any names.

I have no more to say.

24/2/44

Sgd. DI NATALE Enrico.

D 8 3 0

(20E)

C.A.P.O. - SYRACUSE

COPY OF STATEMENT MADE BY UGO MASCHIELLA DI SALVATORE, BORN IN SYRACUSE
ON 16/5/1920.

I hereby declare being a member of the Separatist Movement for Independence
of Sicily and I attend meetings which are held in the house of friends.
I was present when Prof. Di Vatale Enrico delivered some manifests to
Patti Michele to be stuck in the walls, on 19th inst. at about 18.00,
in my house.--

24/2/44

Ugo Maschiella

36

(20F)

STATEMENT OF DR. DI NATALE ENRICO DI CARLO.

I, the undersigned Dr. Di Natale Enrico di Carlo, xx1 hereby declare having been invited, on the 24th of February 1944, by Lt. Hunt of the Police, in the premises of Questura, Syracuse, where I was interrogated by him at the sole presence of the interpreter Sig.ra Passi Maria.

This statement is being made by me voluntarily and it will be typed out by Sig.ra Passi Maria.

I also declare that while I was being interrogated in the office, no other interpreter has spoken to me.

I also declare that during the interrogatory I never made any request for any advocate.-

Sgt. Di Natale Enrico.

The above declaration has been made spontaneously by Prof. Di Natale Enrico in my presence, in Syracuse Prisons.

29th February 1944

Avv. Niciri Rosario
Witness

19

0832

204

314/WR/37
29.3.44

COPY

To: GSO 2 (1)
No. 1 District

From: TSO 314 TS SECTION

Subject: BASSI Alfredo di Ugo.

Ref. weekly report No. 31 dated 25.2.44, para 2(a), under ref. "BASSI Alfredo di Ugo". It is regretted that the following amendment is necessitated, owing to the allegations referred to being misunderstood by this Office.

Page 4, sixth line from bottom, delete from:

" On 25.2.44;

to page 5 line 5:

.unfavourable light."

Substitute the following:

" On 24.2.44, after Prof. Di Natale, a well-known anti-Fascist and leader of the local Sicilian Independence Movement, had been interrogated by CAPO (see para. 2b), his lawyer came to this Office and asked that a member of this Section should be sent to interpret at a subsequent interview between himself and CAPO. The lawyer MISTRI Reserio, alleged that BASSI's sister, Maria, had deliberately misrepresented and had made him (the lawyer) appear in a very unfavourable light."

It is emphasized that the question of Maria Bassi's misrepresentation is reported merely as an allegation by the said lawyer, and that DI Natale was NOT present at the interview concerned.

Copy: Lt. Hunt
CAPO Syracuse

Sgt. EK Wilson Sgt.
Per Captain,
Commanding 314 TS Section.

STATEMENT OF AVV. MARIO CASARO DI GIUSEPPE.

I, the undersigned AVV. MARIO CASARO DI GIUSEPPE, duly wanted to tell the truth, requested by Lt. Hunt, thereby answer as follows:-

It is not true that in the Office of Capt. Robinson I declared that Lt. Hunt's interpreter had mistranslated or falsely translated my words as the advocate of F.F. Di Natale Enrico.

I was present to-day at the interrogatory made by Lt. Hunt to Di Natale Enrico and the latter declared, both to Lt. Hunt and to myself, that he was much satisfied with the treatment and work made by the interpreter Sig.ra Bassi.

After the arrest of -ref. Di Natale took place, I went to Capt. Robinson's Office; this was on the 24th of February. Together with me there was Dr. Achille Paolo Grande and Signer Moschella, both from Syracuse. In the Office of Capt. Robinson who was absent, I declared to a Sergeant that I had found it very difficult to communicate with Lt. Hunt through the interpreter many meanings and shades of our Penal Code, and this in the interview I had together with Advocate Celine re the youth Raffa Michele in the same morning.

In the evening of the same day, always as the advocate of Patsi and Di Natale, I had a long interview with Lt. Hunt through the interpreter Sig.ra Bassi, and exertions were made both by Sig.ra Bassi and myself, especially when talking about juridical ideas and each single Article of the Penal Code, and I succeeded in conveying integrally my ideas to Lt. Hunt.

At no moment did I accuse Sig.ra Bassi of omitted or false interpretation. I, when to-day have been present at the interrogatory of Di Natale and have spoken to Lt. Hunt through Sig.ra Bassi, have succeeded in conveying my ideas to him and remained quite satisfied as also Di Natale who was present.

To-day I have been again in Capt. Robinson's Office and the Sergeant to whom I spoke on the 24th of February 1944, made clear to me that on that date, I was speaking not of Signer Bassi but of Signora Bassi, but not even to-day we mentioned any false or bad interpretation.

On the 24th of February, in the Office of Capt. Robinson, I never asked for an interpreter. I only asked the Sergeant who speaks Italian as well as the others NCOs in that Office while Lt. Hunt cannot, and to whom I succeeded in making him understand all the importance and delicacy of Di Natale's case, I asked him to speak with Lt. Hunt with a view to help Di Natale, being I his defending advocate.

I stated before, I succeeded to speak to Lt. Hunt for

Office; this was on the 24th of February. Together with me there was Dr. Achille Paolo Brenna and Signer Macchella, both from Syracuse. In the Office of Capt. Robinson who was absent, I declared to a Sergeant that I had found it very difficult to communicate with Lt. Hunt through the interpreter many meanings and shades of our Penal Code, and this in the interview I had together with Advocate Gelineve the youth Patti Michele in the same morning.

In the evening of the same day, always as the advocate of Patti and Di Natale, I had a long interview with Lt. Hunt through the interpreter. Signora Bassi, and exortions were made both by Signora Bassi and myself, especially when talking about juridical ideas and each single Article of the Penal Code, and I succeeded in conveying integrally my ideas to Lt. Hunt.

At no moment did I accuse Signora Bassi of omitted or false interpretation. I, when to-day have been present at the interrogatory of Di Natale and have spoken to Lt. Hunt through Signora Bassi, have succeeded in conveying my ideas to him and remained quite satisfied as also Di Natale who was present.

To-day I have been again in Capt. Robinson's Office and the Sergeant to whom I spoke on the 24th of February 1944, made clear to me that on that date, I was speaking not of Signer Bassi but of Signora Bassi, but not even to-day we mentioned any false or bad interpretation.

On the 24th of February, in the Office of Capt. Robinson, I never failed for an interpreter, I only asked the Sergeant who speaks Italian as well as the other MCCs in that Office while Lt. Hunt cannot, and to whom I succeeded in making him understand all the importance and delicacy of Di Natale's case, I asked him to speak with Lt. Hunt with a view to help Di Natale, being I his defending advocate.

That evening, as I stated before, I succeeded to speak to Lt. Hunt for a long time, and I was entirely satisfied and I needed nothing else.

Sgt. Adv. Miroli Rosario
Witness Sgt. Thurnett Smith Capt.

40411
SUBJECT:- Freedom of Political Parties. (19)

1704/16/G(I).

Rear HQ A.C.C.,
Legal Subcommission.

30 Mar 44.

Ref your ACC/4041/1/L dated
24 Mar 44. (16)

The dates of F.S. Reports
referred to in 1704/16/G(I) dated 15
Mar 44 are :-

Report No. 31 : 25 Feb 44

Report No. 33 : 10 Mar 44

C.M.F.

H. L. Khan & Co. Pvt. Ltd.
Lieut-Col,
G.S.O. 1,
No. 1 District.

4041/1

18

ALLIED CONTROL COMMISSION
SICILY REGION HQ.
AFC 394

25 March 1944

File: RIE 013.0531/FD

SUBJECT: Freedom of Political Parties.

TO : C.L.O. ACC HQ. (Salerno).

1. In reply to your letter ACC/4041/1/L dated 17 March and received yesterday, it is understood that proceedings under Art. 241 of the Italian Penal Code have been instituted at Syracuse against a certain Professor di Natale, who is alleged to have put up posters advocating Separatism for Sicily.

2. The policy set out in para 1 of your letter is being communicated to the First Presidents and Procuratori Generali of the three Courts of Appeal, and the Legal Officer at Catania is being asked to draw the particular attention of the First President there to the case mentioned above.

3. It is assumed that a directive on policy in this matter will also be issued to the Italian Courts by the Minister of Justice direct.

For Lt. Col. WANCOCK:

H. M. Dickie

H. M. DICKIE,
Squadron Leader R.A.F.;
Regional Legal Officer.

sf

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RESTRICTED

5/440

Ligid 6086

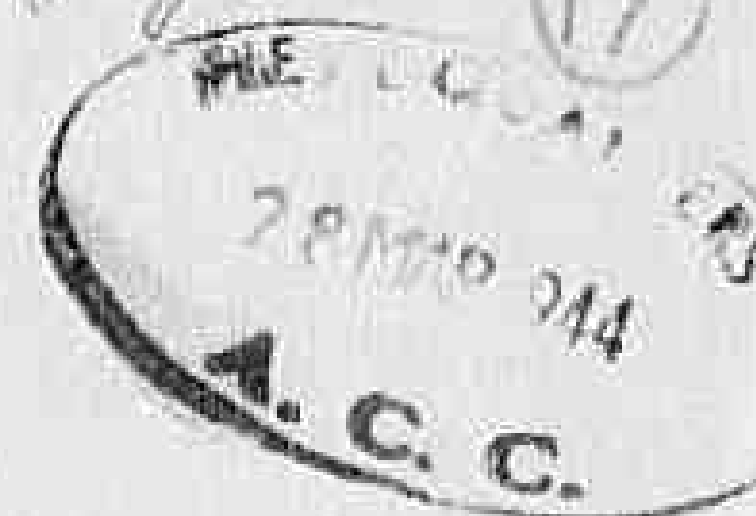
(17)

ACTION COPY

ADMITTED CONTROL COMMISSION

CLASS: RESTRICTED
 PREC: ROUTINE
 FROM: BEARS FROM HANCOCK
 TO: FATIMA FOR UPJOHN

W/C NO: 15/28
 REF NO: S-8843
 FILED: 271815
 RECD: 280430



(PAREN BEARS FROM HANCOCK TO FATIMA FOR UPJOHN CITE REG -152 PAREN)
 PERSONS NAMED ARE IN CUSTODY AND HAVE BEEN DENOUNCED BY ITALIAN
 AUTHORITIES FOR OFFENCES CONTRARY TO ITALIAN PENAL CODE. FULL
 FACTS BEING COMPILED WILL BE FORWARDED IN DUE COURSE REFERENCE
 YOUR 2513

(15)

ACC DIST

Action-Ligid (Rear)

Info-X.C.C.

C.A.Br.

File

Flat

Minister of Justice will investigate
 charges & let us know further
 information.

28344

SPR

14

ACTION COPY

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

(15) /gmf

ACC/4041/1/L

24 March 1944.

SUBJECT: Freedom of Political Parties.

TO : G.S.O I, No. 1 District. (12)

Ref your letter 1704/16/G(I) of 15 March 1944 enclosing extracts from F.S. Section reports Nos. 31 and 33. Kindly inform us of the respective dates of these reports. (10x11)

See folder (19) 13
O. R. UPJOHN, Colonel
Chief Legal Officer.

U. S. RESTRICTED

Equals British RESTRICTED

OUTGOING

23 MAR 1971
GRC/ter

(15)

3/13
2513

RESTRICTED

ROUTINE

FATIMA REAR

SEARS

File

4041/1

23 MAR 1971
GRC/ter

23/1636

KINDLY INVESTIGATE AND REPORT PRESENT POSITION REGARDING ARREST AT SYRACUSA
ON TWO FIVE FEBRUARY LAST OF PROFESSORE DI NATALE PD TO SEARS FOR HANCOCK
FROM FATIMA REAR FROM UPJOHN SIGNED MACFARLANE PD OUR MEMORANDUM ACC SLANT
FOUR ZERO FOUR ONE SLANT ONE SLANT L OF ONE SEVEN MARCH REFERS PD REPORT
IS ALSO REQUIRED CONCERNING ARREST OF PATTI CMA MICHELE DI CARMELO CMA
STUDENT CMA ALLEGED SUPPORTOR OF SICILIA INDEPENDENTE CMA AND ANY OTHERS
ARRESTED IN SAME CONNECTION

AUTHENTICATED:

E. J. Chiosca
E. J. CHIOSCA
C/O USA
Asst Adj

DISTRIBUTION:

- 1 - AG File
- 1 - DSG
- 1 - DCC
- 1 - Legal

12

U. S. RESTRICTED

Equals British RESTRICTED

0840

REAR HEADQUARTERS
AIR FORCE CONTROL COMMISSION
APO 394

14

23 March 1944

ACC/4041/1/L

Subject : Freedom of Political Parties
To : R.C. Region I

9

1. Reference our ACC/4041/1/L of 17 March 1944, confirm despatch to you to-day of signal in terms following :-

Kindly investigate and report present position regarding arrest at Siracusa on twentyfifth February last of Professore Di Natale and our memorandum ACC/4041/L of seventeenth March refers and Report is also required concerning arrest of Patti, Michele di Carmelo, student, alleged supporter of Sicilia Indipendente, and any others arrested in same connection".

2. Enclosed for your information are copies of the following documents which have been forwarded to Legal Sub-Commission from G.S. O I, No.1 District :-

(a) Extract from 314 F.S. Section Report No. 31.

(b) Extract from 314 F.S. Section Report No. 33.

3. G.S. O I, No.1 District has been requested to inform us of the respective dates of these Reports.

11

Gerald R. Upjohn
Colonel
Chief Legal Officer

40411
✓
5
SUBJECT:- Freedom of Political Parties.

SECRET

704/16/G(I) 112

Rear HQ, A.C.C.,
Legal : -Commission. ✓

15 Mar 44

Ref this HQ letter 1704/16/G(I) dated 6 Mar 44 (not to G.S.I(b)
HQ A.C.M.F.). 10-11

The attached extracts from 314 P.S. Section reports Nos. 31 and 33
are relevant to the point raised, and are forwarded to give you detailed
information of the type of situation which likely to arise.

C.M.F.
AJC/CHT.

[Signature]
Lieut-Col.,
G.S.O. 1.,
No. 1. District.

Copy to:- G.S.I(b).,
HQ. A.C.M.F.

EXTRACT FROM 314 F.S. SECTION REPORT No. 31.

SECRET

SICILIAN INDEPENDENCE MOVEMENT.

On the night of 19/20 Feb 44, pamphlets were affixed to walls in Siracusa bearing the following text: "Mourning of Sicilians. Pietro Badoglio! We have read your proclamation. It could not have been otherwise. We demanded life; you speak to us of death! But for our right to liberty, which you would like to strangle, we are still determined to fight, and if necessary, to die. Just you try and use your vile bullets against us! Signed, the Sicilians"; also: "The mourning will be short; soon the bells of the Vespri Siciliani will ring forth in force." One civilian, RATTI, Michele di Carmelo, student, aged 20, was arrested by the Questura. A further development occurred on 25 Feb 44 when Prof. di NATALE, leader of the Movement for Sicilian Independence in Siracusa, was also arrested by CAPO. As stated, Di NATALE is regarded as a staunch Anti-Fascist and although most other anti-Fascists disagree with his views on Sicilian independence, he is well-known and respected.

EXTRACT FROM 314 F.S. SECTION REPORT NO. 33.

SECRET

Subversive Movements: FREE SICILY MOVEMENT.

The case of Prof. di NATALE (see report 31/2(b)) is being watched with great public interest. Di NATALE is one of the local leaders of the Free Sicily Movement, and it was recently proved that he was responsible for having manifestini posted in the streets of SIRACUSA, ridiculing BADOGLIO and his Government and calling on the people to adhere to the Free Sicily Movement. Di NATALE was arrested and his case, according to the old Italian penal code, will probably come before a military Tribunal. In this case it is possible that the death sentence; or its equivalent; may be awarded. Di NATALE, although admittedly guilty of a foolish action, is respected as an honest citizen, and in fact, he expressed similar opinions to those made in speeches by leaders of the movement in PALERMO. If an Italian military court is to be allowed to pass a heavy sentence on Di NATALE, this would be tantamount to declaring the Free Sicily Movement a subversive organisation, intended to cause the disintegration of Italy. In view of the fact that this movement is regarded as an official organisation in PALERMO, it is rather difficult for the public to understand the Allies' talk of "freedom of expression of political feeling". It is thought that if the authorities could be persuaded to charge Di NATALE with causing unsigned secret political propaganda to be distributed, instead of charging him with treason, the possible political repercussions, i.e. (a) driving underground the F.S. Movement, (b) embittering possibly tens of thousands of Sicilians, whose sentiments di NATALE expresses, might be avoided.

Avv. Di MARTINO, of MODICA, who is one of the main exponents of the Movement, visited this office on 10 Mar 44 and was advised to contact Major GILES, P.C., A.C.C., Siracusa, and to explain the full significance of the case.

8

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

/gnt

9

ACC/1011/1/1

17 March 1944.

SUBJECT: Freedom of Political Parties.

TO : PG Region 1.

1. The policy has been laid down that whether or not "Sicilia Indipendente" contravenes Art. 241 of the Italian Penal Code, no prosecution or proceeding against the party is to be tolerated.

2. Will you kindly, therefore, immediately signal this Headquarters if there is any suggestion of such a prosecution or proceeding, and at the same time notify the three First Presidents of the Court of Appeal and the Procuratori Generali of the policy set forth in the preceding paragraph.

HAROLD J. GIBBSMAN, Major
For Chief Legal Officer.

Copy to ACC Liaison HQ AAI.

CONFIDENTIAL

(8)

DEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

/guf

ACC/ACAL/1/L

17 March 1944.

SUBJECT: Freedom of Political Parties.

TO : No. 1 District.

(2)

(5)

1. Ref your 1701/16/C (1) dated 26 Feb 44 and 6 March 44 respectively.
2. The legal position is that although "Sicilia Indipendente" probably contravenes Art. 241 of the Italian Code which is not to be regarded as abrogated, no prosecution or proceeding against the party is to be tolerated.
3. Regional Commissioner Region 1 is being advised accordingly.

MAJOR J. GROSSMAN, Major
for Chief Legal Officer.

Copy to ACC Liaison HQ AAI.

4041
SECRET (5)

SUBJECT:- Freedom of Polit Parties.

1704/16/G(I)

6 Mar 44

Rear HQ., A.C.C.,
Legal Subcommission.

4 2
Ref our 1704/16/G(I) of 26 Feb 44 and
your A.C.C./4041/L dated 2 Mar 44, the facts
are that the "SICILIA INDEPENDENTE" Party
advocates the autonomy of SICILY and could there-
fore be treated as a subversive organisation
under Article 241 of the Italian Penal Code.

C.H.F.
MJC/GHT.

[Signature]
Lieut-Col.,
G.S.O. 1.,
No. 1. District.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/gmf

(4)

ACC/4041/L

2 March 1944.

SUBJECT: Freedom of Political Parties.

TO : No. 1 District.

Your 1704/16/G(1) dated 26 Feb 44 has been addressed to this HQ.

Before this HQ can usefully advise will you please supply us with the full facts on which to base our advice; i.e. on what facts is it alleged that "Sicilia Indipendente" might be a subversive movement. You will appreciate that it is not possible to advise in the absence of full facts.

Copy to: ACC Liaison HQ ACMT
(Your ACCL/75 dated 29 Feb. 44)

G. R. UPJOHN, Colonel
Chief Legal Officer.

4

4041
Subject:- Freedom of Political Parties.

Legal SC
29 Feb 44

U.614

(3)

To:- Director of Legal Sub Commission.

From:- A.C.C. Liaison,
HQ. A.C.M.F.

Ref. ACCL/75.

1. This Headquarters is asked to obtain an opinion of the position of Art 241 of the Italian Penal Code in relation to the "New Freedom of Speech and Publication".
2. The position of 'Sicilia Indipendente' is mentioned specially.
3. A copy of the original letter from No. 1. District is enclosed.
4. If communication be direct with No. 1. District, please keep us informed.

K. K. K.
Sait
for Major,
A.C.C. Liaison Officer.

COPY+

SUBJECT:- Freedom of Political Parties.

2
E C R E T.

1704/16/G(I)

26 Feb 44

H.Q.,
A.C.M.F.

Art. 241 of the Italian Penal Code reads as follows:-

"Attentati contro la integrita, l'indipendenza e l'unita dello stato".

"Chiunque commette un fatto diretto a sottoporre il territorio dello stato o una parte di esso all'sovranita di uno stato straniero; ovvero a menomare l'indipendenza dello stato, e punito con la MORTE. Alla stessa pena soggiace chiunque commette un fatto diretto a disciogliere l'unita dello stato, o a distaccare dalla madre patria una colonia o un altro territorio soggetto, anche temporaneamente, alla sua sovranita."

In view of the fact that Badoglio and the Italian Government have taken over, and that Italian law exists in Sicily today, is 'Sicilia Indipendente' now a subversive movement, or does the new freedom of speech and publication cancel Art.241 of the Italian Penal Code.?

That the position requires some form of clarification is demonstrated by the fact that 'Sicilia Indipendente' supporters are marking time (at least on publications) for fear of 'reprisals' by the CC.RR and Questura.

(Sgd) T. Coventry, Major,
for Major-General,
Commanding,
No.1 District.

C.M.F.
AJC/CHT.

TRANSLATION.

Crimes against the integrity, independence and unity.
of the State.

"Whoever commits an act directed towards the submission of the territory of the state, or of a part of it, to the sovereignty of an alien state; or in any way diminishes the independence of the state, will be punished with the death sentence. The same sentence will be awarded to anyone committing an act directed at the disruption of the mother country temporarily or otherwise of a colony or other subject territory."

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HCC 475

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