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DISCIPLINE, MERCHANT SEAMEN AT ANCONA  
NOV. 1944

FILE CLOSED 8 November 1944

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION  
Legal Sub-Commission  
APO 394

/jpl

AC/4042/1/L

8 Nov. 44

Subject: Discipline Merchant Seamen.

To : Regional Commissioner (For Regional Legal Officer)  
ABRUZZI-MARCHE Region.

1. It is understood that difficulty has arisen over the trial of certain Allied and Friendly Neutral Merchant Seamen in Ancona.

2. The policy on this subject is that all foreign Merchant Seamen (ie all Merchant Seamen not being British, Dominion, Colonial or U.S. Merchant Seamen) will be tried in the appropriate Italian Court or if none is functioning in the locality, in an Allied Military Court. In either event if found guilty and sentenced to imprisonment he may be imprisoned in an Italian jail.

3. Please arrange that the trials of all Merchant Seamen now awaiting trial in Ancona be carried out in accordance with above policy as quickly as possible.

4. When Major Cohen recently visited this H.Q. he referred to some British Merchant Seamen awaiting trial in Ancona. These seamen will not be tried either by an Italian or an AMG Court.

5. Please notify this HQ of the action taken without delay.

BY COMMAND OF COMMODORE STONE.

W.E. BEHRENS  
Colonel  
Deputy Chief Legal Adviser.Copy to: AFHQ -G 5  
(Your G-5: 250-1 of 5 Nov 44 Refers)



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**CONFIDENTIAL**ALLIED FORCE HEADQUARTERS  
G-5 Section  
APO 512

2548

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G-5: 250-1

5 November 1944

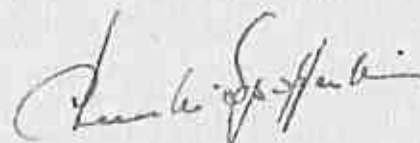
SUBJECT: Discipline-Merchant Seamen at Ancona

TO : Headquarters, Allied Commission, APO 394  
(Attn: Legal Subcommittee) ←

1. There is annexed hereto copy of letter from HQ AAI on the subject of the trial of accused Allied and Neutral Merchant Seamen in Ancona.

2. It is requested that this matter be investigated with a view to the provision or designation of a forum for the trial of such accused persons.

3. It is further requested that this Headquarters be notified of the action taken.



CHARLES M. SPOFFORD  
Brigadier General, U.S.C.  
Assistant Chief of Staff, G-5

Incl: Ltr dtd 1 Nov.  
44 Ref: 5063/5/A(PS)  
from HQ. AAI.

Copy to:- G-1 (B)

HEADQUARTERS  
7 NOV 1944  
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LEGAL SUB-COMMISSION
CLO
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Chief Counsel
CIO
Italian Section
CLERKS
8 NOV 1944
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CIB.

SUBJECT: Discipline - Merchant Seamen.

HQ ALLIED ARMIES IN ITALY

Tel:- FILPOT 223.

5063/3/A(PS).

1 Nov. 44.

APHQ G-1(Br)

1. Difficulty is arising in effecting immediate trial at ANOCNA of Allied and Friendly Neutral Merchant Seamen accused of committing offences. In view of para 6 of Appendix to HQ Allied Control Commission letter ACC/4042/L dated 28 Mar 44 (repeated below) it appears that trial should be before an Allied Military Court convened by AMG, but the local AMG authorities have declined to take action.

"Para 6 of Appendix to letter ACC/4042/L dated 28 Mar 44.

6. TRIAL OF FOREIGN MERCHANT SEAMEN.

Where the accused Merchant Seamen is a national of one of the United Nations or a neutral nation, he will be tried in the appropriate Italian Court or if none are functioning in the locality, in an Allied Military Court, and in either event, if found guilty he will be imprisoned in an Italian jail. It was agreed that there was no objection to this on political grounds."

2. It is requested that this matter may be represented to Allied Control Commission with a view to provision being made for trials of this nature.

(Sgd) C. M. PATON, Brig,

for General,  
Commander-in-Chief.

JDP/RM.

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