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

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

10000/142/401

MONTHLY REPORT, NAPLES COMMUNE
MAR. - DEC. 1945

1340

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

FILE CLOSED 1 ~~November 1945~~

29 December 1945

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L - 2000

29 December 1945

SUBJECT: Report on work of the Legal Division, AMG, Naples
Commune, for the month of December, 1945.

TO : Chief Legal Advisor, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 394, U.S. Army.

1. STAFF. As of 1 December 1945 the staff of the Legal Division consisted of Captain Rosario A. Gaziano, Senior Legal Officer. The Legal Division, AMG Naples had been closed after departure of Captain Carl C. Bannò. The records sent to Rome were returned by the Legal Sub-Commission upon the constitution of Legal Division, AMG, Naples Commune.

2. COURTS.

a. Allied Military Government Courts, Naples Commune.

1. General Courts. The Court presided by Colonel John K. Weber, Chief Legal Adviser, met Monday morning, 3 December 1945, for the trial of three defendants in the COGENA case. The trial of the case was adjourned for the second time to 25 January, 1946.

2. Superior Courts. No cases were tried by the Superior Court, Naples. There are no cases pending trial before this Court.

3. Summary Court. In the Naples area a Summary Court was operating in the port area. Lt. Col. Guy S. Claire, JAGD, who was judge, was redeployed to the United States. On 4 December 1945, 1st Lieut. William E. Joyce was appointed Summary Court. Upon Lt. Joyce's assignment on

temporary duty in Northern Italy Captain Richard A. Burton was appointed Summary Court. For the period 1 December to 27 December 1945 the Port Summary Court disposed of 177 cases. It is to be noted that the number of cases tried by the Summary Court in December is a notable reduction in the number of cases tried as compared to the previous months. (See Incl.1).

3. ITALIAN COURTS. Upon his assignment Captain Gaziano made his contacts with officials of the Italian Magistracy and also the Lieutenant Colonel of the Military Tribunal assigned to Allied interest cases. From his observation the Italian Courts despite the tremendous obstacles under which they operate in Naples Court of Appeal are functioning in a satisfactory manner - and all members of the Italian Judiciary are to be complimented and commended for their painstaking devotion to duty.

4. On case of great importance was turned over to the Procuratore Generale on 15 December 1945 for trial under Italian law upon the direction of the Executive Commissioner, Allied Commission. This is the case of AMG vs. Gaetano Polito.

5. Effective 31 December 1945 Naples Commune is being restored to the Italian Government. The statement of Prime Minister De Gasperi and Proclamation 16 (H), were posted in Naples Commune, to acquaint the public with this change. In a radio discourse the Commissioner, Naples Commune, will explain the effects of this change upon Naples as he is the Liaison Officer.

6. It is intended to supplement this report with additional data upon the turnover.

For the Commissioner.

Rosario A. Gaziano
ROSARIO A. GAZIANO
Captain, Infantry
Senior Legal Officer

Incls.

- Incl. 1. Port Court cases.
- Incl. 2. AMG Court cases for November 1945.
- Incl. 3. AMG Court cases for December 1945.
- Incl. 4. Report for November 1945.
- Incl. 5. Report for December 1945.
- Incl. 6. Trial report of November 1945.
- Incl. 7. Trial report of December 1945.
- Incl. 8. Allied interest cases, November - December 1945.

Copy to Commissioner, Naples Commune.

LEGAL SUBCOMMISSION	
→ CLO	✓
→ DCIO	
→ Chief Counsel	ML
CL	
RECORDS SECTION	
CLERKS	
2 JAN 1946	

73

REPORTS OF CASES TRIED BY
SUMMARY MILITARY COURT (PORT COURT)

FOR THE MONTHS OF:

JULY - AUGUST - SEPTEMBER - OCTOBER -
NOVEMBER - DECEMBER

1 9 4 5

Ind. 1

REPORT OF ALLIED SUMMARY MILITARY COURT FOR THE MONTH OF JULY 1945

(NAPLES COMMUNE)

APPENDIX "A".

A. Cases and findings.

!	GUILTY	!	NOT GUILTY	!	TOTAL	!
!	519	!	49	!	568	!
!		!		!		!

APPENDIX "B".

B. Conviction.

!	THEFT	!	ILL. POSS.	!	ILL. ENTRY IN PORT	!	ASSAULT	!	OTHERS	!	TOTAL	!
!	41	!	314	!	55	!	===	!	158	!	568	!
!		!		!		!		!		!		!

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REPORT OF ALLEED SUMMARY MILITARY COURT FOR THE MONTH OF AUGUST 1945
(NAPLES COMMUNE)

APPENDIX "A".

A. Cases and findings.

GUILTY	NOT GUILTY	TOTAL
449	42	491

APPENDIX "B".

B. Conviction.

THEFT	ILL.POSS.	ILL.ENTRY IN PORT	ASSAULT	OTHERS	TOTAL
46	296	41	==	108	491

1347

REPORT OF ALLIED SUMMARY MILITARY COURT FOR THE MONTH OF SEPTEMBER 1945
(NAPLES COMMUNE)

APPENDIX "A".

A. Cases and findings.

GUILTY	NOT GUILTY	TOTAL
302	15	317

APPENDIX "B".

B. Convictions

THEFT	ILL.POSS	ILL.ENTRY IN PORT	ASSAULT	OTHERS	TOTAL
29	173	53	==	62	317

REPORT OF ALLIED SUMMARY MILITARY COURT FOR THE MONTH OF OCTOBER 1945
(NAPLES COMMUNE)

APPENDIX "A".

A. Cases and findings.

GUILTY	NOT GUILTY	TOTAL
299	27	326

APPENDIX "B".

B. Conviction.

THEFT	ILL.POSS.	ILL.ENTRY IN PORT	ASSAULT	OTHERS	TOTAL
5	247	==	==	74	326

REPORT OF ALLIED SUMMARY MILITARY COURT FOR THE MONTH OF NOVEMBER 1945
(NAPLES COMMUNE)

APPENDIX "A".

A. Cases and findings.

GUILTY	NOT GUILTY	TOTAL
291	9	300

APPENDIX "B".

THEFT	ILL.POSS.	ILL.ENTRY IN PORT	ASSAULT	OTHERS	TOTAL
16	209	26	==	49	300

REPORT OF ALLIED SUMMARY MILITARY COURT I R THE MONTH OF DECEMBER 1945 (UP TO 27 DEC.)
(NAPLES COMMUNE)

APPENDIX "A".

A. Cases and findings.

	GUILTY	NOT GUILTY	TOTAL
	159	18	177

APPENDIX "B".

B. Conviction.

	THEFT	ILL.POSS.	ILL.ENTRY IN PORT	ASSAULT	OTHERS	TOTAL
	24	85	8	==	60	177

1351

REPORT OF ALLIED COURT FOR THE MONTH OF NOVEMBER, 1945
APPENDIX "A"

PROVINCE	SUMMARY COURT		SUPERIOR COURT		GENERAL COURT		TOTAL	
	Not guilty	guilty	Not guilty	guilty	Not guilty	guilty	Not guilty	guilty
Naples	9	291	==	==	==	==	9	291
TOTALS	9	291	==	==	==	==	9	291

Incl. 2

REPORT OF THE ALLIED MILITARY COURT FOR THE MONTH OF NOVEMBER 1945

APPENDIX "B".

PROVINCE	Theft	Illegal Poss. of Allied goods	Assault	Illegal entry in Port.	Others	Totals
NAPLES	16	209	==	26	49	300
TOTALS	16	209	==	26	49	300

REPORT OF ALLIED COURT FOR THE MONTH OF DECEMBER 1945 (UP TO 27 DEC.)

APPENDIX "A".

PROVINCE	SUMMARY COURT		SUPERIOR COURT		GENERAL COURT		TOTALS	
	Not guilty	guilty	Not guilty	guilty	Not guilty	guilty	Not guilty	guilty
VIETNAM	18	159	==	==	==	==	18	159
TOTALS	18	159	==	==	==	==	18	159

Jul 3

REPORT OF THE ALLIED MILITARY COURTS FOR THE MONTH OF DECEMBER 1945. (UP TO 27 DEC.)

APPENDIX "B"

PROVINCE	Theft	Illegal Poss. of Allied goods	Assault	Illegal entry in Port.	Others	Totals
NAPLES	24	85	===	8	60	177
TOTALS	24	85	===	8	60	177

REPORT FOR MONTH NOVEMBER 1945 (UP TO 30 NOV)

No. of cases tried.	No. of defendants	No. of cases under investigation or pending trial.	No. of defendants under investigation or pending trial.
GENERAL COURT	=	pending trial. 2	pending trial. 4
		Under invest.	Under invest.
		Pending trial =	Pending trial =
		Total =	Total =
SUPERIOR COURT	=		
		Under invest.	Under invest.
		Pending trial =	Pending trial =
		Total =	Total =
SUMMARY COURT	300	=	=
No. of arrest reports processed	:	300	
No. of petition for pardon processed	:	160	
No. of petition for review processed	:	199	

CASES AFFECTING ALLIED INTERESTS DISPOSED OF BY THE ITALIAN COURTS.

COURT OF APPEAL	:	100
TRIBUNALE	:	300
TRIBUNALE FOR MINORS	:	15
TRIBUNALE MILITARE	:	24
PRETURA	:	194
TOTALE		633

incl. 4

REPORT FOR MONTH DECEMBER 1945 (UP TO 27 DEC.)

No. of cases tried.	No. of defendants	No. of cases under investigation or pending trial.	No. of defendants under investigation or pending trial.
---------------------	-------------------	--	---

GENERAL COURT		pending trial. 1	Pending trial. 3
---------------	--	------------------	------------------

SUPERIOR COURT	Under invest.	Under invest.
	Pending trial	Pending trial
	Total	Total

SUMMARY COURT	177	//	//
---------------	-----	----	----

No. of arrest reports processed	: 177
No. of petition for pardon processed	: 114
No. of petition for review processed	: 251

CASES AFFECTING ALLIED INTERESTS DISEPOSED OF BY THE ITALIAN COURTS.

COURTS OF APPEAL	: 39
TRIBUNALE	: 123
TRIBUNALE FOR MINORS	: 11
TRIBUNALE MILITARE	: 18
PRETURA	: 99
TOTALE	: 290

Incl. 5

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

SUBJECT : Monthly report.

TRIAL REPORTS FOR PERIOD 1st November to 30th of November 1945

Cases received.....	402
Reports received.....	441
Cases referred to Italian Courts.....	402
Reports referred to Italian Courts.....	441
Cases for AMG Court.....	2
Reports for AMG Court.....	4
Cases under investigation.....	===
Individuals under investigation.....	===
Cases pending trial.General.Court.....L.....	2
Individuals pending trial.General.Court.....	4
Cases disposed by Superior Court.....	===
Individuals disposed by Superior Court.....	===

TYPES OF OFFENSES (Reports received)

Illegal possession over 10,000 lire	73
Illegal possession under 10,000 lire	69
Theft.....	26
Theft and conspiracy.....	19
Possession of firearms.....	7
Assault.....	2
Bribery.....	16
Prostitution ;;;;;;;.....	88
Attempt theft.....	15
General Charge.....	126
Total.....	441 of
which outside Naples Commune.....	94

TYPES OF OFFENSES
(Individuals disposed)

N O N E

CASES TRIED FOR PERIOD 1st November to 30th of November 1945

N O N E

Incl. 6

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

SUBJECT: Monthly report.

TRIAL REPORTS FOR PERIOD 1st DECEMBER TO 27th DECEMBER 1945

Cases received.....	==
Reports received	==
Cases referred to Italian Courts.....	1
Reports referred to Italian Courts.....	1
Cases for AMG Court	==
Reports for AMG Court.....	==
Cases under investigation.....	==
Individuals under investigations.....	==
Cases pending trial General Court.....	1
Individuals pending trial General Court.....	3
Cases disposed by Superior Court.....	==
Individuals disposed by Superior Court.....	==

TYPES OF OFFENSES
(Reports received)

N O N E

TYPES OF OFFENCES
(Individuals disposed)

N O N E

CASES TRIED FOR PERIOD 1st DECEMBER TO 27th DECEMBER 1945

N O N E

Incl. 7

APPENDIX "C"

November - December 1945

A. TRIAL FOR CRIMES AGAINST THE ALLIED FORCES.

	Period	No of Cases	No of def.	No of persons convicted	No of persons acquitted
1. By Pretura Courts!	(5 Nov - 16 Dec)	293	293	208	85
2. By Tribunale	(4 Nov - 15 Dec)	423	632	524	108
3. By Juvenile Court!	(4 Nov - 24 Nov)	26	30	19	11
4. By Court of Appeal	(12 Nov - 8 Dec)	139	183	163	20
5. By Military Tribunal	(5 Nov - 23 Dec)	42	49	39	10
Totals		923	1187	953	234

B. ANALYSIS OF CHARGES, JUDGEMENT AND SENTENCE re PARA "A" ABOVE:

1) PRETURA

	No. of cases	Violation	Judgment	Sentence
a)	180	Prostitution	Guilty	From 15 days imprisonment and 1000 lire fine to 18 months and 10,000 lire fine.
	70	"	Not Guilty	Acquitted.
b)	20	Unauthorized sale to Allied soldiers	Guilty	From 10 days imprisonment and 1000 lire fine to 16 months imprisonment and 6000 lire fine.
	10	"	Not Guilty	Acquitted.
c)	8	Miscellaneous	Guilty	From 15 days imprisonment and 1000 lire fine to 14 months imprisonment and 6000 lire fine
	5	"	Not Guilty	Acquitted.

Incl. 8

2) TRIBUNALE			
No. of cases	Violation	Judgment	Sentence
a) 177	Theft	Guilty	From 15 days and 500 lire fine to 4 years 4 months and 15000 lire fine.
51	"	Not Guilty	Acquitted.
b) 331	Illegal receiving Allied goods.	Guilty	From 10 days and 500 lire fine to 1 year 6 months and 15000 lire fine.
45	"	Not Guilty	Acquitted.
c) 16	Miscellaneous	Guilty	From 1 month and 1000 lire fine to 1 year 5 months and 7000 lire fine.
12	"	"	Acquitted.
3) JUVENILE COURT.			
a) -	Theft	Guilty	-
-	"	-	-
b) 19	Receiving Allied goods	Guilty	From Judicial Pardon and 200 lire fine to 8 months and 800 lire fine.
10	"	Not Guilty	Acquitted.
c) 1	Miscellaneous	Guilty	Judicial Pardon.
-	"	Not Guilty	----
-	"	"	"
4) COURT OF APPEAL.			
a) 63	Theft	Guilty	From 1 month and 500 lire fine to 3 years and 10,000 lire fine.
8	"	Not Guilty	Acquitted.
b) 88	Receiving Allied goods	Guilty	From 15 days and 500 lire fine to 1 year and 20,000 lire fine.
8	"	Not Guilty	Acquitted.
c) 12	Miscellaneous	Guilty	From 2 months and 300 lire fine to 5 months and 3000 lire fine.
4	"	Not Guilty	Acquitted

5) MILITARY TRIBUNAL.

	No. of cases	Violation	Judgment	Sentence
a)	14	Theft	Guilty	From 4 months to 6 years.
	4	"	Not Guilty	Acquitted.
b)	17	Receiving Ali-	Guilty	From 1 month to 2 months and 20 days.
	4	lied goods	"	"
		"	Not Guilty	Acquitted.
c)	8	Miscellaneous	Guilty	From 1 month to 5 months.
	2	"	Not Guilty	Acquitted.

C. TRIALS FOR OFFENCES NOT AGAINST THE ALLIED FORCES.

	Disposed by Decree.	Disposed by Judgment.
1. By Pretura Court (5 Nov.-16 Dec.)	7 371	2340
2. By Tribunale (3 Nov.-15 Dec.)		1602
3. By Court of Appeal (4 Nov.-8 Dec.)		450
4. By Juvenile Court (4 Nov.-24 Nov.)		57
Totals	7371	4449

ROSARIO A. GAZIANO
Captain, Infantry
Senior Legal Officer

40-317 ✓
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APC 394

L-2000

1 November 1945

SUBJECT: Report on work of the Legal Division, AMG, Naples Commune,
for the month of October 1945.

TO : HQ., Allied Commission (For Attention of Legal Sub-Com-
mission).

1. STAFF. As of 31 October 1945 the staff of the Legal Division consisted of Capt. Carl C. Banno', Senior Legal Officer. Maj. Frank L. Vecchiolla was relieved of his duties as Senior Legal Officer and transferred on 18 October 1945.

2. COURTS.

a. ALLIED MILITARY GOVERNMENT COURTS, NAPLES COMMUNE.

1) GENERAL COURTS. The matter of SARNELLA Eugenio, SARNELLA Attilio and LO PORTO Santo, concerning illegal activities in CO.GE.NA. is pending trial before a General Military Court presided over by Col. John W. Weber. The trial of said case has been adjourned to 3 December 1945.

2) SUPERIOR COURTS. 5 cases involving 12 defendants were tried before the Superior Courts. 36 cases involving 57 defendants are under investigation.

3) SUMMARY COURTS. 326 cases were disposed of in the Port Summary Court, for period 1 October 1945 to 31 October 1945.

4) REPORTS OF ARREST. A total of 864 reports of arrest was received by the Prosecuting Office during the period under review of which 838 were referred to the Italian Courts for disposal. These reports concern illegal possession over 10,000 lire 135; illegal possession under 10,000 lire 122; Theft 86; Theft and conspiracy 92; Possession of firearms 12; Assault 6; Bribery 74; Prostitution 213; Attempt theft 73; General Charge 51.

Attached hereto and made a part thereof are Appendix "A", Appendix "B" and Appendix "C".

- 2 -

b. ITALIAN COURTS, NAPLES COMMUNE. The Italian Courts in Naples Commune disposed of a greater number of Allied interest cases this month than for the previous period of 1 September to 30 Sept. 1945. The sentences are indeed reasonably exemplary and deterrent in character. The Italian Courts function satisfactorily. Attached hereto are exhibits "D" and "E" which show the activity of the Italian Courts for the period beginning 1 April 1945 and ending 30 September 1945 as to Allied interest penal cases as well as Italian interest penal cases respectively. It will be noted that a very great number of Allied interest cases were referred to Italian courts during that period and that an equally remarkable number of cases was disposed of by them. Together with Italian interest penal cases the Italian tribunals received almost 52,000 cases and disposed of more than 49,000 cases during the 6 months period in question. Yet only a little over 12,000 cases are pending, of which total 2,181 are Allied interest cases.

For the Commissioner:

CCB/pv

Carl C. Banno
CARL C. BANNO,
Capt., A.C.,
Senior Legal Officer.

SUB COMMISSION	
→ CIO	
DCIO	
→ Chief Counsel	
CJO	
Italian Section	
CL RK5	
5 NOV 1945	

APPENDIX "A"

REPORT OF ALLIED MILITARY COURT FOR THE MONTH OF OCTOBER 1945.
"A" CASES TRIED AND FINDINGS.

Province	SUMMARY COURT		SUPERIOR COURT		GENERAL COURT		TOTALS	
	Not guilty	Guilty	Not guilty	Guilty	Not guilty	Guilty	Not guilty	Guilty
Naples	27	299	4	8	=	=	31	307
Totals	27	299	4	8	=	=	31	307

APPENDIX "B"

REPORTS OF THE ALLIED MILITARY COURT FOR THE MONTHS OF OCTOBER 1945.
"B" CONVICTIONS.

Province	THEFT	ILLEGAL POSSESSION	ASSAULT	OTHER	TOTALS
Naples	6	250	5	77	338
Totals	6	250	5	77	338

APPENDIX "C"

October 1945

A. TRIAL FOR CRIMES AGAINST THE ALLIED FORCES.

	No. of cases !	No. of defendants !	No. of persons !	No. of persons !
			! convicted	! Acquitted.
1. By Pretura Courts	560 !	564 !	476 !	88 !
2. By Tribunale	242 !	349 !	298 !	51 !
3. By Juvenile Court	21 !	39 !	35 !	4 !
4. By Court of Appeal	131 !	186 !	165 !	21 !
5. By Military Tribunale	36 !	45 !	33 !	12 !
Totals	990	1183	1007	176

B. ANALYSIS OF CHARGES, JUDGMENT AND SENTENCE re PARA "A" ABOVE:

1) PRETURA

	No. of cases !	Violation !	Judgment !	Sentence !
a)	178	Prostitution !	Guilty !	From 15 days imprisonment and 1000 lire fine to 16 months and 9000 lire fine.
	78	" !	Not guilty !	Acquitted.
b)	257	Traffic !	Guilty !	From 50 lire fine to 7000 lire fine.
	6	" !	Not guilty !	Acquitted.
c)	21	Unauthorized !	Guilty !	From 10 days and 2000 lire fine to 1 month and 4000 lire fine.
	3	sale to Alli ! ed soldier. !	Not guilty !	Acquitted.
d)	20	Miscellaneous !	Guilty !	From 10 days and 1000 lire to 6 months and 5000 lire fine.
	1	offences !	Not guilty !	Acquitted.

2) TRIBUNALE

	No. of cases	Violation	Judgment	Sentence
a)	102	Theft	Guilty	From 15 days and 1000 lire fine to 2 years and 15000 lire fine. Acquitted.
	21	"	Not guilty	
b)	195	Illegal receiving Allied goods	Guilty	From 15 days and 1000 lire fine to 1 year and 20000 lire fine.
	28	"	Not guilty	Acquitted.
c)	1	Miscellaneous	Guilty	6 months.
	2	"	Not guilty	Acquitted.

3) JUVENILE COURT.

a)	30	Theft	Guilty	From Judicial Pardon to 1 year and 1200 lire fine.
	4	"	Not guilty	Acquitted.
b)	5	Illegal receiving Allied goods.	Guilty	Judicial Pardon.

4) COURT OF APPEAL

a)	48	Theft	Guilty	From 1 month and 500 lire to 1 year, 4 days and 8000 lire fine. Acquitted.
	10	"	Not guilty	
b)	112	Receiving Allied goods	Guilty	15 days and 300 lire fine to 1 year, 6 months and 20000 lire fine. Acquitted.
	11	"	Not guilty	
c)	5	Miscellaneous	Guilty	From 2 months to 3 months.

5) MILITARY TRIBUNALE.

	No. of cases	Violation	Judgment	Sentence
a)	10	Theft	Guilty	From 4 months to 5 years and 6 months.
	6	"	Not guilty	Acquitted.
b)	15	Receiving	Guilty	From 1 month to 2 months and 10 days.
	6	Allied goods.	Not guilty	Acquitted.
		"		
c)	8	Miscellaneous	Guilty	From 1 month to 6 months.
		offences		

C. TRIAL FOR OFFENCES NOT AGAINST THE ALLIED FORCES.

Disposed by Decree

Disposed by judgment.

- 1. By Pretura Court
- 2. By Tribunale
- 3. By Court of Appeal
- 4. By Juvenile Court.

1283
1021
271
37

3617

Totals

3617

2612


CARL C. BANNO,
Capt., A.C.,
Senior Legal Officer.

CASES AFFECTING ALLIED INTERESTS DISPOSED OF BY ITALIAN COURTS

	No. of cases pending! on 1st April '45	!	No. of cases received!	!	No. of cases disposed of!	!	Total no. on 30 Sep
PRETURA	524	!	4464	!	4438	!	55
TRIBUNALE	187	!	2145	!	1367	!	90
COURT OF APPEAL	184	!	821	!	702	!	30
JUVENILE COURT	183	!	348	!	362	!	10
MILITARY TRIBUNALE	152	!	436	!	394	!	14
TOTALS	1230	!	8214	!	7263	!	210

CASES AFFECTING ALLIED INTERESTS DISPOSED OF BY ITALIAN COURTS. *Appendix D.*

No. of cases pending! No. of cases received! No. of cases disposed of! Total no. of cases pending!
on 1st April '45 on 30 September '45.

524	!	4464	!	4438	!	550
187	!	2145	!	1367	!	965
184	!	821	!	702	!	303
183	!	348	!	362	!	169
152	!	436	!	394	!	194
1230	!	8214	!	7263	!	2181

CASES AFFECTING ALLIED INTERESTS DISPOSED OF BY ITALIAN COURTS.

PROCURA

TRIBUNALE	No. of cases pending on 1st April '45/	!	No. of cases received	!	No. of cases disposed of	!	Total no. of cases on 30 September
	441	!	2623	!	2601	!	453
COURT OF APPEAL	1	!	21	!	22	!	=
JUVENILE COURT	258	!	723	!	691	!	290
MILITARY TRIBUNALE	283	!	831	!	593	!	521
Totals	983	!	4198	!	3917	!	1264

SEZIONE D'ISTRUZIONE

TRIBUNALE	36	!	35	!	31	!	40
COURT OF APPEAL	1	!	=	!	=	!	1
JUVENILE COURT	=	!	11	!	11	!	±
TOTALS	37	!	46	!	42	!	41

CASES AFFECTING ALLIED INTERESTS DISPOSED OF BY ITALIAN COURTS.

PROCURA

No. of cases pending on 1st April '45/	!	No. of cases received	!	No. of cases disposed of	!	Total no. of cases pending on 30 September '45.
441	!	2623	!	2601	!	453
1	!	21	!	22	!	=
258	!	723	!	691	!	290
283	!	831	!	593	!	521
983	!	4198	!	3917	!	1264

SEZIONE D'ISTRUZIONE

36	!	35	!	31	!	40
1	!	=	!	=	!	1
=	!	11	!	11	!	±
37	!	46	!	42	!	41

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APPE

CASES NOT AFFECTING ALLIED INTERESTS DISPOSED OF BY ITALIAN CO

PRETURA	No.of cases pending ! No.of cases received ! No.of cases disposed of ! No.Of c				on 30 S	
	on 1st April 1945					
	2129	!	35505	!	36617	!
TRIBUNALE	5398	!	5788	!	4524	!
COURT OF APPEAL	814	!	1649	!	622	!
JUVENILE COURT	1051	!	790	!	259	!
TOTALS	9392	!	43732	!	43021	!

APPENDIX "E"

CASES NOT AFFECTING ALLIED INTERESTS DISPOSED OF BY ITALIAN COURTS.

No. of cases pending ! No. of cases received ! No. of cases disposed of ! No. of cases pending
on 1st April 1945 on 30 September 1945

2129	!	35505	!	36617	!	1017
5398	!	5788	!	4524	!	6662
814	!	1649	!	622	!	842
1051	!	790	!	259	!-	1582
9392	!	43732	!	43021	!	10103

CASES ^{NOT} AFFECTING ALLIED INTERESTS DISPOSED OF BY ITALIAN COURTS.

SEZIONE D'ISTRUZIONE

TRIBUNALE	No. of cases pending! on 1st April 1945.	!	No. of cases received!	!	No. of cases disposed of!	!	Total no. of cases on 30 September
	1561	!	744	!	654	!	1651
COURT OF APPEAL	5	!	2	!	2	!	5
JUVENILE COURT	489	!	204	!	3	!	690
TOTALS	2055		950		659		2346

PROCURA

TRIBUNALE	7927	!	26835	!	16336	!	18426
COURT OF APPEAL	42	!	1062	!	1069	!	35
JUVENILE COURT	776	!	2765	!	2410	!	1131
TRIBUNALE MILITARE	283	!	659	!	421	!	521
TOTALS	9028	!	31321	!	20236	!	20113

CASES ^{NOT} AFFECTING ALLIED INTERESTS DISPOSED OF BY ITALIAN COURTS.

SEZIONE D'ISTRUZIONE

No. of cases pending! No. of cases received! No. of cases disposed of! Total no. of cases pending
on 1st April 1945. on 30 September 1945.

1561	!	744	!	654	!	1651
5	!	2	!	2	!	5
489	!	204	!	3	!	690
2055		950		659		2346

PROCURA

7927	!	26835	!	16336	!	18426
42	!	1062	!	1069	!	35
776	!	2765	!	2410	!	1131
283	!	659	!	421	!	521
9028	!	31321	!	20236	!	20113.

404/3/17

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-2000

1 October 1945

SUBJECT: Report on work of the Legal Division, AMG,
Naples Commune, for the month of September 45.

TO : HQ, Allied Commission (For Attention of Legal
Sub-Commission).

1. STAFF. As of 30 September 1945 the Legal Division has as its Officers Major FRANK L. VECCHIOLEA, Senior Legal Officer, and Capt. CARL C. BANNO, Assistant Senior Legal Officer.

2. COURTS.

a. ALLIED MILITARY GOVERNMENT COURTS, NAPLES COMMUNE.

1) SUPERIOR COURTS. 15 cases involving 44 defendants were tried before the Superior Courts. 3 cases involving 5 defendants have been fixed for trial. 46 cases involving 78 defendants are under investigation and in preparation for trial.

2) SUMMARY COURTS. 317 cases were disposed of in the Port Summary Court, for period 1 September 1945 to 30 September 1945.

3) REPORTS OF ARREST. A total of 1179 reports of arrest was received by the Prosecuting Office during the period under review of which 1155 were referred to the Italian Courts for disposal. These reports concern illegal possession over 10,000 lire 171, Illegal possession under 10,000 lire 160; Theft and conspiracy 120; Theft 108; Possession of firearms 23; Assault 7; Bribery 138; Prostitution 282; Attempt theft 99; General charge 71.

Attached hereto and made a part thereof are Appendix

- 2 -

l", Appendix " and Appendix "C".

b. ITALIAN COURTS, NAPLES COMMUNE. The Italian Courts continue to function satisfactorily.

3. GENERAL REMARKS. The matter of SARNELLA Eugenio, SARNELLA Attilio and LO PORTO Santo, concerning illegal activities in CO.GE.NA. is pending trial before a General Military Court presided over by Col. John K. Weber.

CCE/pv

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *lyll*
Major, J.A.G.D.,
Senior Legal Officer.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
3 OCT 1945	

APPENDIX "A"

REPORT OF ALLIED MILITARY COURT FOR THE MONTH OF SEPTEMBER 1945

"A" CASES TRIED AND FINDINGS

Province	SUMMARY COURT		SUPERIOR COURT		GENERAL COURT		TOTALS	
	Not guilty	guilty	Not guilty	Guilty	Not guilty	Guilty	Not guilty	Guilty
NAPLES	15	302	8	36			23	338
TOTALS	15	302	8	36			23	338

APPENDIX "B"

REPORT OF THE ALLIED MILITARY COURT FOR THE MONTH OF SEPTEMBER 1945

"B" CONVICTIONS

PROVINCE	THEFT	Illegal possession	Illegal entry in Port	Assault	Other	TOTALS
NAPLES	50	195	53	1	62	361
TOTALS	50	195	53	1	62	361

APPENDIX "C"

September 1945

A. TRIAL FOR CRIMES AGAINST THE ALLIED FORCES.

	No. of cases	No. of defendants	No. of persons convicted	No. of persons acquitted.
1. By Pretura Courts	504	508	487	21
2. By Tribunale	171	264	222	42
3. By Juvenile Court	11	12	10	2
4. By Court of Appeal	132	178	165	13
5. By Military Tribunale	35	45	38	7
TOTALS	853	1007	922	85

B. ANALYSIS OF CHARGES, JUDGMENT AND SENTENCE re PARA "A" ABOVE:

1) PRETORIA

	No. of cases	Violation	Judgment	Sentence
a)	145	Prostitution	Guilty	From 15 days imprisonment and 1000 lire fine
	14	"	Not guilty	to 2 years imprisonment and 14000 lire fine
				Acquitted.
b)	304	Traffic	Guilty	From 25 lire fine to 6000 lire fine.
	4	"	Not guilty	Acquitted.
c)	17	Unauthorized sale to Allied soldier	Guilty	From 5 days and 1000 lire fine to 10 months and 2000 lire fine
		"	Not guilty	Acquitted
d)	30	Miscellaneous offences	Guilty	From 8 days and 1000 lire fine to 6 months and 3000 lire fine
	2	"	Not guilty	Acquitted.
e)	1	Theft	Guilty	6 months and 3000 lire fine.

2) TRIBUNALE			
	No. of cases	Violation	Judgment
a)	100	Theft	Guilty
	26	"	Not guilty
b)	118	Illegal receiving goods	Guilty
	14	"	Not guilty
c)	4	Miscellaneous offence	Guilty
			Not guilty

From 45 days and 10000 lire fine to 4 years and 10000 lire fine. Acquitted.

From 200 lire fine to 2 years, 7 months and 20000 lire fine. Acquitted.

From 6 months imprisonment to 10 months, 15 days and 1500 lire fine

3) JUVENILE COURT			
	No. of cases	Violation	Judgment
a)	9	Theft	Guilty
	2	"	Not guilty
b)	1	Illegal receiving goods	Guilty
			Not guilty

From Judicial Pardon to 8 months and 2400 lire fine. Acquitted.

Judicial Pardon

4) COURT OF APPEAL			
	No. of cases	Violation	Judgment
a)	89	Theft	Guilty
	5	"	Not guilty
b)	76	Illegal receiving goods	Guilty
	8	"	Not guilty

From 15 days and 300 lire fine to 3 years, 6 months and 6500 lire fine. Acquitted.

From 15 days and 500 lire fine to 1 year and 10000 lire fine. Acquitted.

5) MILITARY TRIBUNAL			
No. of cases	Violation	Judgment	Sentence
a) 17	Theft	Guilty	From 4 months to 5 years imprisonment.
1	"	Not guilty	Acquitted.
b) 17	Illegal rec- eiving Alli- ed goods.	Guilty	From 1 month and 10 days imprisonment to 3 months.
2	"	Not guilty	Acquitted.
c) 4	Miscellaneous offence.	Guilty	From 1 month and 10 days to 2 months and 500 lire
4	"	Not guilty	Acquitted.

C. TRIAL FOR OFFENCES NOT AGAINST THE ALLIED FORCES.

Disposed by Decree.

Disposed by Judgment.

1. By Pretura Court	3070	1249
2. By Tribunale		257
3. By Court of Appeal		178
4. By Juvenile Court		31
	3070	1715

CARL C. BANNO
Capt. A.C.,
Asst. Senior Legal Officer.

HEADQUARTERS
ALL. J MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-2000

28 August 1945

SUBJECT: Report on work of the Legal Division, AMG,
Naples Commune, for the month of August 1945.

TO : HQ, Allied Commission (For attention of
Legal Sub-Commission).

1. STAFF. As of 28 August 1945 the Legal Division has as its Officers Major FRANK L. VECCHIOLLA, Senior Legal Officer, and 1st LT. CARL C. BANNO', Assistant Senior Legal Officer. Lt. Col. COHEN left hospital and resumed his duties on 16 August 1945.

2. COURTS.

a. ALLIED MILITARY GOVERNMENT COURTS, NAPLES
COMMUNE.

1) SUPERIOR COURTS. 13 cases involving 32 defendants were tried before the Superior Courts. 14 cases involving 35 defendants have been fixed for trial. 41 cases involving 65 defendants are under investigation and in preparation for trial.

2) SUMMARY COURTS. 491 cases were disposed of in the Port Summary Court, for period 1 August 1945 to 24 August 1945.

3) REPORTS OF ARREST. A total of 750 reports of arrest was received by the Prosecuting Office during the period under review of which 704 were referred to the Italian Courts for disposal. These reports concern Illegal possession over 10,000 lire 89; Illegal possession under 10,000 lire 106; Theft and conspiracy 63; Theft 80; Attempted theft 61; Possession of firearms 10; Assault 1; Bribery 67; Prostitution 196; General Charges 77.

Attached hereto and made a part thereof are Appendix "A", Appendix "B" and Appendix "C".

b. ITALIAN COURTS, NAPLES COMMUNE. The Italian Courts have functioned in a most reasonable and satisfactory manner.

CCB/ga

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by bbb*
Major, J.A.G.D.,
Senior Legal Officer.

Encls.

DCIO

Chief Clerk

CIO

Italian Section

Q1 R15

20 AUG 1945

REPORT OF ALLIED COURT FOR THE MONTH OF AUGUST 1945

APPENDIX "A"

PROVINCE	SUMMARY COURT Not guilty	COURT guilty	SUPERIOR Not guilty	COURT guilty	GENERAL Not guilty	Court guilty	TOTALS not guilty	Guilt
NAPLES	442	449	2	30	=	=	44	479
TOTALS	42	449	2	30	=	=	44	479

APPENDIX "B"

REPORT OF THE ALLIED MILITARY COURTS FOR THE MONTH OF AUGUST 1945

PROVINCE	Theft	Illegal posses- sion Allied goods	ASSAULT	Illegal entry in Port	Miscellaneous	Totals
NAPLES	61	303	1	41	117	523
TOTALS	61	303	1	41	117	523

APPENDIX "C"

August 1945

A. TRIAL FOR CRIMES AGAINST THE ALLIED FORCES.

	No. of cases	No. of defendants	No. of persons convicted.	No. of persons acquitted.
1. By Pretura Courts	789	789	742	47
2. By Tribunale	175	266	228	38
3. By Juvenile Court	50	56	45	11
4. By Court of Appeal	105	139	124	15
5. Military Tribunale	20	27	21	6
TOTALS	1139	1277	1160	117

B. ANALYSIS OF CHARGES, JUDGEMENT AND SENTENCE re PARA "A" ABOVE:

a) PRETURA

	No. of cases	Violation	Judgement	Sentence
a)	94	Prostitution	Guilty	From 8 days imprisonment and 2000 lire fine
	23	"	Not guilty	to 1 year & 8 months and 5000 lire fine.
	609	Traffic	Guilty	Acquitted.
	11	"	Not guilty	Acquitted.
b)	21	Unauthorized	Guilty	From 15 days and 2000 lire fine to 1 month
		sale to Al-		and 4000 lire fine
	1	lied soldier	Not guilty	Acquitted
c)	18	Miscellaneous	Guilty	From 35 days and 1200 lire fine to 8 months
	12	"	Not guilty	and 3000 lire fine.
				Acquitted.

2) TRIBUNALE.			
	No. of cases	Violation	Judgement
a)	102	Theft	Guilty
	17	"	Not guilty
b)	125	Illegal receipt of goods.	Guilty
	20	"	Not guilty
c)	1	Miscellaneous offences	Guilty
	1	"	Not guilty
3) JUVENILE COURT			
a)	25	Theft	Guilty
	6	"	Not guilty
b)	20	Illegal receipt of goods.	Guilty
	5	"	Not guilty
4) COURT OF APPEAL			
a)	34	Theft	Guilty
	6	"	Not guilty
b)	90	Illegal Receipt of goods.	Guilty
	9	"	Not guilty

Sentence

From 16 days and 500 lire fine to 4 years and 15000 lire fine. Acquitted.

From 15 days and 200 lire to 1 year and 15000 lire fine.

Acquitted.

1000 lire fine.

Acquitted.

From Judicial Pardon to 1 year, 6 months and 1500 lire fine. Acquitted.

From Judicial Pardon to 100 lire fine.

Acquitted.

From 10 days and 500 lire fine to 2 years and 8000 lire fine. Acquitted.

From 15 days and 500 lire to 3 years and 9 months imprisonment and 15000 lire fine.

Acquitted.

5) MILITARY TRIBUNALS.

	No. of cases	Violation	Judgement	Sentence
a)	10	Theft	Guilty	From 1 month and 10 days imprisonment to 4 years.
	2	"	Not guilty	Acquitted.
b)	11	Illegal receiving Allied goods.	Guilty	From 1 month and 10 days imprisonment to 2 months imprisonment.
	4	"	Not guilty	Acquitted.

C. TRIAL FOR OFFENCES NOT AGAINST THE ALLIED FORCES.

	Disposed by Decree.	Disposed by judgment.
1. By Pretura Court	5333	1268
2. By Tribunale		614
3. By Court of Appeal		259
4. By Juvenile Court		43
Totals	5333	2184

CARL C. BANNO,
1st. Lt. A.C.
Asst. Senior Legal Officer.

4043/17
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-2000

1 August 1945

SUBJECT: Report on work of the Legal Division, AMG,
Naples Commune, for the month of July 1945.

TO : HQ., Allied Commission (For Attention of
Legal Sub-Commission)

1. STAFF. As of 31 July 1945 the Legal Division has as its Officers Major FRANK L. VECCHIOLLA, Senior Legal Officer, and 1st Lt. CARL C. BANNON, Assistant Senior Legal Officer. Lt. Col. COHEN reported to this HQ as a Special Courts Officer on 18 July 1945. On 31 July 1945 Lt. Col. Cohen entered the 300th General Hospital for treatment which is expected to last about one week.

2. COURTS.

a. ALLIED MILITARY GOVERNMENT COURTS, NAPLES COMMUNE.

1) SUPERIOR COURTS. 14 cases involving 45 defendants were tried before the Superior Courts. 7 cases involving 15 defendants have been fixed for trial. 43 cases involving 84 defendants are under investigation and in preparation for trial.

2) SUMMARY COURTS. 568 cases were disposed of in the Port Summary Court.

3) REPORTS OF ARREST. A total of 1000 reports of arrest was received by the Prosecuting Office during the period under review of which 938 were referred to the Italian Courts for disposal. These reports concern Illegal possession over 10,000 lire 116; Illegal Possession under 10,000 lire 143; Theft 152; Theft and conspiracy 87; Attempted

- 2 -

theft 116; Possession of firearms 25; Assault 3; Bribery 70, Prostitution 183; General Charges 105.

Attached hereto and made a part thereof are Appendix "A" Appendix "B", and Appendix "C".

b. ITALIAN COURTS, NAPLES COMMUNE. The Italian Courts have tried a greater number of cases during the period under review. This is in conformity with the policy established of referring more and more cases to the Italian Courts. The Italian Courts continue to function in a reasonably satisfactory manner.

CCB/pv

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *lyb 63*
Major, J.A.G.D.,
Senior Legal Officer.

LEGAL SUB-COMMITTEE	
→ CIO	lm
→ CCLO	
→ Chief Counsel	lyb
→ CIO	
→ Italian Section	A
CL RKS	
2 AUG 1945	

APPENDIX "A"

REPORT OF ALLIED MILITARY COURTS FOR THE MONTH OF JULY 1945.

A. Cases tried and findings.

PROVINCE	SUMMARY COURTS		SUPERIOR COURTS		GENERAL COURTS		TOT Not guilty
	Not guilty	Guilty.	Not guilty	Guilty	Not guilty	Guilty	
NAPLES	49	519	9	36	=	=	58
TOTALS	49	519	9	36	=	=	58

APPENDIX "A"

MILITARY COURTS FOR THE MONTH OF JULY 1945.

and findings.

PRIMARY COURTS		SUPERIOR COURTS		GENERAL COURTS		TOTALS	
Not guilty	Guilty.	Not guilty	Guilty	Not guilty	Guilty	Not guilty	Guilty.
49	519	9	36	=	=	58	555
49	519	9	36	=	=	58	555

APPENDIX "B"

REPORT OF THE ALLIED MILITARY COURTS FOR THE MONTH OF JULY 1945

B. Conviction

PROVINCE	Theft	Illegal possession Allied goods	Assault	Illegal entry in Port	Miscellaneous	TOTALS
NAPLES	67	326	==	55	159	613
TOTALS	67	326	==	55	159	613

APPENDIX "G"

July 1945.

A. TRIAL FOR CRIMES AGAINST THE ALLIED FORCES.

	No. of cases	No. of defendants	No. of persons convicted.	No. of persons acquitted.
1. By Pretura Courts	1023	1023	967	56
2. By Tribunale	253	380	322	58
3. By Juvenile Court	94	102	67	35
4. By Court of Appeal	126	163	146	17
5. By Military Tribunale	47	66	57	9
TOTALS	1543	1734	1559	175

B. ANALYSIS OF CHARGES, JUDGMENT AND SENTENCE re PARA "A" ABOVE:

1) PRETURA.

	No. of cases	Violation	Judgment	Sentence
a)	201	Prostitution	Guilty	From 15 days imprisonment and 1000 lire fine
	45	"	Not guilty	to 13 months imprisonment and 6000 lire fine.
				Acquitted.
b)	93	Curfew	Guilty	From 50 to 10000 lire fine
c)	628	Traffic	Guilty	From 50 to 10000 lire fine.
	7	"	not guilty	Acquitted.
d)	41	Unauthorized sale to Ali-	Guilty	From 10 days imprisonment and 500 lire fine
		ed soldier		to 3 months imprisonment and 4100 lire fine.
	2	"	not guilty	Acquitted.

Tribunale (Cont'd)			
No. of cases	Violation	Judgment	Sentence
e) 2	Theft	Guilty	From 2000 lire fine to 3 months imprisonment and 4000 lire fine.
1	"	Not guilty	Acquitted
f) 2	Miscellaneous offences.	Guilty	From 4000 lire fine to 7 months imprisonment and 2000 lire fine.
1	"	Not guilty	Acquitted.

2) TRIBUNALE

a) 134	Theft	Guilty	From 15 days imprisonment and 300 lire fine to 2 years imprisonment and 20000 lire fine.
27	"	Not guilty	Acquitted.
b) 188	Illegal receiving Allied goods.	Guilty	From 25 days imprisonment and 200 Lire fine to 1 year imprisonment and 10000 lire fine.
29	"	Not guilty	Acquitted.
c) 2	Miscellaneous offences.	Not guilty	Acquitted.

3) JUVENILE COURT

a) 38	Theft	Guilty	From Judicial Pardon to 8 months imprisonment and 800 lire fine.
31	"	Not guilty	Acquitted.
b) 28	Illegal receiving Allied goods.	Guilty	From Judicial Pardon to 9 months and 900 lire fine.
c) 1	Miscellaneous Offences	Guilty	Judicial Pardon.

4) COURT OF APPEAL.

	No. of cases	Violation	Judgment	Sentence
a)	42	Theft	Guilty	From 15 days and 500 lire fine to 2 years, 2 months and 4500 lire fine.
	12	"	Not guilty	Acquitted.
b)	104	Illegal receiving Allied goods.	Guilty	From 15 days and 200 lire fine to 1 year, 1 month and 4000 lire fine.
	5	"	Not guilty	Acquitted.

5) MILITARY TRIBUNAL.

a)	25	Theft	Guilty	From 2 months and 10 days to 3 years.
	2	"	Not guilty	Acquitted.
b)	30	Illegal receiving Allied goods	Guilty	From 1 month imprisonment to 8 months.
	7	"	Not guilty	Acquitted.
c)	2	Miscellaneous	Guilty	From 1 month imprisonment to 8 months.

C. TRIAL FOR OFFENSES NOT AGAINST THE ALLIED FORCES.

Disposed by Decree.

1. By Pretura Court
2. By Tribunale
3. By Court of Appeal
4. By Juvenile Court.

Disposed by judgment.

1354
1042
367
60

Totals

3937

2823

Carl C. Banno
CARL C. BANNON, 1st Lt. A.C.,
Asst. Senior Legal Officer.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-2000

1 July 1945

SUBJECT: Report on work of the Legal Division, AMG,
Naples Commune, for the month of ~~June~~ 1945.

TO : HQ, Allied Commission (For Attention of
Legal Sub-Commission)

1. STAFF. As of 30 June 1945 the Legal Division has as its Officers Major FRANK L. VECCHIOLLA, Senior Legal Officer, and 1st Lt. CARL C. BANNO', Assistant Senior Legal Officer.

2. COURTS.

a. ALLIED MILITARY GOVERNMENT COURTS, NAPLES COMMUNE.

1) General Courts. The following Allied Military Government General Court was held during the month of June:

a) AMG vs SQUILLACE Michele et al, held in Naples. The Court composed of Major VECCHIOLLA, President, Capt. STANHOPE-HAYNES and 1st Lt. C.C. BANNO' members, found 7 out of 8 defendants guilty of violation 2, Art. 1, Sec.22, and Art.3, Sec.1, and imposed sentences from 2 to 15 years imprisonment.

2) SUPERIOR COURTS. 17 cases involving 47 defendants were tried before the Superior Courts. 8 cases involving 19 defendants have been fixed for trial. 48 cases involving 94 defendants are under investigation and in preparation for trial.

3) SUMMARY COURTS. 693 cases were disposed of in the Port Summary Court.

- 2 -

4) REPORTS OF ARREST. A total of 852 reports of arrest was received by the Prosecuting Office during the period under review of which 807 were referred to the Italian Courts for disposal. These reports concern Prostitution 147, Traffic Violation 14, Illegal Possession under 10,000 lire 114, Illegal Possession over 10,000 lire 105, Theft 86, Theft and conspiracy 87, Attempt theft 71, Possession of firearms 20, Assault 4, Bribery 68, General charge 136, Outside Naples Commune 90.

Attached hereto and made a part thereof are Appendix "A" Appendix "B", Appendix "C" and Appendix "D".

b. ITALIAN COURTS, NAPLES COMMUNE. The Italian Courts continue to function in a satisfactory manner as can be noted from Appendix "C" which is attached hereto and made a part hereof.

3. GENERAL REMARKS.

a. There has been noted an increase in the number of cases of assault of Allied Military personnel.

b. The Port Summary Court has passed the 10000-case mark. A letter from Lt.Col. Claire to the Chief Legal Advisor is attached hereto and marked ~~Exhibit~~ "D".

Appendix

CCB/pv

LEGAL SUBCOMMITTEE

CLO

PGS

CH

CIO

Waller

ST. ESS

WMS

Frank L. Vecchiola
FRANK L. VECCHIOLA,

Major, J.A.G.D.,

Senior Legal Officer.

Col Claire wants a letter that he has this 10000 case. As he persistently refers to forward them for review how can I give it?

APPENDIX "A"

REPORT ON ALLIED MILITARY COURTS FOR THE MONTH OF JUNE 1945

A. Cases tried and findings:

Province of Naples	SUMMARY COURTS		SUPERIOR COURTS		GENERAL COURTS		Totals	
	Not guilty	guilty	Not guilty	guilty	Not guilty	guilty	Not guilty	guilty
NAPLES	16	677	19	28	1	7	36	712
TOTALS	16	677	19	28	1	7	36	712

APPENDIX "B."

REPORT ON THE ALLIED MILITARY COURTS FOR THE MONTH OF JUNE 1945

B. Convictions.

Province of	Curfew & Viol; pass	Theft & posses. Allied goods	Black Market	Looting	Poss. arms & ammunition	Violation Italian Penal Code	Others	TOTALS
Naples	56	596	5				91	748
TOTALS	56	596	5				91	748

APPENDIX "C"

June 1945.

A. TRIALS FOR CRIMES COMMITTED AGAINST THE ALLIED FORCES.

	No. of cases	No. of defendants	No. of persons convicted.	No. of persons acquitted.
1. By Pretura Courts	1042	1042	976	66
2. By Tribunale	191	269	227	42
3. By Juvenile Court	61	70	64	6
4. By Court of Appeal	110	139	118	21
5. By Military Tribunale	30	39	26	13
TOTALS	1434	1559	1411	148

B. ANALYSIS OF CHARGES, JUDGMENT AND SENTENCE re PARA "A" ABOVE:

1) PRETURA.

	No. of cases	Violation	Judgment	Sentence
a)	123	Prostitution	Guilty	From 1 month imprisonment and 1000 lire fine to 14 mos. imprisonment and 6000 L. Acquitted.
	39	"	not guilty	Acquitted.
b)	402	Curfew	Guilty	From 30 to 10000 lire fine
	16	"	not guilty	Acquitted.
c)	421	Traffic viol.	Guilty	From 30 to 10000 lire fine
	4	"	not guilty	Acquitted.
da)	30	Unauthorized	Guilty	From 15 days & 1000 lire fine to 6 months
		sale to Allied soldiers	Guilty	& 20 days imprisonment and 4000 lire fine
	7	"	not guilty	Acquitted

- 2 -

2) TRIBUNALE			
	No. of cases	Violation	Judgment
a)	88	Theft	Guilty
			From 15 days and 300 lire fine to 3 years & 6 mos. imprisonment & 80000 lire fine.
	22	"	not guilty
			Acquitted.
b)	131	Illegal receiving Allied goods	Guilty
			From 15 days impr. & 200 lire fine to 18 mos. impr. & 15,000 lire fine.
	19	"	not guilty
			Acquitted
c)	8	Miscellaneous offences	Guilty
			From 1 month impr. & 2000 lire fine to 10 mos. & 20 days impr. & 3000 L.
	1	"	not guilty
			Acquitted
3) JUVENIL COURT			
a)	37	Theft	guilty
			From Judicial Pardon to 8 mos. impr. & 800 lire fine.
	4	"	not guilty
			Acquitted.
b)	27	Illegal receiving Allied goods	guilty
			From Judicial Pardon to 3 mos. impr. & 1000 lire fine.
	2	"	not guilty
			Acquitted.
4) COURT OF APPEAL			
a)	34	Theft	guilty
			From 1 mo. impr. & 1000 lire fine to 3 years impr. & 10000 lire fine.
	6	"	not guilty
			Acquitted.
b)	84	Illegal receiving Allied goods	guilty
			From 15 days impr. & 500 lire fine to 9 mos. impr. & 6000 lire fine.
	15	"	not guilty
			Acquitted

- 3 -

5) MILITARY TRIBUNALE.

!	No. of case. !	Violation	!	Judgment !	Sentence
a)	11	Theft	!	guilty	From 2 mos. to 1 yr. and 8 mos.
!	7	"	!	not guilty	Acquitted.
b)	14	Ill. receiving	!	guilty	From 40 days to 2 years impr.
!	!	Allied goods	!	!	!
!	6	"	!	not guilty	Acquitted.
c)	1	Miscellaneous	!	guilty	20 days impr. and 500 lire fine
!	!	offences	!	!	!
!	!	!	!	!	!

C. TRIAL FOR OFFENCES NOT AGAINST THE ALLIED FORCES.

Disposed by Judgment

Disposed by Decree

1722
825
218
35

5488

5488

2800

1. By Pretura Court

2. By Tribunale

3. By Court of Appeal

4. By Juvenil Court

Carl C. Banno
 CARL C. BANNO,
 1st Lt., A.C.,
 Asst. Senior Legal Officer.

APPENDIX "D"

ALLIED COMMISSION
SUMMARY MILITARY COURT F.
NAPLESNaples, Italy
20 June 1945

SUBJECT : Summary Military Court - Naples.

TO : Col. W.E. Behrens, Chief Legal Advisor,
Hq., Allied Commission - Legal Sub-commission.
Through Legal Office - Naples.

1. I have had somewhat dubious pleasure of personally having tried over 10,000 Italian civilians in the Port A.C. Court.

2. The cases have ranged from illegal entry, chopping down fences, bum-boating, theft of rations, clothing, and the like. One man was apprehended with a can of TNT in his possession, he thought it was something to eat. Fortunately he did not open the can. Several others were apprehended wearing women's drawers, slips and dresses (UNRRA supplies). One individual had five brassieres on his person in the proper place. He desired them for his girl. The articles stolen range the entire Ordnance, QM. and Medical catalogue list including gas masks, and life preservers, but as yet not a liberty ship. Articles have left the port via sewers, canals, boats, over the fence, by train and truck, but not yet by craft.

3. Many boys less than 12 years of age are utilized in stealing large quantities of supplies by boat. Recently four minors ages 8 to 10 respectively were apprehended in a boat with 7 bags of flour "rolled" from barges to the boat. All of them were third offenders. They were sent to the Italian Authorities for attention. This group had a girl of 16 years with them who incidentally "worked" on board several ships while the boys were collecting flour.

4. The Port Court has made theft and other offenses unprofitable and unhealthy as well as being an instrumentality in the recovery of many tons of supplies and thousands of articles. The apparently minor case at trial often gives leads to recovery of large quantity of supplies and the names of those involved.

5. Suspended sentences were soon discontinued except in certain types of cases due to the fact that fines meant nothing. Groups of men go into the port to steal and "look over" the land for the major operators. These men were apprehended for illegal entry and sentenced to imprisonment. The "small fry" soon became tired of going to jail and thus operators find it more difficult to secure helpers as heretofore.

6. Organized gangs have been sent "complete" to jail. There are only a few major gangs operating now and they are outside of the Port itself. All now know, that they will go to jail. This policy has saved the Allies much property.

7. Every method know to fact and fiction has been utilized to remove goods and articles from the Port. Wooden legs, wigs, as well as "private" parts of the body have been utilized. It is now necessary to practically "skin" a man in a search.

8. There will be an increase in the number and seriousness of cases in the present and future. The upward trend has already started. This is due to two factors: (a) Arrival of UNRRA supplies; and (b) The eminent departure of American forces. There appears to be desire of black market operators and others to "get in" a supply of American and British supplies of all kinds.

9. No one at the bar in America will even believe that I have tried so many cases, and if it is possible I'd appreciate a letter for my files to that effect. I find it hard to believe it myself although I have processed my Military Court-Martials as well as served as law member on over a thousand General Court-Martials. However, the Court-Martial were in a three years period.

Guy S. Claire

GUY S. CLAIRE
Lt. Col., JAGD
Summary Military Court F

Walter H. H. H.

*Good. Please, enter if you would kindly
write me a letter*

26/7/45

26/7/45

4043/12 ✓
 HEADQUARTERS
 ALLIED MILITARY GOVERNMENT
 NAPLES COMMUNE
 LEGAL DIVISION
 APO 394

L-2000

1 June 1945

SUBJECT: Report on work of the Legal Division, AMG, Naples Commune, for the month of May 1945.

TO : HQ, Allied Commission, (Attn: Legal Sub-Commission)

1. STAFF. As of 31 May 1945 the Legal Division has as its Officers Major FRANK L. VECCHIOLLA, Senior Legal Officer, and 1st Lt. CARL C. BANNO', Assistant Senior Legal Officer.

2. COURTS.

a. ALLIED MILITARY GOVERNMENT COURTS, NAPLES COMMUNE.

1) General Courts. The following Allied Military Government General Courts were held during the month of May:

a) AMG vs COZZOLINO Luigi et al, held in Naples. The Court composed of Major VECCHIOLLA, President, Capt. STANHOPE-Haynes and 1st Lt. C.C. BANNO' members, found 8 out of 10 defendants guilty of violation of Proc.2, Art.1, Sec.22 and Art.3, Sec.1, and imposed sentences from 1 to 15 years imprisonment.

b) AMG vs SQUILLACE Michele et al, held in Naples. The Court is composed of Major VECCHIOLLA, President, Capt. STANHOPE-HAYNES and 1st Lt. C.C. BANNO' members. 8 defendants are charged with violation of Proc.2, Art.1, Sec.22, and Art.3, Sec.1. Trial commenced 31 March 1945 and is still in progress.

2) SUPERIOR COURTS. 13 cases involving 41 defendants were tried before the Superior Courts. 9 cases involving 28 defendants have been fixed for trial. 43 cases involving 106 defendants are under investigation and in preparation for trial.

3) SUMMARY COURTS. 963 cases were disposed of in the Port Summary Court.

Not more than 50 cases have been reviewed here from Naples since I arrived here & they 1 - went down in which Town II was filed!
Smu

Attached hereto and made a part thereof are Appendix "A" and Appendix "B" showing statistical information of cases tried in the Allied Military Courts.

3. GENERAL REMARKS. A great number of cases involving counterfeiters of Allied Military Government lire notes have been brought to this office for further preparation and trial. As of 31 May 1945 two Superior Courts and one General Court disposed of 3 cases involving 16 defendants and sentences have been arranged from 1 year to 15 years. At present a General Court is hearing another important case of counterfeiting involving 8 defendants. Other such cases are in preparation and will be tried as soon as completed.

The Press, including the "Risorgimento", the "Union Jack", and "Stars and Stripes" have manifested great interest in these cases and have given considerable publicity to the trials we have held and are holding before our Courts.

CCB/pv

LM

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Chief Counsel

da

Q₁₂

Beltan Swallow

City

CLARK'S

100

5 JUN 1947

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by lts*
Major, J.A.G.D.,
Senior Legal Officer.

APPENDIX "A" 800
500

Report on Allied Military Courts for the month of May 1945.

A. Cases Tried and Findings.

Province of	Summary Court		Superior Court		General Court		TOTALS	
	Not Guilty	Guilty	Not Guilty	Guilty	Not Guilty	Guilty	Not Guilty	Guilty
Naples	20	943	6	35	2	3	28	986
	20	943	6	35	2	3	28	986

APPENDIX "B"

Report on the Allied Military Courts for the month of May 1945.

B. CONVICTIONS.

Province of	Curfew & Viol. pass	Theft & Possession of Allied Goods	Black Market	Looting	Poss. arms & Am.	Viol. It. Pen. Code	Others	TOTALS
NAPLES	54	706	-	3	-	-	223	986
TOTALS	54	706	-	3	-	-	223	986

..... (Signature) (Rank) (Official Designation)

APPENDIX "C"

May 1945

A. TRIALS FOR CRIMES COMMITTED AGAINST THE ALLIED FORCES.

	No. of cases	no. of defen- dants.	no. of per- sons con- victed.	no. of persons acquitted.
1. By PRETORIA COURTS	648	648	611	39
2. By TRIBUNALE	165	273	234	49
3. By COURT OF APPEAL	80	98	83	15
4. By JUVENILE COURT	60	79	50	29
5. By MILITARY TRIBUNALE	57	76	56	20
TOTALS	1010	1174	1034	152

B. Analysis of charges, judgment and sentence re Para "A" above:

1)	<u>PRETORIA</u>	<u>VIOLATION.</u>	<u>JUDGMENT</u>	<u>SENTENCE</u>
a) 147		Prostitution	guilty	from 15 days & 1000 lire fine to 16 ms. impr. & 7000 lire fine.
25		"	not guilty	acquitted.
b) 65		Curdew	guilty	from 40 to 5000 lire fine.
1		"	not guilty	acquitted.
c) 325		Traffic viol.	guilty	from 40 to 5000 lire fine
8		"	not guilty	acquitted.
d) 54		Unauthorized sale to Allied soldier	guilty	from 10 days and 250 L. fine to 6 months & 6000 lire fine.
4		"	not guilty	acquitted.
e) 10		Miscellaneous offence	guilty	from 200 lire fine to 3 ms. & 2000 lire fine.
2)	<u>TRIBUNALE</u>			
a) 122		Theft	guilty	from 15 days and 1000 lire fine to 1 years and 18000 (18000) lire fine
29		"	not guilty	acquitted.
b) 99		illegally receiving Allied goods	guilty	from 15 days & 5000 lire fine to 1 year and 6 ms. and 30000 lire fine.
		"	not guilty	acquitted.

<u>TRIBUNALE (Cont'd)</u>		<u>VIOLATION</u>	<u>JUDGEMENT</u>	<u>SENTENCE</u>
c)	3	Mil. llaneous offence.	guilty	from 6 ms. & 3000 lire fine to 2 years & 5000 lire fine
	2	" "	not guilty	acquitted.
3. <u>COURT OF APPEAL.</u>				
a)	26	Theft	guilty	from 1 month and 1000L. fine to 2 years and 10000 lire fine
	3	"	not guilty	acquitted.
b)	55	illegally receiv- ing All. goods	guilty	from 15 days & 200 lire fine to 3 years & 10000 lire fine.
	12	" "	not guilty	acquitted.
c)	2	Miscellaneous offence	guilty	from 6 ms. to 16 ms and 2000 lire fine.
4. <u>JUVENILE COURT.</u>				
a)	34	Theft	guilty	from Judicial Pardon to 18 ms. & 2000 lire fine.
	28	"	not guilty	acquitted.
b)	15	illegally receiv- ing All. goods	guilty	from Judicial pardon to 10 ms. & 1000 L. fine
	1	" "	not guilty	acquitted.
c)	1	Miscellaneous offence	guilty	Judicial pardon.
5. <u>MILITARY TRIBUNAL.</u>				
a)	25	Theft	guilty	from 3 ms. to 5 years
	5	"	not guilty	acquitted.
b)	24	illegally receiv- ing All. goods	guilty	from 1 m. to 5 ms.
	12	" "	not guilty	acquitted.
c)	7	Miscellaneous offece	guilty	1 month each.

C. TRIAL FOR OFFENCES NOT AGAINST THE ALLIED FORCES.

	<u>Disposed by decree</u>	<u>Disposed by judgment.</u>
1. By PRETORIA COURT	4518	1363
2. By TRIBUNALE		828
3. By COURT OF APPEAL		218
4. By JUVENILE COURT		42
TOTALS	4518	2451

D. Arrests and complaints made by the Italian Police for crimes committed against the Allied Forces.

	<u>Arrests</u>	<u>Complaints.</u>
1. Possession	48	33
2. Prostitution	100	1.042
3. Theft	111	1
4. Curfew	83	-
5. Traffic violation	1	447
6. Unauthorized sale	1	37
7. Counterfeit money	1	
8. Assault to Allied members	4	
TOTALS	349	1.560

Total number of persons arrested by the Italian Police for crimes NOT against the Allied Forces.....no. 517

CARL C. DANNO
1st Lt. A.C.
Asst. Senior Legal Officer.

4043/12 ✓ *show file*

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394 *pm*

L-2000

1 May 1945

SUBJECT: Report on work of the Legal Division, AMG, Naples Commune,
for the month of April 1945.

TO : HQ, Allied Commission, (Attn: Legal Sub-Commission).

1. STAFF. As of 30 April 1945 the Legal Division has as its Officers Major FRANK L. VECCHIOLLA, Senior Legal Officer, and 1st. Lt. CARL C. BARKO'. During the month of April, Major E.T. Kerr, Major A.E. Gold, Major F.J. Aulisi and 1st. Lt. J.J. Vogel have been assigned and transferred to other regions.

2. COURTS.

a. ALLIED MILITARY GOVERNMENT COURTS, NAPLES COMMUNE.

1) General Courts. The following 3 Allied Military Government General Courts were held during the month of April:

a) AMG vs AMODIO Francesco held at Ariano Irpino. The Court composed of Maj. Gold, President, Maj. Aulisi and 1st. Lt. Mayo, members, found defendant guilty of homicide under the Italian Penal Code and sentenced defendant to 13 years imprisonment.

b) AMG vs DE AMICIS et al. held in Naples. The Court composed of Maj. Gold, President, Capt. Kearin and Capt. Cronin, members, found the defendants not guilty of violation of Proc.2, Art.2, Sec.45, and of violation of various articles of the Italian Penal Code.

c) AMG vs LUONGO Salvatore et al. held in Naples. The Court composed of Maj. Vecchiolla, President, Capt. Dyason and Capt. Stanhope-Haynes, members, found defendants not guilty of violation of Proc.2, Art.1, Sec.16.

2) A total of 1106 reports of arrest was received by the Prosecuting Office during the period under review of which 1044 were referred to the Italian Courts for disposal.

These reports concern Prostitution 256, Traffic Violation 39, Illegal possession of 10,000 lire 78, Illegal possession under 10,000 lire 156, Possession of firearms 16, Bribery 42, Assault 2, Larceny 211, No identity card 2, Conspiracy 56, Attempts 59, Miscellaneous 189.

24 cases were brought before the Superior Military Courts, Naples, of which 16 were disposed of, involving 32 individuals, 5 cases are now awaiting disposal all of which have been set for trial. The Court calendar is such that an accused person can be brought to trial within a few days after the arrest report reached the Central Prosecution Office. The Port Court of Naples disposed of 731 cases.

Attached hereto and made a part thereof are Appendix "A" and Appendix "B" showing statistical information of cases tried in the Allied Military Courts.

b. ITALIAN COURTS, NAPLES COMMUNE. All Italian Courts in the Commune of Naples continue to perform their duties in a most satisfactory manner. Particularly is this so in those cases affecting Allied interests. Such cases receive priority of investigation and trial, and the sentences meted out are of an exemplary and deterrent nature. The expeditious manner with which Allied cases are handled by the Italian Courts in Naples is indeed heartening. The following statistical reports are attached hereto and made part hereof:

1) Appendix "C", containing an analysis of Allied cases tried in Naples Commune for the period 19 March to 31 March 1945.

2) Appendix "D", containing an analysis of Allied cases tried in Naples Commune for the period 1 April to 21 April 1945.

3) Appendix "E", containing a numerical analysis of Allied and non-Allied cases received, tried and pending in the Naples' Court of Appeal, Tribunale for Minors, Military Tribunale and Pretura for the period 17 March to 31 March 1945.

3. GENERAL REMARKS. All Military Court records have been sorted, indexed, packed, and forwarded to Legal Sub-Commission pursuant to orders to that effect.

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *hy 660*
Major J.A.G.D.,
Senior Legal Officer.

CCB/ga

APPENDIX "A"

Report on Allied Military Courts for the month of April 1945.

A. Cases Tried and Findings.

Province of	Summary Court		Superior Court		General Court		TOTALS	
	Not Guilty	Guilty	Not Guilty	Guilty	Not Guilty	Guilty	Not Guilty	Guilty
Naples	12	719	11	21	8	1	31	741
	12	719	11	21	8	1	31	741
TOTALS								

APPENDIX "B"

Report on the Allied Military Courts for the month of April 1945.

B. CONVICTIONS.

Province of	Curfew & viol. pass	Theft & Possession of Allied Goods	Black Market	Looting	Poss. arms & Amm.	Viol. It. Pen. Code	Others	TOTALS
Naples	45	579		2	-		115	741
TOTALS	45	579		2	-		115	741

.....
(Signature) (Rank) (Official Designation)

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LEGAL DIVISION
NAPLES COMUNE

APPENDIX "C" (From 19 March to 31 March 1945)

A. TRIALS FOR CRIMES COMMITTED AGAINST THE ALLIED FORCES

	No. of cases	No. of defendants	No. of persons convicted	No. of persons acquitted
1. BY PRETURA COURT	234	234	222	12
2. BY TRIBUNALE	80	115	104	11
3. BY COURT OF APPEAL	38	59	58	1
4. BY JUVENILE COURT	41	42	33	9
5. BY MILITARY COURT	43	58	41	17
6. TOTALS	451	508	458	50

B. ANALYSIS OF CHARGES, JUDGMENT and SENTENCES re Para "A" above

		<u>VIOLATION</u>	<u>JUDGMENT</u>	<u>SENTENCES</u>
1. PRETURA				
a.	46	Prostitution	guilty	from 15 days impr. to 12 mos. r. impr. & 12,000 lire fine
b.	11	"	not guilty	acquitted
b.	32	curfew	guilty	from 100 to 1500 lire fine
c.	144	Traffic violation	guilty	from 100 to 1500 lire fine
	1	"	not guilty	acquitted
d.	4	Unauthorized sale to Allied soldier	guilty	from 7 days impr. & 2000 lire fine to 4 months impr. & 6,000 lire fine.
e.	6	Miscellaneous offences	guilty	from 2,000 lire fine to 4 months imprisonment.
2. TRIBUNALE				
a.	56	Theft	guilty	from 16 days impr. & 2,000 lire fine to 3 years impr. & & 10,000 lire fine.
b.	7	"	not guilty	acquitted.
b.	57	Receiving allied stolen goods	guilty	from 1000 lire fine to 6 mos. impr. & 500 lire fine
	4	"	not guilty	acquitted
c.	2	Miscellaneous offence	guilty	from 6 mos. impr. to 6 mos. impr. & 3,000 lire fine.

		vic	tion	judgement	sentence
3. COURT OF APPEAL					
a.	20	The		guilty	from 2 mos. in. & 1000 lire fine to 10 mos. impr. & 3,000 lire fine
b.	39	Receiving Allied		guilty	from 20 days impr & 500 lire fine to 1 year impr. & 15,000 lire fine.
		stolen goods			
	1	"	"	not guilty	acquitted

4. JUVENILE COURT

a.	21	Theft		guilty	from Judicial pardon to 2 years impr. & 2,000 lire fine
	8	"		not guilty	acquitted
b.	11	Receiving Allied		guilty	from Judicial pardon to 4 mos impr. & 400 lire fine
		stolen goods			
	1	"	"	not guilty	acquitted
c.	1	Miscellaneous offence		guilty	Judicial pardon

5. MILITARY TRIBUNAL

a.	15	Theft		guilty	from 1 mo. impr. and 5 days to 1 year and 7 mos. impr.
	4	"		not guilty	acquitted
b.	21	Receiving Allied		guilty	from 1 mo. & 5 days impr. to 4 mos. impr.
		stolen goods			
	13	"	"	not guilty	acquitted
c.	5	Miscellaneous offence		guilty	1 mo. and 5 days impr each.

C. TRIALS FOR OFFENCES NOT AGAINST THE ALLIED FORCES

	DISPOSED OF BY DECREE	DISPOSED OF BY JUDGEMENT
1. BY PRETURA	2346	616
2. BY TRIBUNALI		332
3. BY COURT OF APPEAL		96
4. BY JUVENILE COURT		14
5. TOTALS	2346	1058

D. Arrests and Complaints made by the Italian Police for crimes committed against the Allied Forces.

	ARRESTS	COMPLAINTS
1. Illegal possession	30	15
2. Prostitution	71	405
3. Theft	71	
4. Curfew	4	
5. Traffic Violation	1	246
6. Illegal sale of wine or cooked food to Allied soldiers		9
7. Corruption	1	
8. Housing Desertors	1	
9. Counterfeit pass	1	
10. Counterfeit money	1	
11. Killing an Allied soldier	5	
12. TOTAL	186	675

Total No of persons arrested by the Italian Police for crimes ^{NOT} against the Allied Forces
No 237

HEADQUARTERS
 ALLIED MILITARY GOVERNMENT
 LEGAL DIVISION
 NAPLES COMUNE
 APO 394

27 April 1945

APPENDIX "D"

A. TRIALS FOR CRIMES COMMITTED AGAINST THE ALLIED FORCES.				No. of persons
	no. of cases	No. of defendants	No of persons convicted	acquitted
1. BY PRETURA COURT	490	491	454	37
2. BY TRIBUNALE	146	177	159	18
3. BY COURT OF APPEAL	77	98	84	14
4. BY JUVENILE COURT	57	67	46	21
5. BY MILITARY TRIBUNALE	33	38	22	16
6. TOTALS	803	871	765	106

B. ANALYSIS of CHARGES, JUDGEMENT and SENTENCES re Para "A" above:

1. PRETURA	VIOLATION	JUDGEMENT	SENTENCES:
a. 95	Prostitution	guilty	from 1 month to 15 mos impr and 10000 lire fine
27	"	not guilty	acquitted
b. 72	Curfew	guilty	from 50 to 1100 lire fine
c. 265	Traffic	guilty	from 50 to 2000 lire fine
4	"	not guilty	acquitted
d. 14	Unauthorized sale to Allied soldier	guilty	from 20 days impr. to 4 mos. impr. and 4000 lire fine
3	" " " "	not guilty	acquitted
e. 8	Miscellaneous offence	guilty	from 10 days impr. to 10 mos impr. and 2500 lire fine
3	" " "	not guilty	acquitted
2. TRIBUNALE			
a. 47	Theft	guilty	from 20 days impr & 1000 lire fine to 2 years & 6000 lire fine
9	"	not guilty	acquitted
b. 111	Receiving Allied stolen goods	guilty	from 15 days impr. & 500 lire to 1 year & 8 mts. impr & 2000 L.
9	" " " "	not guilty	acquitted
c. 1	Miscellaneous offence	guilty	1,500 lire fine
3. COURT OF APPEAL			
a. 24	Theft	guilty	from 1 month & 800 lire fine to 2 years and 5,000 lire fine
4	"	not guilty	acquitted
b. 60	Receiving Allied stolen goods	guilty	from 15 days impr. to 9 mos. impr. & 10000 lire fine.
10	" " " "	not guilty	acquitted.

4. JUVENILE COURT.	Violation	Judgment	Sentences:
a. 33	Theft	Guilty	from Judicial Pardon to 5 mos. & 10 days & 1600 lire fine
14	"	Not guilty	acquitted.
b. 13	Receiving Allied stolen goods.	guilty	from Judicial Pardon to 20 days impr. & 2000 lire fine
7	" "	not guilty	acquitted.

5. MILITARY TRIBUNAL

a. 4	Theft	guilty	from 2 mos. impr. to 2 years, 6 mos. & 10 days.
b. 14	Receiving Allied stolen goods	guilty	from 1 month & 5 days to 3 months.
11	"	" not guilty	acquitted.
c. 4	Miscellaneous offence	guilty	from 200 lire fine to 1 month & 5 days.

C. THIS IS FOR OFFENCES NOT AGAINST THE ALLIED FORCES.

	<u>Disposed of by decree</u>	<u>Disposed of by judgment</u>
1. BY PRETORA	2851	871
2. BY TRIBUNALE		622
3. BY COURT OF APPEAL		263
4. BY JUVENILE COURT		19
5. TOTALS	2851	1775

D. ARRESTS AND COMPLAINTS MADE BY THE ITALIAN POLICE FOR CRIMES COMMITTED AGAINST THE ALLIED FORCES.

	<u>Arrests</u>	<u>Complaints</u>
1. Illegal possession	37	43
2. Prostitution	98	1011
3. Theft	103	
4. Curfew	34	
5. Traffic violation	8	343
6. Illegal sale of wine or cooked food to Allied soldiers	2	15
7. Corruption	2	
8. Counterfeit money	11	8
9. Total	295	1420

total number of persons arrested by the Italian Police for crimes NOT against the Allied Forces No 360

APPENDIX "E"

Statistical report for Court of Appeal, Tribunale for Minors and Preture.

I

PRETURECases affecting Allied interests.

1. No. of case pending on 17 March 45 in 87 Preture of Tribunale Districts of Naples, Ariano Irpino, Avellino, Benevento, Salerno, S. Maria C.V., S. Angelo dei Lombardi (except Naples Commune.)	120	
2. No. of case pending on 17 March 45 in Pretura, Naples Commune	399	
3. Total cases pending in all Preture		519
4. No. of cases received during period in all Preture (except Naples Commune)	93	
5. No. of cases received by Pretura Naples Commune (except curfew and traffic cases)	194	
6. No. of traffic cases received Naples Commune	144	
7. No. of cases (curfew) received Naples Commune	22	
8. Total cases received during period		453
9. Total of all cases pending and received during period		972
10. No. of cases tried or otherwise disposed of by Court (except Naples Commune)	89	
11. No. of cases tried or otherwise disposed of by Pretura Naples Commune	235	
12. Total number of cases tried or otherwise disposed of all Preture		324

13	No. of cases pending on March 31, 1945 all Preture (except Pretura Naples Commune)	124	
14	No. of cases pending on 31 March 45, Pretura Naples Commune	<u>524</u>	
15	Total cases pending on 31 March 1945 all Preture		648.

II

PRETURECases NOT affecting Allied interests.

1.	No. of cases pending on 17 March 45 in 87 Preture of Tribunali Districts of Naples, Ariano Irpino, Avellino, Benevento, Salerno, S.Maria C.V., S. Angelo dei Lombardi (except Naples Commune)	13222	
2.	No. of cases pending on 17 March 45 in Pretura Naples Commune	<u>2782</u>	
3.	Total cases pending on 17 March in all Preture		16004
4.	No. of cases received during period in all Preture (except Naples Commune)	1332	
5.	No. of cases received by Pretura Naples Commune	<u>2506</u>	
6.	Total cases received during period		3838
7.	Total of all cases pending and received during period		19842
8.	No. of cases tried by Court or otherwise disposed of (except Naples Commune)	1202	
9.	No. of cases tried or otherwise disposed of by Pretura Naples Commune	<u>3159</u>	
10	Total number of cases tried or otherwise disposed of all Preture		4361

11	No. of cases pending on 31 March 1945 all Preture (except Naples Commune)	13352	
12	No. of cases pending on 31 March 1945, Pretura Naples Commune	<u>2129</u>	
13	Total cases pending on 31 March 1945, all Preture		15481

III
COURT OF APPEAL, NAPLES
Cases affecting Allied interests.

1	No. of cases pending on 17 March 1945	150	
2	No. of cases received during period	<u>72</u>	
3	Total received and pending during period		222
4	No. of cases tried during period	38	
5	Total pending on 31 March 1945		184

IV
COURT OF APPEAL, NAPLES
Cases NOT affecting Allied interests.

1	No. of cases pending on 17 March 1945	799	
2	No. of cases received during period	<u>111</u>	
3	Total received and pending during period		910
4	No. of cases tried during period		<u>96</u>
5	Total pending on 31 March 1945		814
6	No. of cases pending "istruzione"	5	
7	No. of cases pending Procura Generale	<u>42</u>	
8	Total "istruzione" and Procura Generale		47
9	Total cases pending on 31 March 1945		861

V
TRIBUNALE OF MINORS
Cases affecting Allied interests.

1	No. of cases pending on 17 March 1945	181	
2	No. of cases received during period	<u>43</u>	
3	Total received and pending during period		224
4	No. of cases tried during period		<u>48</u>
5	Total pending on 31 March 1945		176

VI
TRIBUNALE OF MINORS
Cases NOT affecting Allied interests.

1	No. of cases pending on 17 March 1945	921	
2	No. of cases received during period	<u>144</u>	
3	Total received and pending during period		1065
4	No. of cases tried during period		<u>14</u>
5	Total pending on 31 March 1945		1051

VII
MILITARY TRIBUNALE

No. of cases pending on 17 March 1945	159	
No. of cases received during period	<u>41</u>	
Total received and pending during period		200
No. of cases tried or otherwise disposed of		<u>48</u>
Total pending on 31 March 1945		152

VIII
MILITARY TRIBUNALE - PROCURA

No. of cases pending on 17 March 1945	286	
No. of cases received during period	<u>42</u>	
Total received and pending during period		328
No. of cases disposed of		<u>45</u>
Total pending on 31 March 1945		283

CARL C. BANNO
1st. Lt. A.C.
Officer i/c Italian Courts

CCB/ga

EC/7009

Personnel for Austria

not received

EMPTY

1429

Declassified E.O. 12356 Section 3.3/NND No. 735016

not received

PROPERTY

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