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(VOL. 3)

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

785016

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PROSECUTIONS IN ITALIAN COURTS
JULY 1945 - APR. 1946

0624

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

785016

FILE CLOSED APRIL 1946.

18

AVV. PROF. F. VASSALLI

LUNGOTEVERE VALLATI, 19

ROMA

Roma, 3 aprile 1946

U. Q. Commissione Alleata,
Finance Sub-Commission,

e per copia:

Legal Sub-Commission,

Roma.

In conseguenza del fatto che il Comune di Genova mi ha incaricato della tutela legale dei suoi interessi nelle questioni sorgenti dall'annullamento del "Prestito San Giorgio" emesso il 1° gennaio 1944, nella mia qualità di avvocato del Comune stesso, mi rivolgo a codesta Commissione Alleata con la preghiera che mi venga rilasciata una copia autenticata della Vostra lettera n. 13030/F in data 26 giugno 1945 diretta al Commissario Regionale Lombarda Region, con riferimento all'analogo prestito contratto durante la occupazione tedesca dal Comune di Milano, nonché del pro-memoria allegato riguardante il citato "Prestito San Giorgio".

Con ossequio

f.to Filippo Vassalli

F. Vassalli

CLO

DCLO

Legal Sub-Commission,

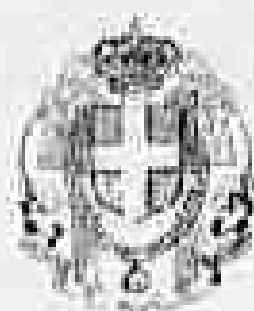
R o m a.

In conseguenza del fatto che il Comune di Genova mi ha incaricato della tutela legale dei suoi interessi nelle questioni sorgenti dall'annullamento del "Prestito San Giorgio" emesso il 1° gennaio 1944, nella mia qualità di avvocato del Comune stesso, mi rivolgo a codesta Commissione Alleata con la preghiera che mi venga rilasciata una copia autenticata della Vostra lettera n. 13030/F in data 26 giugno 1945 diretta al Commissario Regionale Lombardia Region, con riferimento all'analogo prestito contratto durante la occupazione tedesca dal Comune di Milano, nonché del pro-memoria allegato riguardante il citato "Prestito San Giorgio".

Con ossequio

f.to Filippo Vassalli

Legal Sub-Commission
CLO
DCLO
Chief Counsel
CJO
Hellen Section
CL RKS
5 April 46



Mod. 407

MARZO 1945

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIOCOMMISSIONE ALLEATA
Sottocommissione Legale
ROMAUfficio 1° A/P.
Tel. N° 131.528.2070Reg. del F. del 20.3.1945
N° 4053/4Oggetto Procedimento penale contro FASSETTI Ren-
ta di Armando.-

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO

S E P E

Il Procuratore Generale della locale Cor-
te di Appello informa che il processo indicato
in oggetto, fu portato al dibattimento, nel que-
le però si ravvisò la necessità di un'istruttoria
supplementare, alla quale in atto si attende.-

Si riservano, pertanto, nuove comunicazio-

ni. LEG. SUBCOMMISSION

CLO

d'ordine del MINISTRO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

5-Office

The Ministry of Grace and Justice communicates on 30. III. 1946 that the Prosecutor General of the Court of Appeal in Rome informed them that the penal proceeding against FASCETTI RENATA was brought before this Court, which thought it advisable to make a supplementary investigation, ~~that~~ that up-to-date has not been completed.

See folio N° 174 - A.

Up 13



Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE, DELLA STATISTICA E DEL CASELLARIO

Ufficio I^o A.F.
Tel. N. 131.922.3047

Roma

4 MARZO

1^a COMMISSIONE ALLEATA
Commissione Legale
ROMA

233A

Dispositivo del 5/12/1945
Dir. AC.L. N. 4953.L.

Oggetto: Procedimento penale a carico di ALBISA
Hagan.-

e per conoscenza:
ALL'UFFICIO COLLEGAMENTO
S E L E

In relazione al foglio sopraindicato
si comunica che il Procuratore Generale presso
la Corte di Appello di Napoli con nota del 4
Febbraio 1946 n° 115 Div. 2^a ha riferito che
il nominato in oggetto, già detenuto nelle
carceri di Averra, non è stato mai a disposi-
zione del Procuratore del Regno di Santa Maria
Capua Vetere; che lo stesso, tratto in arresto
dai carabinieri di Averra, fu ristretto in
dette carceri il 12 novembre 1945 in base a
mandato di cattura del giudice istruttore di
Macerata, quale imputato di due omicidi commes-
si rispettivamente in Troia e Piana - Troia

././.

(Prov. di Macerata); e che infine detto ADDISA Hagan in data 12 Dicembre u.s. venne tradotto nelle carceri giudiziarie di Macerata.-

Il Procuratore Generale di Ancona è stato interessato per un'accurata inchiesta e sarà cura di questo Ministero di comunicarne a suo tempo l'esito.-

d'ordine del MINISTRO

[Handwritten signature]

LEG. US COMMISSION

CLO

DCLO

Chief Counsel

CJO

→ Italian Section

CL RKS

7 March 46

0 6 3 1

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

785016

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

2704

AC/4053/L

AF/ns
19 February 1946.

Al Prof. Francesco P. Minolfo

33 Viale Michelangelo

NAPOLI

Le trasmettiamo copia della risposta alla sua istanza pervenuta a questa Sotto Commissione in pari data dalla Procura Generale Militare.

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

Alligati: 1.



PROCURA GENERALE MILITARE

PRESSO IL

TRIBUNALE SUPREMO MILITARE

N. 2447 P. 2
Prot.

Roma, li 17 Te bbraio 194 6
N. Allegati N.

Risposta al foglio del

STAMPERIA REALE DI ROMA

Oggetto: Istanza di Francesco Paolo MINOLFO.

2447A

ALLA COMMISSIONE ALBERATA
SOTTOCOMMISSIONE LEGALE

(rif. f. a. c. / 4053/L. del 17 dicembre 1945)

e, per conoscenza:

AL MINISTERO DI GRAZIA E GIUSTIZIA
Direzione Generale degli Affari Penali
Ufficio 14 - A.P.

R O M A

(rif. f. n. 131-964/3160/45 del 15 Gennaio 1946)

Con riferimento alle note sopra distinte, si fa presente che MINOLFO Francesco Paolo fu condannato dal soppresso Tribunale Speciale in data 18 aprile 1940 per il reato di cui all'art. 246 C.P. per avere in Tunisi, fra l'11 dicembre 1933 e il 4 Gennaio 1934 ricevuto danaro al fine di compiere atti contrari agli interessi nazionali.

Tale sentenza, non riferendosi alle disposizioni penali emanate a tutela delle istituzioni e degli organi politici eretti dal

SEPTOCCOMMISSIONE' LEGALE

(rif.f.A.C./4053/L.del 17 dicembre 1945)

Chief Counsel

ROMA

e, per conoscenza:

AL MINISTERO DI GRAZIA E GIUSTIZIA
Direzione Generale degli Affari Penali
Ufficio 14 - A.P.

ROMA

(rif.f.n.131-264/3160/45 del 15 Gennaio 1946)

Con riferimento alle note sopra distinte, si fa presente che MINOLTO Francesco Paolo fu condannato dal soppresso Tribunale Speciale in data 18 aprile 1940 per il reato di cui all'art.246 C.P. per avere in Tunisi, fra l'11 dicembre 1933 e il 4 Gennaio 1934 ricevuto denaro al fine di compiere atti contrari agli interessi nazionali.

Tale sentenza, non riferendosi alle disposizioni penali emanate a tutela delle istituzioni o degli organi politici creati dal fascismo, non è soggetta allo speciale annullamento previsto dall'art.1 del D.L.L. 27-7-1944 n.159 in relazione all'art.1 del D.L.L. 13 settembre 1944 n°198, ma solo, se ricorrano le condizioni indicate nell'art.2 del D.L.L. 5 ottobre 1944 n°316, a revisione. L'interessato può a tal fine rivolgere l'istanza alla Corte di Appello di Catania.

Non si ritiene applicabile nei confronti del MINOLTO l'art.32 lett.B. dell'aristizio, in quanto la sentenza fu emanata prima dell'entrata in guerra dell'Italia.

IL PROCURATORE GENERALE MILITARE

(U. Borsari)

M. Borsari

0 6 3 3

SECRET

269A

ALLIED FORCE HEADQUARTERS
Office of the Assistant Chief of Staff, G-2.

RBI.333-701/PP/339

13 February 1946

SUBJECT: PALADINO Eugenio.

TO : HQ Allied Commission,
Legal Sub-Commission.

266A

1. Reference your AG/4056/L dated 9 Feb 46, subject as above.
2. Subject, an Italian engineer, was arrested on 7 Jun 42 in ROME by the SM on a charge of working for British Secret Intelligence Officers. On 8 Jul 43 Subject was condemned on this charge to 30 years' imprisonment by the Special Assist Tribunal. Subject remained in REGINA COELI Prison until 13 Nov 43 when he was released after intervention on his behalf by certain German Intelligence Officers. After the Allies arrived in ROME, Subject was arrested and placed in REGINA COELI Prison in Sep 44 on suspicion of having had contact with the German Intelligence Service after his release in Nov 43. On 26 Sep 44 Subject was removed from REGINA COELI Prison for interrogation by an Allied agency. As a result of this interrogation, Subject was cleared of any suspicion and, on 12 Oct 44, authorization for his release was given by this HQ (G-2 (CI), AMIC letter to A.C. of G., G-2, R.A.A.C. ref B-333.701/PP/339 dated 12 Oct 44, subject, PALADINO Eugenio).
3. It is noted that, in your letter AG/4053/L dated 22 Jan 46 to Public Safety Sub-Commission, copy of which you forwarded to this HQ under cover of your letter, under reference, Subject is reported to have been handed over to the Allied Military Police for questioning on 18 Sep 44. It is assumed that this is an error for 28 Sep 44 (see our para 2 above).
4. It is pointed out that Subject was taken into custody in Sep 44 as an Allied Security suspect and not as an Italian prisoner; the question of returning him to the Italian Authorities after interrogation did not therefore arise.

LEGAL SUB-COMMISSION Assistant Chief of Staff, G-2:

CLO

DCLO

SECRET

Approved:
D.A.D. YOURS
Lt. Col. G.S.
G-2 (CI) Section.

no further
action
required
H

→ R.W. Thomas
15.2.46

4053
NAVY, ARMY & AIR FORCE INSTITUTES
EXPEDITIONARY FORCE INSTITUTES

268A
 CENTRAL MEDITERRANEAN FORCES

CORRESPONDENCE
 IN REPLY TO THIS
 LETTER SHOULD BE
 ADDRESSED TO

C. EFI
 HQ. EFI
 AFHQ
 CMF



TELEPHONES } 51486
 52598
 52452

PERSONAL LINE TO
 C. EFI

BASEBALL 120

CABLES & TELEGRAMS

EFI Freedom

CEFI/SO/3625

Ref.

Quoted

26th January, 1946

Date

To:- H.Q. Allied Commission,
 APO, 934
 Legal Sub Commission

Subject:-

260A
Sequestration of Turkeys
Case of Brettschneider Moritz.

Your AC/4053/L dated the 19th January, 1946, is acknowledged. After consideration of the points raised in your above quoted letter it is requested that on receipt of the sum of Lire 11,324 by you, that you should retain this amount for our account pending the outcome of your negotiations with the Italian Authorities in an effort to recover the difference between this sum plus the 70,994 Lire already received by us and the cost value of the Turkeys viz., 317,400 Lire.

It is appreciated that negotiations may be somewhat protracted but no doubt you will use your best efforts on our behalf.

cc. File

LEG
 SUBCOMMISSION
 QLO
 DCLO
 Chief Counsel
 CIO
 Italian Section
 CL RKS

[Signature]
 Major
 for: C.EFI.GHQ.CMF.

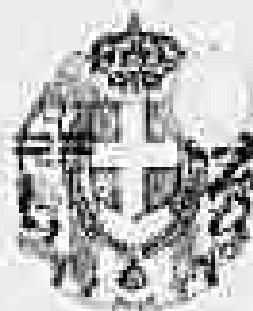
ST/DB

14/2

18.2.46.

No action required.

fm



Roma 2 febbraio 1946 1++++

Mod. 40

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIOLA COMMISSIONE ALLEATA
Sottocommissione Legale
ROMAUfficio I° A.F.
Prot. N° 131.528.2070Risposta al f. del 20 agosto 945
L. AC L. 14053/4OGGETTO: Procedimento penale contro FASCETTI Rena
ta di Armando.

e per conoscenza:

All'UFFICIO DI COLLEGAMENTO
GABINETTO

Il Procuratore Generale della locale Cor
te d'Appello informa che il processo indicato in
oggetto, fu portato al dibattimento, nel quale
però si ravvisò la necessità di un'istruttoria
supplementare, alla quale in atto si attende.

Si risergano, pertanto, nuove comunica
zioni.

CLO

DCLO

Chiaf

CLO

d'ordine del MINISTRO

→ M. Thomas
8.2.46

Fide: no action required

8/2

HEADQUARTERS ALLIED COMMISSION
APO 591
LEGAL SUB-COMMISSION

266A

AC/1053/L.

/ads.

9 February 1946.

SUBJECT : PALADINO Eugenio.

TO : Asst. Chief of Staff, G-2, AFHQ.

1. I enclose copy of a letter sent by this Sub-Commission to the Security Division and the latter's reply of 1st February.

2. I should be glad if you can supply further details about the above named PALADINO Eugenio in order that this Sub-Commission may inform the Minister of Justice of the present position of this latter.

For the Chief Commissioner.

MUSCHAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

151

HEADQUARTERS ARMED COMMISSION
A.P.O. 394
PUBLIC SAFETY SUB COMMISSION
SECURITY DIVISION

266B

REF : SD/140.11-15

1 February 1945

SUBJECT : PALADINO Eugenio

TO : Deputy Chief Legal Advisor

265A

1. Reference your AC/4053/L dated 22 January 45.
2. Security Section has little further information re a/n except that he has had considerable difficulty in avoiding arrest by the Italian police since the sentence passed on him by the Tribunale Speciale, under the late Regime, has not apparently been cancelled.
3. A.C. of S., G-2 can supply further details if necessary.

W. H. Chapin
for
JOHN W. CHAPMAN,
Colonel J.A.S.D.,
Director Public Safety,
Sub Commission.

AME/nb

Chief Counsel

Security Section

AC/4053

4/2/46

3064

1000000

2660

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/na.

AC/4053/L.

22 January 1946.

SUBJECT : PALADINO Eugenio.

TO : Public Safety Sub Commission
Security Division.

1. Reference is made to you SD/140 H H of 16 July 1945.

2. The Ministry of Pardon and Justice has now received from the Director of the Rome Prisons a dossier from which it appears that the above mentioned has been handed over on 20 September 1945 to the Allied Military Police for questioning.

3. Since then the Italian authorities have received no further information on the matter. The prisoner was never returned to them.

s/ G.C. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

501

265A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AP/ns
22 January 1946

AC/4053/L

SUBJECT : PALADINO Eugenio

TO : Public Safety Sub Commission
Security Division.

160 A

1. Reference is made to your SD/140 H H of 16 July 1945.
2. The Ministry of Pardon and Justice has now received from the Director of the Home Prisons a dossier from which it appears that the above mentioned has been handed over on 28 September 1945 to the Allied Military Police for questioning.
3. Since then the Italian authorities have received no further information on the matter. The prisoner was never returned to them.

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

fm



Roma 15 gennaio 1946 1+++++

Mod 40

Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

LA COMMISSIONE ALLEATA
Sottocommissione Legale
ROMA

Ufficio I° A.P.
Prot. N° 131.439/1791/45

Proposta del 20.7.945
Per AC 14053/L

OGGETTO: PALADINO Eugenio condannato dal tribunale
speciale per la difesa dello Stato.

e per conoscenza:

All'UFFICIO DI COLLEGAMENTO
GABINETTO

Di seguito alla nota pari numero in data 10 agosto d.a., si informa che dall'estratto della posizione giuridica della persona in oggetto, qui trasmesso dalla Direzione delle Carceri Giudiziarie di Roma, risulta che il PALADINO entrò nelle predette carceri il 21 settembre 944, a disposizione del Tribunale Militare Alleato, sotto l'accusa di collaborazione con le S.S. tedesche.

Il 28 successivo l'imputato venne consegnato alla Polizia Alleata per l'interrogatorio e non è più rientrato nelle carceri.

LEGAL SUBCOM

pel MINISTRO

100

21 Jan 46.

[Signature]

File



453

Roma

Gennaio

1944

Mod. 40

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIOPROCURATORE GENERALE
presso il Tribunale Supremo
Militare di ROMA

Ufficio I° A.P.

Prot. N° 11-964/3160/45

Espresso al f. del

Dir. Dir. N°

OGGETTO: Istanza di Francesco Paolo MINOLFO.-

All. n. 2

e, per conoscenza:

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

(rif. f. Dicembre 1945 n. AC/4053/L.)

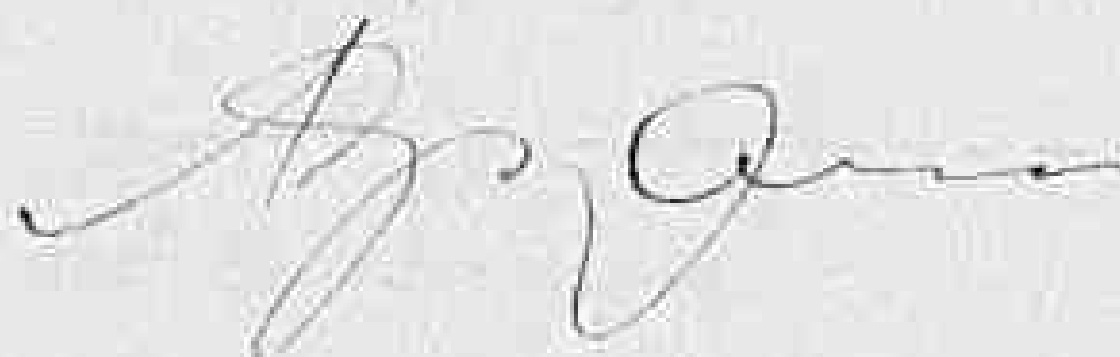
ROMA

Per quante di competenza, e con preghiera di voler informare la Sottocommissione Legale Alleata e questo Ministero in merito ai provvedimenti adottati, si comunica l'unita istanza avanzata dalla persona in oggetto al capo della Commissione Alleata in Italia ed intesa ad ottenere, in applicazione dell'art. 32 lettera B dell'armistizio concluse il 29.9. 1943 tra l'Italia e gli Alleati, l'annullamento della sentenza 18 aprile 1940 del Tribunale Speciale per la Difesa dello Stato con la

quale l'istante veniva condannato alla pena di anni 5 di reclusione ed all'interdizione dai pubblici uffici.-

Si alliga altresì la nota di trasmissione della sottocommissione Legale Alleata n° AC/4053.L.-

PER IL MINISTRO



LEGAL SUBCOMMISSION
CLO
→ DCLO
Chief Counsel
CJO
Italian Section
CL RKS
<i>21 June 46.</i>

262A

HEADQUARTERS ARMED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/ada.

AC/4053/L.

15 January 1946.

SUBJECT : Pte F.J. SAFASCO.

TO : Pretore of MONTEVARCHI (Prov. di Arezzo).

In response to your letter No. 409 of 20th December 1945 inquiries were made concerning Pte. F.J. SAFASCO of the South African Military Forces who have just advised this Sub-Commission that no trace of this soldier can be found in their records.

MOSCRAVE VERNER,
Italian Branch,
for Chief Legal Advisor.

117

SUBJECT: R.I. SA 000000 4923

REF: ZEV/REC/24/ 3280

SECOND ECHOLON,

UDF ADM HQ (MAIN) REF.

261A

8 Jan '46

Chief Legal Advisor (Italian Branch)
 Legal Sub-Commission,
 Head Quarters Allied Commission,
 A.F.C. 394.

249A

1. Your minute AC/4053/1 dated 26 Dec. '45 in connection with the above-mentioned detail refers.
2. It is regretted that no trace of this detail can be found in our records.

Walter L. T.
 Lt. Col.
 Q. i/c SECOND ECHOLON UDF ADM HQ (MAIN) UDF.

/DG

CLO

DCLO

Chief Counsel

CJO

Italian Section

CJRS

Mr Thomas

15.1.46.

146

260A

HEADQUARTERS ALLIED COMMISSION
APO 934
LEGAL SUB COMMISSION

AC/4053/L

AT/ns
19 January 1946.

SUBJECT : Sequestration of Turkeys:
Case of Brettschneider Moritz.

TO : C. EPI, GHA, CMF.

1. Reference letter to you of 8th December 1945 (AC/4053/L), and interview with Major Compton on 15th January.

2. A receipt for the sum of L 177:9:9 (Lire 70.74.-) is attached to the papers left by Major Compton on 15th inst. There remains a balance of Lire 11.324.- which this Sub Commission will shortly receive from Bari. If you accepted this sum, you would be precluded from making a claim for the difference between the amount paid for the turkeys, Lire 317.400.-, and the amount for which they were sold, Lire 32.318.-. I would therefore suggest that, when the sum of Lire 11.324.- is paid, it should be held by this Sub Commission until such time as we are able to obtain an opinion of the Consiglio di Stato as to whether any claim for the balance can be made against the Italian authorities. This you will understand will take many months.

For the Chief Commissioner :

MURRAY THOMAS,
Italian Branch,
for Chief Legal Advisor.

0647

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

785016

4653
P

259A

MILITARY GOVERNMENT
DET G1A
6824 HQ & HQ CO CA/A
APO 777
U.S. ARMY

18 November 1945

Subject: Request for Evidence - Military Tribunal of Palermo

To : G.G. HANNAFORD Lt Col Deputy Chief Legal Advisor
HEADQUARTERS ALLIED COMMISSION - Legal Sub-Commission
APO 394

206A
205A

1. Your correspondence letter AC/4053/L, 6 October 1945
acknowledged.

2. Paragraph one(1) and two (2) cannot be complied with
because the letter did not contain correspondence referred to
in paragraph one(1).

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CLO	
Ita 1st Section	
CL RKS	
4 JAN 1946	

ANTHONY INGRASSIA
CAPT CE
SPECIAL BRANCH

1

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MT/es

7 January 1946

AC/4053/L.

SUBJECT : Penal Proceeding against Reg. Mario Basile, Ex-Director
of the Volterra Penitentiary.

TO : AC Liaison Officer - LIVORNO Zone.

1. Reference your No. LO/1709/B/17 of 30 November 1945,
and this Sub-Commission's letter AC/4053/L of 13 December 1945.

2. I enclose a statement of Lieut. Col. T.W.J. Walters
mentioned in para 6 of your letter.

3. Capt. A.A. Edwards and Major F.C. Robinson mentioned
in paras 3 and 5 of your letter returned to England some months
ago. Lieut. J. Guarini mentioned in para 4 returned to the
United States in April last.

4. With regard to Lieut. G.E. Carlson and Capt. R.C.
Robinson referred to in paras 1 and 2 of your letter up to the
present this Sub-Commission has not been able to ascertain if
they are still in Italy. If either of these officers is still
in this country an effort will be made to obtain a statement
from them as soon as possible.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Adviser.

1694

4053

HEADQUARTERS
VENEZIA GIULIA POLICE FORCE
13 CORPS

LEGAL-5/C

158 B

Tel No. 8255

FILE No. VGP/18/39

SUBJECT: Proceedings against Rag. BASILE 17 Dec 1945

TO: HQ Allied Commission,
(for attn Legal Sub-Commission)

231A

1. Reference your AG/4053/L dated 8 Dec 45, addressed to Capt A.A. EDWARDS, FSG, VENEZIA GIULIA.
2. It is regretted that no action can be taken by this HQ, as Capt A.A. EDWARDS left this Region for the UK some 3 or 4 months ago.
3. Enclosures to your a/q letter are returned herewith.

For the Chief of Police.

W. A. Moody
Major

rh

A Ch. of Pol (CRSO)

(W A Moody)

22 DEC 1945

C-2-P-Y

254A

R. TRIBUNALE CIVILE E PENALE DI PISA

Pisa, 3/10/45

To A.M.C.
Legal OfficePisa

Subject: Penal proceeding
against Rag. Mario Basile
ex Director of Volterra Penitentiary.

A penal proceeding has been started against above named person. The latter, alleged various points at his discharge, for which it should be necessary to hear officers of the Allied Military Forces. The points are the following:

- 1st Cerlessan, Volterra's Governor, authorized him to keep the foodstuff stored there by civilians during emergency;
- 2nd Governor Robinson authorized Rag. Basile to have boots for some private people manufactured with material belonging to penitentiary administration;
- 3rd Capt. Edward, C.I.A.P.C., IV Corp authorized Rag. Basile to send prisoner Gerbelloni out of the Penitentiary to work for Kopfi factory;
- 4th Ten. Guarini, 1st Lt. C.A.C. Regional Prison Officer:

- a) ordered Rag. Basile to make boots for some people
- b) left to Penitentiary 30 Kg salt to be delivered to Dr. Magarisi.
- c) left some petrol to Basile, for his use
- d) ordered to distribute sugar to prisoners working (abt. 10 Kg.)
- e) sent some gift parcels to prisoners, containing sugar, coffee, lemonade, cocoa, cigarettes;
- f) authorized Basile to pick up from fields electric wire left there by war operations;

- 5th Major Robinson authorized in December 1944 to take from Penitentiary, a quintal of sugar to be presented to Volterra children, sugar to be returned afterward;

254B

6th Col. Walter, authorized Reg. Basile to allow conversations with politic prisoners.

Matters standing this way, we should be glad to know whether it is possible for above Officers to be heard on the alleged circumstances.

THE JUDGE
(Signed)

4053

1252-221A

256A

1st Ind.

HEADQUARTERS, ALLIED COMMISSION, ESTABLISHMENT SECTION, (Ovhd), APO 394 U.S. Army.
12 December 1945.

TO: Civil Affairs Section, Legal S/C, Allied Commission, APO 394 U.S. Army.

1. In reference to par 3 of your letter dated 3 Dec. 1945 (AC 4053/L) the following information is submitted.

NAME

1st Lt. Gilbert E. Carlson, CMP. 01796576
Transferred Hq II Corps par 2 SO 191 Hq. 5th Army 10 July 1945.

Capt. Ralph C. Robinson, S.R. 0524724
Transferred 2600 Sp. Det. par 1 SO 72 Hq. Command Allied Force
14 March 1945.

Capt. ----- Edward
No record.

1st Lt. Joseph J. Guarini, C.A.C. 01049184
Transferred to U.S. 27 April 1945.

Major Robinson
No record.

Col. Walter
No record.

FOR THE VICE PRESIDENT:

Max K. Johnson
MAX K. JOHNSON
Capt. Ind.
Asst. G-1 Amer.

125

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

G-1
Officer Sect. 251A
Enlisted Sect.
Civilian Personnel
Chief Clerk
File G-1A/ 2

LT/ns

3rd December 1945

AC/4053/L

SUBJECT : Proceeding against Reg. Basile,
ex-Director Volterra Prison.

TO : ~~G-1 (B) HQ AC~~
G-1 (A) HQ AC

1. I enclose a copy of a letter of the Giudice Istruttore in the case against Basile from it will be seen that the accused alleges various acts of his while director of the prison were authorized by Allied Officers.

2. In order to comply with the request of the Judge inquiring into the case this Sub Commission would like to have from the American or British officers mentioned therein detailed statements dealing with the allegations made by the accused.

3. This Sub Commission would be grateful if you would inform us if you have any record of any of these officers and if so, their present address.

Wm. J. Thomas

WUSC AVE THOMAS
Italian Branch,
for Chief Legal Advisor.



C O P YR. TRIBUNALE CIVILE E PENALE DI FISA

Pisa, 8/10/45

To A.M.G.
Legal OfficePisa

Subject: Penal proceeding
against Reg. Mario Basile
ex Director of Volterra Penitentiary.

A penal proceeding has been started against above named person. The latter, alleged various points at his discharge, for which it should be necessary to hear officers of the Allied Military Forces. The points are the followings:

- 1st Carlesan, Volterra's Governor, authorised him to keep the foodstuff stored there by civilians during emergency;
- 2nd Governor Robinson authorized Reg. Basile to have boots for some private people manufactured with material belonging to penitentiary administration;
- 3rd Capt. Edward, C.A.P.O., IV Corp authorized Reg. Basile to send prisoner Cervellera out of the Penitentiary to work for Zoppi factory;
- 4th Ten. Guarini, 1st Lt. C.A.C. Regional Prison Officer:
 - a) ordered Reg. Basile to make boots for some people
 - b) left to Penitentiary 30 Kg salt to be delivered to Dr. Mazzarisi,
 - c) left some petrol to Basile, for his use
 - d) ordered to distribute sugar to prisoners working (abt. 10 Kg.)
 - e) sent some gift parcels to prisoners, containing sugar, coffee, lemonade, cocoa, cigarettes;
 - f) authorized Basile to pick up from fields electric wire left there by war operations;
- 5th Major Robinson authorized in December 1944 to take from Penitentiary, a quintal of sugar to be presented to Volterra children, sugar to be returned afterward;

./.

6th Col. Walter, authorized Mag Basile to allow conversations with politic prisoners.

Matters standing this way, we should be glad to know whether it is possible for above Officers to be heard on the alleged circumstances.

THE JUDGE
(Signed)

HEADQUARTERS ALLIED COMMISSION
AFC 394
LEGAL SUB-COMMISSION

252A

AC/4053/L.

/mda

3 January 1946.

SUBJECT : Sequestration of Turkeys.

TO : C. EMI, G. HQ. GMP.

1. Reference this Sub-Commission's letter No. AC/4053/L of 8th December 1945.
2. I enclose herewith a cheque for Lire 70,994.60 just received from the A.C. Liaison Officer in BARI and duly endorsed by him.
3. The further sum of Lire 11,324 will be sent to you shortly.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

13.

ALLIED COMMISSION
LIAISON OFFICE
B A R I

28 December 1945

SUBJECT: Sequestration of Turkey.
Case of Brettschneider Meritz.

Ref : LB/53/215

TO : Legal Sub-Commission,
HQ. ALLIED COMMISSION,
C.M.F.

1. Ref. your letter AC/4053/L dated 8 Dec 45.
2. Herewith attached please find copy of letter from Avvocatura Distrettuale delle State, Bari, forwarding to us the cheque for Lire 70,994.60, requested by you, also attached.
3. As the cheque is made out in our favour, it was endorsed by Col. H-S. HARTLEY and made out in your favour.
4. A receipt was given the Avvocatura Distrettuale delle State for the cheque, will you therefore please acknowledge receipt of same by using the enclosed forms.

LEG. SUB. COMMISS.
CLO
DCLO
Chief Counsel
GMR/fh
COMMISSION
LIAISON OFFICE
BARI

G.M. REVELLEY, Major
Liaison Office, A.C.
B A R I.

→ Judge Thomas
31 DEC 1945

I P T F O R M

COMMISSION LIAISON OFFICE,
c/o HQ. 54 Area

.....No.

Date
To:

.....C., G.P.

Items contained here in are
identified by the following Nos:

BANCO DI RIPORE (cheque No. 000691 for
Lire 70,994.60.

Received by

Organization

Time Date

Please sign original and return
IMMEDIATELY to:

ALLIED COMMISSION
LIAISON OFFICE, Bari.
c/o HQ. 54 Area

(Duplicate copy should be retained
by addressee)

Bari, 27 Dicembre 1945

REGISTRI { Partenza No. 4150 { Posiz. 25
 { Cent. No. 48337 {

BARI

(sgd) L'AVVOCATO DELLO STATO
??????????

12

249A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/nda

AG/4053/L.

28 December 1945

SUBJECT: Pte. P.J. Safasce, U.D.F.

TO : Union Defence Force
Admin. H.Qrs, M.E.F.

The Pretor of Mantovaro Chi informs this Sub-Commission that in his inquiry in a criminal proceeding he requires to examine a "South African Soldier P.J. Safasce P.M.R. belonging to the 6th S.A. Army Div. Res. Group N.F.Y. C.M.F., as he himself declared at the Carabinieri Station."

I should be obliged if you would advise this Sub-Commission whether the above named soldier is still in Italy, and, if so, his present address.

MUSGRAVE THOMAS
Italian Branch,
for Chief Legal Adviser.

*Regia Pretura di Montevarchi*

Montevarchi, li 20 Dicembre 1945 N. 489

Allegati N. Risposta a Nota N.

OGGETTO } Atti istruttori;

Alla COMMISSIONE ALLEATA DI CONTROLLO

Ufficio Legale per gli affari giudiziari.

Roma

Questa Pretura dovrebbe esaminare nel procedimento penale contro Del Vita Gina il soldato sud-africano F.J. Safasco P.M.R. appartenente alla 6 S.A. Armata Div. Res. Grupp. N.F.Y.C.M.F., come dichiarò egli stesso alla stazione dei carabinieri. =

Ove non ostino particolari motivi si prega comunicare se lo stesso sia reperibile in base ai dati riferiti e in caso affermativo dove possa essere rintracciato. =

Si ringrazia.

Ossequi.

IL PRETORE

per

4053  *File* *247A* *Mod 72*
 Bari, 24 Novr 1945
Avvocatura Distrettuale dello Stato
Registrazione *just received* REGISTRI { *Entrata: 3932* } *25*
del *Dir* *Per* *V* { *Cont: 48337* }
 OGGETTO Sequestro Tacchini.

AL HEADQUARTES ALLIED COMMISSION

Legal Sub-Commission

APQ 394

L'Ufficio Distrettuale di Catanzaro della
 Avvocatura dello Stato ha inviato a questo uf-
 ficio, con la nota n.1702 del 20 corr. trasmes-
 so a codesta Sub-Commissione per conoscenza, il
 vaglia n.000694 del Banco di Napoli di lire
 70994,60 per la consegna a cotesta sub-comis-
 sione.

Prego inviare a quest'Avvocatura un fun-
 zionario di cotesto Ufficio con l'incarico di
 ritirare il suddetto vaglia e rilasciare regola-
 re ricevuta.

L'AVVOCATO DELLO STATO

(*La* *RT* *10/11/45*)*Paternoster*

No action required

Liaison officer, Bari, has been already asked to obtain the cheque and send it here

12/12

CL RRS	1 2 DEC 1912
--------	--------------

246A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4053/L

MT/ns
18 December 1945

SUBJECT : Penal Proceedings against Mag. Mario BASILE,
Ex-Director of Volterra Prison.

TO : Zone Commissioner (Attn: Zone Legal Officer)
LIVORNO Zone.

1. Reference your No. LO/1709/E/17 of 30th November 1945 which was received on 13th December.

2. Letters have been sent to Col. T.A.J. Walters, A.C. Liaison Officer at Bologna, and to Capt. A.A. Edwards, Public Safety Officer Venezia Giulia, asking them for statements respecting the allegations made by Mag. Basile.

3. G-1 (A) has been asked to furnish the addresses of the American Officers mentioned in the letter of the Giudice Istruttore in Pisa. When these are received a similar request will be made for statements to be furnished by the officers concerned.

4. When all the statements have been received they will be forwarded to you for passing on to the Giudice Istruttore, Pisa.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

46530 ✓

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

245A

File: IO/1709/B/17.

30 November 1945

Subject: Penal proceeding against Rag. Mario Basile, ex Director Volterra Penitentiary.

To:

Headquarters, Allied Commission, APO 394.

Attn: Chief Legal Advisor, Legal Sub-Commission.

1. The P. Tribunale Civile e Penale di Pisa filed a request, dated 8 October, in which the Tribunale requested the interrogation of several A.M.G. Officers, concerning the activities of Rag. Basile, ex Director of the Volterra Penitentiary.

2. The above mentioned request was sent to the Executive Commissioner, HQ, Allied Commission, in date of 21 November 1945.

227A
3. In date of 22 November 1945, the Tribunale filed a second request, concerning the same matter.

4. May this office get the necessary advice?

For the Zone Commissioner:

Lt. Eric Feldman

Lt. ERIC FELDMAN

Ass't to the Zone Legal Officer

LEGAL SUB COMMISSION	
CLO	
OCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
1 DEC 1945	



See folios

227A to

231A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

244A

AC/4053/L.

ES/ra.
17 Dec. 1945.

SUBJECT : Francesco Paolo MINOLFO
Cancelling fascist sentence.

TO : The Minister of Pardon and Justice.

1. Enclosed herewith "per competenza" is a petition of the above addressed to the Chief Commissioner of the Allied Commission.

2. Assuming that the facts in the petition are true would you please confirm that the sentence of the Special Tribunal was cancelled and Sig. MINOLFO relieved from all legal disabilities or consequences resulting from the conviction.

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

Copy to : Prof. Francesco P. MINOLFO
33 Viale Michelangelo,
B-A-P-A-E-S

100

0667

785016

243A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

ES/es
15 December 1945

SUBJECT : Carlo Marchegiani and Fausto Pesci - 15 years old,
held in Regina Coeli.

TO : Liaison Officer to Chief Commissioner AC HQ
(Attn: Lt. Cmdr. Apostolo).

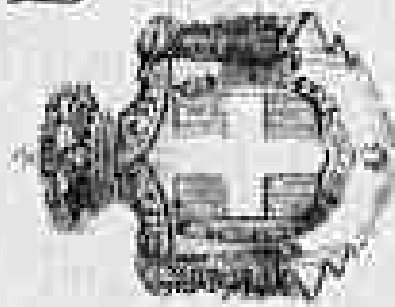
1. Reference your memo to the Chief Commissioner of
22 October 1945 re above and further to this Sub-Commission's
AC/4053/L of 17 November 1945.

2. Enclosed is a copy of letter Prot. No. Uff. 1. A.P.
79.5.2735 which is selfexplanatory.

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

Encl.

fm



Ministero di Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Roma 12 dicembre 1945

LA COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGALE

R O M A

Uff. I A.P. Prot. V. 79.5.2735

215A
Risposta al p. V. 40/4053/L
del 29 ottobre 1945

OGGETTO Carlo MARCHEGGIANI e Fausto PESCI, di anni 15 di età,
detenuti a Regina Coeli.

è per conoscenza:

ALL'UFFICIO DI COLLEGAMENTO

GABINETTO

In relazione alla nota suindicata, si informa codesta On.le Commissione Alleata che il procedimento a carico dei minorenni Carlo MARCHEGGIANI e Fausto PESCI ed altri, imputati di tentativo di atti di sabotaggio in danno di opere militari alleate e di cospirazione politica, è stato, in data 3 dicembre 1945, trasmesso al Procuratore del Regno presso il Tribunale per i minorenni.

Poichè l'istruzione è stata condotta a termine, a cura della locale Procura, si ha motivo di ritenere che il relativo dibattito sarà celebrato al più presto. Il ritardo, nella definizione della istruttoria, trae motivo dal fatto che i minorenni di cui trattasi furono messi a disposizione dell'Autorità giudiziaria italiana quando già erano decorati alcuni mesi dall'arresto e del fatto che fu necessario l'espletamento di

ALL'UFFICIO DI COLLEGAMENTO

CABINETTO

a per conoscenza:

In relazione alla nota emendicata, si informa codesta On.le Commissione Alleata che il procedimento a carico dei minorenni Carlo MARCHE GIANI e Fausto PESCI ad eluri, imputati di tentativo di atti di sabotaggio in danno di opere militari alleate e di cospirazione politica, è stato, in data 3 dicembre 1945, trasmesso al Procuratore del Regno presso il Tribunale per i minorenni.

Poichè l'istruzione è stata condotta a termine, a cura della locale Procura, si ha motivo di ritenere che il relativo dibattito sarà celebrato al più presto. Il ritardo, nella definizione della istruttoria, trae motivo dal fatto che i minorenni di cui trattasi furono messi a disposizione dell'Autorità giudiziaria italiana quando già erano decorsi alcuni mesi dall'arresto e dal fatto che fu necessario l'aspletamento di laboriose pratiche per ottenere il nulla osta per l'interrogatorio di uno dei minori internato in un campo di concentramento alleato. Si sono fatte premure al Procuratore del Regno presso il Tribunale per i minorenni perchè il suddetto sia fissato al più presto.

CIO	
DCIO	
Chief Counsel	
CIO	
Italian Section	
RKS	4 DEC 1945

d'ordine del MINISTRO
Preveder

241A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

12/ada

14 December 1945.

SUBJECT : Case of PETER Barandis sentenced for
activity on behalf of Turkey.

TO : Poland (A)
Poland (B)

1. The Italian Ministry of Justice has drawn the attention of this Sub-Commission to the case of PETER Barandis, native of and resident of the island of Leros who was sentenced by the Court of Assize sitting at the island of Rhodes on 24 April 1939, for disclosing military information to a Turkish Officer on 6 Aug. 1938 and for unauthorized departure on the same day from Leros for Turkey in a stolen boat.

2. According to Art. 32 (3) of the "Long Terms" "Persons of whatever nationality who have been placed under..... sentence on account of their dealings or sympathies with the United Nations will be released under the direction of the United Nations".

3. To the knowledge of this Sub-Commission the right under Art. 32 (3) has hitherto been exercised solely for the benefit of prisoners held on account of their activities in the interest of those United Nations who had been at war with Italy e.g. France and Great Britain.

4. Whilst the prisoner claims in his petition that he was engaged in espionage on behalf of the Soviet Union the available record which unfortunately is not complete does not substantiate this allegation. On the other hand it appears certain that military information was supplied to Turkey which is one of the United Nations.

5. Your advice is requested whether as a matter of policy the Ministry should be asked to arrange for the release of the prisoner in this case.

6. The file with prisoner's petition and enclosures is attached for your perusal and return please.

G. C. HARTMAN, Jr.,
Lt. Col.,
Deputy Chief Legal Advisor.

Copy to : AG/4053/1/L.
AG/4053/1.

240A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

MT/rm.
8 December 1945.

SUBJECT : Sequestration of Turkeys;
Case of Brettschneider Moritz.

TO : C.E.F.I. GHQ, CMF.

1. Reference your No. CEPI/50/1628 of 15th November 1945.
2. In a letter to the Avvocatura dello Stato, Bari, a copy of which was received by this Sub-Commission on 29th November, the Avvocato dello Stato at Catanzaro states that he asked the Procuratore del Regno at Cosenza to obtain the release of the sum obtained from the sale of turkeys sequestered at Bisignano and S. Pietro in Guarano. With regard to the sale at Bisignano a cheque for Lire 70,994.60 was sent to the Procuratore del Regno to be handed to the Legal Officer in Bari. The A.C. Liaison Officer at Bari has been requested to send this cheque at once to this Sub-Commission in order that it may be passed to you.
3. Lire 11,324 was realised from the sale of the turkeys sequestered in S. Pietro and the Avvocato dello Stato at Catanzaro states that a Postal Order for this amount was sent to the Allied Commission. This sum will be forwarded as soon as received by this Sub-Commission.
4. In the earlier correspondence it is stated that the turkeys in question were the subject of a case against Brettschneider heard in Bari on 24th January 1945, and that Lire 317,400 being the purchase price of the 251 turkeys was held by the judicial authorities. Investigation has now shown that while a summons was issued against Moritz Brettschneider to appear before the Pretore in Bari on 24th January, no case was heard. Also the statement that Lire 317,400 was held by the Judicial authorities is incorrect, and appears to be derived from a letter dated 13 February 1945 of Capt. H.C. SCARBOROUGH of the Supplies Branch asking the A.C.C., Bari, to help him to recover Lire 317,400 the total value of the turkeys confiscated, 214 in Bisignano, value L. 270,900, and 37 in San Pietro, value Lire 46,500.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

239A

Summary of a letter dated 20 November 1945 from the "Avvocatura dello Stato - Catanzaro -" to "Avvocatura dello Stato - Bari -" and for information to A.C. LEGAL Sub-Commission.

Pursuant to the request of the Allied Military Command which has been mentioned in the letter of the Avvocatura of Bari dated 14 May 45, No. 944/48337/Pes.25, this office asked the Procuratore del Regno of Cosenza to order that the amount of the sale of the turkeys sequestered at Bisignano and at S. Pietro in Guarano should be delivered to the said Command.

As the request of this office has been carried out, I send you the enclosed check of Banco di Napoli No. 000694 of L. 70934,60 which has been sent to me by the Procuratore del Regno, and ask you to hand it to the legal officer of Bari, requesting a receipt.

This sum is the amount of the sale of the turkeys sequestered in Bisignano and of the interests thereof.

As to the sale of the turkeys sequestered at S. Pietro in Guarano whose amount is of L. 11,324, the Pretore of Cosenza ordered that this sum should be paid to the Allied Command by means of a Postal order issued by the Post Office of S. Pietro. ~~The amount of the Postal deposit Account bearing no interest and issued in Cosenza on the 21 December 1944, shall be withdrawn from the said sum.~~

Receipt of the enclosed check will be appreciated.

Avvocato dello Stato.

This sum shall be withdrawn from the Postal deposit account bearing no interest, issued in Cosenza on the 21st December 1944.

SUBJECT : Sequestration of Turkeys.

1. Three Italian civilians, namely MAZZEI Attilio, MARTINO Salvatore, PASTORE GRECO Raffaele, have been stopped in Pisignano. 214 turkeys, which they were trying to export from the province, have been requisitioned. The above did not mention that these turkeys were destined for consumption by the Allied Forces. It appears that a similar requisition for 37 turkeys took place in S. Pietro.

2. It is pointed out that this requisition was perfectly legal as it was agreed with the L.R.O. to accept only permits signed by him personally (vide letter from the Prefect of Cosenza - Supplies Officer E.F.I. on 15th January 1945).

3. A letter from the Supplies Officer E.F.I. requested the Prefect of Cosenza to pay L. 317,400 asked for as the total value of 251 turkeys requisitioned.

4. Col. THACKER writing to the Minister of Justice states that the case was heard in the Pretura of Bari, whilst we find in the file only a summon to appear. It is understood that no case has been heard as the fact did not amount to a crime.

5. The delay in this matter has been caused by the fact that improper Authorities have been approached more than once as well as by a long and useless correspondence based on erroneous and insufficient informations.

0674

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

785016

4053 200
INCOMING MESSAGE

DD RM DA BARLETTA 4 30/34 6 17/10--

Originator's Reference:

Message Centre No:

Date/Time of Origin:

Date Time Rec'd:

Precedence:

FROM:

TO DD LEGAL SUB COMMISSION HAODQUORTERS ALLIED
COMMISSION C M F ROMA--

36/81 PREGASI EVADERE, FOGLIO QUESTO UFFICIO 37/70 DEL
SEI NOVEMBRE 1945 TRATTANDOSI PERSONE ARRESTATE MARESCIALLO
CARABINIERI BARLETTA PORTO BRUNETTI

PLEASE ANSWER THIS OFFICE LETTER No. 37/70 OF SIX NOVEMBER
1945 CONCERNING PERSONS ARRESTED BY MARESCIALLO CARABINIERI OF
BARLETTA, PORT (Sgd) BRUNETTI

-7 DIC 1945

IL CAPITANO ADDETTO
(Casani Leo)

TRUNO ORE 900/7/12/ CONDOTTI:
RCV UNO ORE 900/7/12/ MARTINO

071030

237A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda

AC/4053/L.

8 December 1945

SUBJECT : Sequestration of Turkeys.
Case of Brettschneider Maritz.

TO : Liaison Officer A.C. BARI.

1. Reference 4053/L dated 31 Oct. 45.
2. I enclose a copy of a letter from the Avvocato dello Stato in CATANZARO dated 20th November in which he states he sent cheque for Lire 70,994.60 to the Procuratore del Regno to be handed to the Legal Officer, BARI.
3. I should be obliged if you would obtain this cheque and send it to this Sub-Commission as soon as possible.

By command of Rear Admiral MUSGRAVE.

MUSGRAVE THOMAS
Italian Branch,
for Chief-Legal Advisor.

44083
 ALLIED COMMISSION
 LIAISON OFFICE
 BARI

236A

26 November 1945

SUBJECT: Sequestration of Turkeys.
 Case of Brettschneider Moritz.

Ref : LB/53 /181

TO : Legal Sub-Commission,
 Hq. ALLIED COMMISSION,
 C.N.P.

217A

1. Ref. your letter AC/14053/L dated 31 Oct 45.
2. Herewith attached please find copy of letter from Procuratore Generale del Regno, Bari, in reply to our letter LB/53/170 dated 10 Nov 45, copy attached.
3. The attached correspondence is passed to you for your information.

GMR/Th



G.M. Reveley
 G.M. REVELEY, Major
 Liaison Office, A.C.

LEGAL SUBCOMMISSION

CLO

DCLO

Chief Counsel

CLO

Italian Section

93 NOV 1945



(COPI)

PROCURA GENERALE DEL REGNO
presso la Corte di Appello
B A R I

Bari 20.1./45.....

Al ALLIED COMMISSION
LIAISON OFFICE

Div I.....
Prot. N. ..12376....

B A R I
Risposta a nota del .10./11./45
N .13./53./170

OGGETTO: Sequestro di tacchini

In relazione alla nota suindicata, pregiomi comunicare a codesta On. Commissione che da informazioni assunte presso la locale Pretura Unificata ed anche presso la Procura del Regno e' risultato che nessuna causa risulta celebrata il 24/1/45 sia in materia civile che in quella penale dinanzi al Pretore, ne' si rinvencono procedimenti penali dinanzi alla procura, relativi a quanto e' specificato in oggetto.

All'uopo faccio anche presente che uguale risposta ebbi l'onore di fare al Superiore Ministero di Grazia e Giustizia allorché ebbi l'ordine di provvedere con urgenza alla richiesta di cotesta On. Commissione.

Con ossequi.

IL PROCURATORE GENERALE DEL REGNO
/sgd/ ??????

(C O P Y)

ALLIED COMMISSION
LIAISON OFFICE
B A R I

10 Novembre 1945

OGGETTO: Sequestro di tacchini.
Brettschneider Moritz.

Ref : LE / 53 / 170

TO : Sig. Procuratore Generale del Regno,
B A R I.

La Legal Sub-Commission, HQ. ALLIED COMMISSION, ci ha informati che già in due occasioni il Ministro di Grazia e Giustizia ha chiesto ai Procuratori Generali di Bari e Catanzaro per l'ottenimento della somma di Lit. 317.400 ingiustamente detenuta da loro dal gennaio scorso.

Prendendo in considerazione questo non ragionevole ritardo, la Legal Sub-Commission ci ha domandato di richiedervi di voler subito eseguire le istruzioni del Ministro di Giustizia e pagarla somma alla Navy, Army and Air Force Institutes per mezzo di quella Sotto-Commissione.

/S/
/T/G.M. Reveley
G.M. REVELEY, Major
Liaison Office, A.C.
B A R I.

GMR / fh

0679

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

785016

4053

NAVY, ARMY & AIR FORCE INSTITUTES

EXPEDITIONARY FORCE INSTITUTES

CENTRAL MEDITERRANEAN FORCES

CORRESPONDENCE
IN REPLY TO THIS
LETTER SHOULD BE
ADDRESSED TO

C. E. F. I.
H. Q. E. F. I.
A. F. H. Q.
C. M. F.



TELEPHONES 51496
52598
52452

PERSONAL LINE TO
C. E. F. I.

BASEBALL 120

CABLES & TELEGRAMS

FFI Freedom

CEFI/SO/1628
Rel. Quoted

15th November, 1945
Date

To:- HQ Allied Commission,
APO 394
Legal Sub-Commission

Subject:-

Sequestration of Turkeys
Case of Brettschneider, Moritz

I would draw your attention to the fact that up to the time of writing no action appears to have been taken by the Minister of Justice in response to your letters on the above subject and I feel that sufficient time has elapsed and correspondence taken place for this matter to be considered in the strongest possible light and that all pressure should be brought to bear on the responsible Ministry to ensure that your instructions are complied with.

In this connection your letter reference AC/4053/L dated 22nd October, 1945, refers.

LEGAL SUB-COMMISSION	
CIO	
DCLO	
Chief Counsel	
CIO	
Legal Section	
CL. RKS	
19 NOV 1945	

cc. C.EFI
File

Major
for: C.EFI.GHQ.CMF.

212A

217A

SP/DB



AVVOCATURA DISTRETTUALE DELLO STATO

Catanzaro, 20 novembre 1945

Reposta a nota

dal

Div. Sez. No.

REGISTRO

CONS. No. 6343

Potenza No. 1203

Poi. 30B

Vertenza Amministrazione Militare Alleata
(Allied Commission) contro Nazisti Attili
ed altri.

OGGETTO:

ALL'AVVOCATURA DELLO STATO

B A R I

e p. a. HEAD QUARTERS ALLIED COMMISSION
LEGALE SUB COMMISSION.

A P O 394

Memore:

AL SIG. PROCURATORE DEL REGNO

CESENZA

1.

In esito alla richiesta fatta a suo tempo dal Comune Militare alleato di questa Città e di cui nella nota di questa Avvocatura del 14 maggio n. s. n. 944/48337/Pes. 23, quest'Ufficio, con istanza del 9 giugno successiva, previene a far prevedere al Sig. Procuratore del Regno in Cesenza esistenza di un documento, in favore del detto Comune, della nuova rinovata dalla emessa nei termini seguenti in allegato e in

234A

785016

U.S. HEADQUARTERS ALLIED COMMISSION
HEAD SUB COMMISSION.

450 0 50 100

Te. 944.49:

AL SIG. PROCURATORS DEL REINO

CO 5711 ZA



In esito alla richiesta fatta a suo tempo dal Comandante Militare alleato di questa Città e di cui nella nota di questa Avvocatura del 14 maggio u.s. N.º. 944/48337/Pes. 25, quest'Ufficio, con istanza del 9 giugno successivo, provvede a far pervenire al Sig. Procuratore del Regno in Caserta ordinanza di esecutorio, in favore del detto Comandante, della somma ricavata dalla vendita dei terreni espropriati in Bagnoli e in S. Pietro in Guarano in anno dei Signori Razzel, Martino, Pastore e Battischneider.

Esso era stato ora raccolto tale istanza, rinviata a cessione
Concessione l'attuale valle del basso di Napoli n. 000694
di L. 70994,60 / con preghiera di volerlo consegnare all'attuale

Finis. Tom. Soc. Scientiar. del Regno

dirigente della settecentesca commissione legale presso la Legazione all'ente di Bari incassando rilasciata ricevuta. Dette assegni rappresentano il ricavato della vendita dei tabacchi sequestrati in Bisignano più i relativi interessi.

Per quanto riflette il ricavato della vendita dei tabacchi sequestrati in S. Pietro in Guarano e che ammonta a L. II 324 si fa presente che di tale somma il Sig. Pretore di Cosenza ha disposto il pagamento direttamente al Comune allente merco vaglia da essersi dall'Ufficio postale di quella Città con prelievo del relativo importo dell'ibretto infruttifero emesso in Cosenza il 21 dicembre 1944.

Restasi in attesa della ricevuta dell'allegato assegni.

L'AVVOCATO DELLO STATO

[Signature]

LEGAL SUB-COMMISSION	
CLIO	
DCIO	
Chief Counsel	

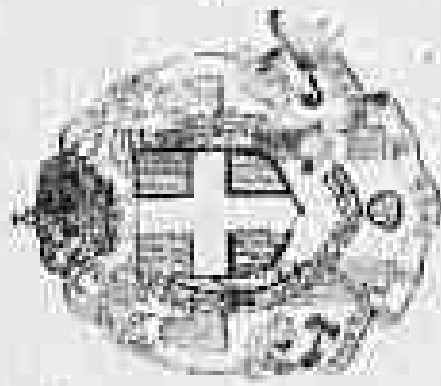
Città con privilegio del relativo impero dell'ibridità in-
fruttuaria essenza in Coerenza il 21 dicembre 1944.
Restasi in attesa nella ricevuta dell'allegato messaggio.

L'AVVOCATO DELLO STATO

[Handwritten signature]

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italien	
CLERKS	
29 NOV 1944	





AVVOCATURA DISTRETTUALE DELLO STATO

Catanzaro, 20 novembre 1945

Reposta a nota

del

Dir

Sez

Nº

REGISTRO

Nº. 156343

Pendenza Nº 1703

Pag. 30B

Vertenza Amministrazione Militare Alleata
OGGETTO: (Allied Commission) contro Mazzetti Attilio
ed altri.

ALL'AVVOCATURA DELLO STATO

B A R I

e p.c. HEAD QUARTERS ALLIED COMMISSION
LOCAL SUB COMMISSION.

A P O 394

tenere:

AL SIG. PROCURATORE DEL REGNO

COSENZA

1.

In esito alla richiesta fatta a suo tempo dal Comando Militare alleato di cosenza Città e di cui nella nota di cosenza Avvocatura del 14 maggio n.s. n.º. 944/48337/Pag. 25, quest'ufficio, con istanza del 9 giugno successive, provvede a far pervenire al Sig. Procuratore del Regno in Cosenza ordinanza di evincolo, in favore del detto Cosentino, della somma ricavata dalla vendita dei tecnici sequestrati in Heringham ex in S. Pietro in Guarna in danno dei Signori Mazzetti, Martino, Pastore e Dettischneider.

Essendo stata ora raccolta tale istanza, rinviata a cosenza Comandante l'ente valle del basso di Napoli n.º. 000694 al L. 70994.69/can trasferire al vederlo consegnare all'attuale

234A

MEMORIO:

AL SIG. PROCURATORE DEL REGNO

CESENZA

1.

In esito alla richiesta fatta a suo tempo dal Comune Nili-
tare allente di questo Città e al cui nella rete di sedesta
Avvocatura del 14 maggio u.s. n. 544/48337/Pag. 25, quest'Uffi-
cio, con istanza del 9 giugno susseguiva, provvede a far preve-
nere al Sig. Procuratore del Regno in Cesenza erainanza si
evincibile, in favore del detto Comune, della somma riscossa
dalla vendita dei terreni sequestrati in Bissignana se in
S. Pietro in Guara in danno dei Signori Mazzoli, Martino, Pa-
stori e Bettischneider.

Esameo stata ora raccolta tale iscuaza, rinviato a questa
Commerella l'ultima volta del Banco di Napoli n. 000694
al L. 70994, 60 con provvedimento di volerlo consegnare all'attualm

L'invio. La Procura del Regno

7

0 6 8 5

dirigente della settecentesimazione legale presso la segreteria all'ente di Bari facendone rilasciare ricevuta. Detti assegno rappresenta il ricavato della vendita dei tecnici sequestrati in Risignano più i relativi interessi.

Per quanto rilette il ricavato della vendita dei tecnici sequestrati in S. Pietro in Guverano e che ammonta a L. 11324 si fa presente che si tale somma il Sig. Pretore di Cosenza ha disposto il pagamento direttamente al Comune alleato mereo vaglia an esattori dall'Ufficio postale di quella Città con prelievo del relativo importo nell'ibretto infruttifero emesso in Cosenza il 21 dicembre 1944.

Restasi in attesa della ricevuta dell'allegato assegno.

L'AVVOCATO DELLO STATO

Spert

LEGAL SUBCOMMISSION	
CIO	
DCIO	
Chief Counsel	
CIO	
Religion	
CLARK	



ha disposto il pagamento direttamente al Comando alleato
merco vaglia da esentarsi dall'Ufficio postale di quella
Città con prelievo del relativo importo ~~reimborsato~~ in-
fruttifero emesso in Cassa il 21 dicembre 1944.

Restasi in attesa della ricevuta dell'allegato assieme.

L'AVVOCATO DELLO STATO

Amor

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Mission	
CLARKS	
29 NOV 1944	



233A

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB-COMMISSION

/nda

5 December 1945

AC/4055/L.

SUBJECT : ADDISA HAGAU, Abyssinian citizen
held in Ospedale Psichiatrico, AVERSA.

TO : The Minister of Pardon and Justice.

1. Attention of this Sub-Commission was drawn to the case of the above Abyssinian citizen who is held in AVERSA on charges of two homicides according to a certificate issued by the Ufficio Matricola of the Direzione delle Carceri Giudiziarie of AVERSA dated 23 Nov 1945.

2. HAGAU claims that he is a victim of mistaken identity and had nothing to do with the crimes charged.

3. It would be appreciated if an investigation of this case could be made and a report forwarded to this Sub-Commission.

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

Copy to Displ. Persons Repatriation Sub-Commission
(your minute in D.P.R./G/II refers.)

" " R. Questura 31 AVERSA.

232A

HEADQUARTERS ALLIED COMMISSION

APO 394

LEGAL SUB-COMMISSION

AC/4053/L.

ES/ps.

5 Dec 45.

SUBJECT : Judgement of Tribunale di Benevento.

TO : The Ministry of Pardon and Justice.
(Attn: Ufficio Collegamento)

1. This Sub-Commission is informed that the above Tribunale has rendered a sentence passing upon the effect of Proclamations issued by AMG during the Allied Control of the Benevento Province. The case is said to involve a transfer of a real estate made contrary to the provisions of a Proclamation. The transfer was declared void by the Court.

2. It would be appreciated if two copies of this sentence could be obtained for this Sub-Commission.

3. Particulars of the sentence may be obtained from Dott. COZZI of the Istituto per gli Studi Legislativi.

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

231A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

MT/rm.
8 December 1945.

SUBJECT : Proceedings against Reg. BASILE, Ex-Director
of Volterra Prison.

TO : Capt. A.A. EDWARDS, Public Safety Officer,
VENEZIA GIULIA.

1. I enclose a copy of a letter from the Giudice Istruttore of the Tribunale of Pisa concerning proceedings taken against Reg. Mario BASILE, Ex-Director of the Volterra Prison.

2. In order to comply with the Judge's request this Sub-Commission would like to have a statement from you regarding the allegation contained in para 3 of the enclosed letter viz.: "Capt. EDWARD, C.A.P.O. IV Corp, authorized Reg. BASILE to send prisoner CERVELLARA out of the Prison to work at Zoppi's farm".

By command of Rear Admiral STONE:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

230A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

MT/rm.
8 December 1945.

SUBJECT : Proceedings against Reg. BASILE,
Ex-Director of Volterra Prison.

TO : Lt. Col. T. J. WALTERS, A.C.
Liaison Officer, - BOLOGNA -

1. I enclose a copy of a letter from the Giudice Istruttore of the Tribunale of Pisa concerning proceedings taken against Reg. Mario BASILE, Ex-Director of the Volterra Prison.

2. In order to comply with the Judge's request this Sub-Commission would like to have a statement from you regarding the allegation contained in para 6 of the enclosed letter viz.: "Col. WALTERS authorized Reg. BASILE to allow conversations with political prisoners".

By command of Rear Admiral STONE:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Tel. Ext. 353

4053.

MEMORANDUM

229A

5 December 1945

REFERENCE : G-1B/88/A

SUBJECT : Proceedings against Rag. BASILE,
ex-Director Volterra Prison.

FROM : G-1 (B), H.Q., A.C.

TO : Chief Legal Advisor, Legal S/C.

Reference your AC/4053/L dated 3 Dec 45.

1. The officers referred to would appear to be:-

Maj. F.C. ROBINSON - Released to UK.

Capt. A.A. EDWARDS - Public Safety Officer - Venezia Giulia.

Lt.Col. T.W.J. WALTERS - A.C. Liaison Officer Bologna.

FOR VICE PRESIDENT ESTABLISHMENTS SECTION

/mc

K. Wilby-Jones
Kaye
 K. WILBY-JONES,
 Lt. Colonel,
 G-1 (B)

LEG	SUBCOMMITTEE
CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CL RKS	
6 DEC 1945	

228A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4053/L

MT/ns
3rd December 1945

SUBJECT : Proceeding against Reg. Basile,
ex-Director Volterra Prison.

TO : G-1 (B) HQ AC
G-1 (A) HQ AC

1. I enclose a copy of a letter of the Giudice Istruttore in the case against Basile from it will be seen that the accused alleges various acts of his while director of the prison were authorized by Allied Officers.

2. In order to comply with the request of the Judge inquiring into the case this Sub Commission would like to have from the American or British officers mentioned therein detailed statements dealing with the allegations made by the accused.

3. This Sub Commission would be grateful if you would inform us if you have any record of any of these officers and if so, their present address.

MUSGRAVE THOMAS
Italian Branch,
for Chief Legal Advisor.

C O P YR. TRIBUNALE CIVILE E PENALE DI PISA

Pisa, 8/10/45

To A.M.O.
Legal OfficePisa

Subject: Penal proceeding
against Reg. Mario Basile
ex Director of Volterra Penitentiary.

A penal proceeding has been started against above named person. The latter, alleged various points at his discharge, for which it should be necessary to hear officers of the Allied Military Forces. The points are the followings:

- 1st Carleson, Volterra's Governor, authorized him to keep the foodstuff stored there by civilians during emergency;
- 2nd Governor Robinson authorized Reg. Basile to have boots for some private people manufactured with material belonging to penitentiary administration;
- 3rd Capt. Edward, C.A.F.O., IV Corp authorized Reg. Basile to send prisoner Cervellera out of the Penitentiary to work for Zopfi factory;
- 4th Ten. Guarini, 1st Lt. C.A.O. Regional Prison Officer:
 - a) ordered Reg. Basile to make boots for some people
 - b) left to Penitentiary 30 Kg salt to be delivered to Dr. Mazzarisi.
 - c) left some petrol to Basile, for his use
 - d) ordered to distribute sugar to prisoners working (abt. 10 Kg.)
 - e) sent some gift parcels to prisoners, containing sugar, coffee, lemonade, cocoa, cigarettes;
 - f) authorized Basile to pick up from fields electric wire left there by war operations;
- 5th Major Robinson authorized in December 1944 to take from Penitentiary, a quintal of sugar to be presented to Volterra children, sugar to be returned afterward;

./.

6th Col. Walter, authorized Reg Basile to allow conversations with politic prisoners.

Matters standing this way, we should be glad to know whether it is possible for above Officers to be heard on the alleged circumstances.

THE JUDGE
(Signed)

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

227A

27 NOV 1945

21 NOVEMBER 1945

FILE: LIV/7A.2/6311

SUBJECT: PENAL PROCEEDING AGAINST RAG. MARIO BASILE EX DIRECTOR VOLTERRA PENITENTIARY.

TO: HEADQUARTERS,
ALLIED COMMISSION,
APO 394, U.S. ARMY.
(ATTN: EXECUTIVE COMMISSIONER).

1. ENCLOSED HERewith IS A REQUEST FROM THE R. TRIBUNALI CIVILE E PENALE DI PISA
DATED 8 OCT 45 WHICH IS REFERRED FOR YOUR ATTENTION AND ADVICE.

27 NOV 1945

HAROLD W. REILLY
LT. COL. A.U.S.,
COMMISSIONER,
LIVORNO ZONE A.M.G.

INCL:

1. A/M LETTER WITH TRANSLATION.

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

28 NOV 1945



R. TRIBUNALE CIVILE E PENALE DI PISA

Pisa, 8/10/45

To A.M.G.
Legal OfficePisa

Subject : Penal proceeding
against Reg. Mario Basile
ex Director of Volterra Penitentiary.

A penal proceeding has been started against above named person. The latter, alleged various points at his discharge, for which it should be necessary to hear officers of the Allied Military Forces. The points are the followings:

- + 1st. Carlesse, Volterra's Governor, ~~should have~~ authorized him to keep the foodstuff stored there by civilians during emergency;
- + 2rd. Governor Robinson ~~should have~~ authorized Reg. Basile to have boots for some private people manufactured with material belonging to penitentiary administration;
- 3rd. Capt. Edward, C.A.P.O., IV Corp. ~~should have~~ authorized Reg. Basile to send prisoner Cervellera out of the Penitentiary to work for Zopfi factory;
- 4th. Ten. Guarini, 1st. Lt. C.A.C. Regional Prison Officer:
 - a) ~~Should have~~ ordered Reg. Basile to make boots for some people
 - b) ~~Should have~~ left to Penitentiary 30 Kg. salt to be delivered to Dr. Mazzarisi,
 - c) ~~Should have~~ left some Petrol to Basile, for his use
 - d) ~~Should have~~ ordered to distribute sugar to prisoners working (abt. 10Ks.)
 - e) ~~Should have~~ sent some gift parcels to prisoners, containing sugar, coffee, lemonade, cocoa, cigarettes;
 - f) ~~Should have~~ authorized Basile to pick up from fields electric wire left there by war operations;

5th. Major Robinson ~~should have~~ authorized in Dec. 1944 to take from

+ 2rd. Governor Robinson ~~should have~~ authorized Rag. Basile to have boots for some private people manufactured with material belonging to penitentiary administration;

3rd.

Capt. Edward, C.A.P.O., IV Corp. ~~should have~~ authorized Rag. Basile to send prisoner Cervellera out of the Penitentiary to work for Zopfi factory;

4th.

Ten. Guarini, 1st. Lt. C.A.C. Regional Prison Officer:

- a) ~~Should have~~ ordered Rag. Basile to make boots for some people
- b) ~~Should have~~ left to Penitentiary 30 Kg. salt to be delivered to Dr. Mazzarisi,
- c) ~~Should have~~ left some Petrol to Basile, for his use
- d) ~~Should have~~ ordered to distribute sugar to prisoners working (abt. 10Ks.)
- e) ~~Should have~~ sent some gift parcels to prisoners, containing sugar, coffee, lemonade, cocon, cigarettes;
- f) ~~Should have~~ authorized Basile to pick up from fields electric wire left there by war operations;

5th. Major Robinson ~~should have~~ authorized in Dec. 1944 to take from Penitentiary, a quintal of sugar to be presented to Volterra children, sugar to be returned afterward;

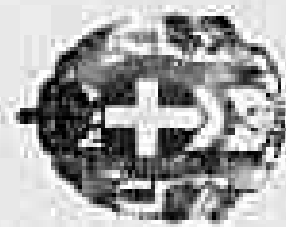
6th. Col. Walter ~~should have~~, authorized Rag. Basile to allow conversations with politic prisoners.

Matters standing this way, we should be glad to know whether it is possible for above Officers to be heard on the alleged circumstances.

THE INDGE
(Signed)



Handwritten signature/initials



R. TRIBUNALE CIVILE E PENALE DI PISA

Pisa, 11 8 ottobre

1945 anno

Prot. N.

Risposta a nota del

N.

OGGETTO { procedimento penale contro il Rag. Mario Basile già
Direttore del Penitenziario di Volterra.

All'on. Ufficio legale dell'A.M.G. - P I S A

5412 TIP. F. BIGNARDI - PISA

Vi in corso procedimento penale contro la persona indicata in oggetto. Questi nei suoi interrogatori ha allegato a sua disculpa vari fatti, per i quali occorrerebbe interrogare Ufficiali delle Forze Armate Alleate. I fatti sono i seguenti:

- 1- Il Governatore di Volterra Carleson nel luglio 1944 avrebbe dato verbalmente all'imputato l'ordine di trattenere le serrate che vi erano state depositate da privati durante l'emergenza;
- 2- Il Governatore Robinson avrebbe dato autorizzazione al Rag. Basile di far fare scarpe con materiale dell'Amministrazione carceraria per vari privati;
- 3- Il Cap. Edward, C.A.F.O., IV Corp, avrebbe autorizzato il Rag. Basile a mandare il detenuto Cervellera fuori del Penitenziario a

0700

in corso procedimento penale contro la persona indicata in
oggetto. Questi nei suoi interrogatori ha allegato a sua discolpa
vari fatti, per i quali occorrerebbe interrogare Ufficiali delle
Forze Armate Alleate. I fatti sono i seguenti:

1. Il Governatore di Volterra Carleson nel luglio 1944 avrebbe
fatto verbalmente all'imputato l'ordine di trattenere le serrate che
vi erano state depositate da privati durante l'emergenza;

2. Il Governatore Robinson avrebbe dato autorizzazione al Rag. Basile di far fare scarpe con materiale dell'Amministrazione carceraria per vari privati;

3. Il Cap. Edward, C.A.P.O., IV Corp, avrebbe autorizzato il Rag Basile a mandare il detenuto Cervellera fuori del Penitenziario a lavorare alla Fattoria degli Zoppi;

4. Il Ten. Guarini, 1st Lt. C.A.C. Regional Prison Officer:

a) avrebbe dato ordine al Rag. Basile di fare scarpe per alcune persone
b) avrebbe lasciato al Penitenziario Kg. 30 di sale perchè fossero consegnati al Dr. Mazzarisi;

c) avrebbe lasciato della benzina per uso del Basile;

d) avrebbe ordinato di distribuire zuccheri a detenuti lavoratori (per
circa Kg. 10)

e) avrebbe mandato dei pacchi dono per i detenuti, pacchi contenenti
zucchero, caffè, limonata, cacao, sigarette;

f) avrebbe autorizzato il Rag. Basile a raccogliere per la campagna

del filo elettrico abbattuto per fatti di guerra;

5) Il maggiore Robinson avrebbe fatto prelevare dal penitenziario nel dicembre 1944 un quintale di zucchero per farne doni ai bambini di Volterra, zucchero che poi sarebbe stato restituito;

6) Il colonnello Walter avrebbe autorizzato il Rag. Basile a concedere colloqui a detenuti politici.

Ciò premesso si gradirebbe conoscere se è possibile interrogare i predetti Ufficiali, sulle circostanze indicate.



IL GIUDICE ISTRUTTORE

Basile

226A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

ES/en
17 November 1945

SUBJECT : Carlo Marchegiani e Fausto Pesci. 15 years old,
held in Regina Coeli.

TO : Liaison Officer to the Chief Commissioner
(Attn: Lt. Cmdr. P. Apostolo)

1. Reference your memo of 22 October 1945 prepared
for Chief Commissioner and referred to this Sub-Commission.

2. Enclosed please find a copy of letter Prot. N. 79/
5/2735 of 12 November 1945 received to-day from the Ministry
of Justice.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encl. Copy Prot. Uff. I 79/5/2735.

10.



4053

Roma

12 November 1945

Mod 40

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIOUfficio I° A.P.
Prot. N° 72/5/273511a COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGALE

(215/1) R O M A

Reparto Aff. del 29/10/1945
Dir. AC Per N° 4053/LOGGETTO: Carlo MARCHESIANI e Fausto PESCI - di
anni 15 di età, detenuti a Regina Coeli.

e, per conoscenza:

ALL'UFFICIO COLLEGAMENTO

G A B I N E T T O

Si è presa notizia di quanto codesta On.le
Commissione ha riferito con la suindicata nota
e, in data odierna è stato scritto all'ufficio
di Procura Generale in Roma, chiedendo che, il
procedimento in oggetto, venga portato in giudi-
dizio, il più sollecitamente possibile.-

Si fa riserva di comunicazioni, in meri-

to.-

LEG. SUBCOMMISSIONE

CLO

DCLO

Chief Counsel

CLO 10 NOV 1945

Italian Section

per il MINISTRO





4023

224A

Ministero di Giustizia

Ufficio di collegamento con l'A. C.

Cabinetto di V.E. il Ministro

Roma, 9 novembre

1945

Protocollo 1 VC 6713

file

OGGETTO: Procedimento penale contro Fascetti Renata.

ALLA COMMISSIONE ALLEATA
Sottocommissione LegaleRoma

213A

A modifica di quanto segnalato con foglio 131/528/2070 dell'11 u.s. della Direzione Generale Affari Penali, si informa che il procedimento in oggetto risulta tuttora in pendenza secondo quanto già precedentemente fissato.

L'UFFICIALE DI COLLEGAMENTO
(Br. Giorgio Bonelli)

LEG. SUBCOMMISSION

CLO

DCLO

Bonelli

ALLA COMMISSIONE BILLEATA
Sottocommissione Legale

R o m a

213A

A modifica di quanto segnalato con foglio 131/528/2070 dell'11 u.s. della Direzione Generale Affari Penali, si informa che il procedimento in oggetto risulta tuttora in pendenza secondo quanto già precedentemente fissato.

L'UFFICIALE DI COLLEGAMENTO
(Sr. Giorgio Bonelli)

Bonelli

LEG. SUB. COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
16 NOV 1945	

This is as per agreement of all concerned.
CL 7's letter of 3 Sept 45 to suggest it be finished.
setting forth the agreement is existing from 1945 to 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

223A

AC/4053/L.

/es
9 November 1945

OGGETTO : Domanda per conto di Pasquale Petrozzi.

ALLA : Signora Lepora Michelina - FOGGIA

La presente per ricevuta della vostra domanda in
data 26-10-1945.

Detta domanda é stata trasmessa al Ministero di
Grazia e Giustizia per i provvedimenti del caso.

See 4083/23

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

222A

AC/4053/L.

/es
9 November 1945

SUBJECT : Petrozzi Pasquale, detained at the prison of
Castiadas - (Cagliari).

TO : The Minister of Pardon and Justice.

Enclosed "per competenza" the petition pertaining
to the above who would appear to have been sentenced by
an Italian Court.

See 4083/23

Encl.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

221A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L

SUBJECT: ANGELINI Marcello
CAPOTOSTI Lorenzo

9 November 1945

TO : AFHQ : G-2

1. Reference your G BI 389.701/PF/755D of 1st November '45
2. A reply has just been received from the Procuratore Generale Militare stating that ANGELINI Marcello was found guilty by the Military Court at Bologna on 19 th October of an offence against Art. 5 of D.L.J. Nr. 159 of 27 th July 1944 in relation to Art. 58 of the Military Penal Code and sentenced to six years and eight months military imprisonment.
3. CAPOTOSTI Lorenzo was found not guilty in that his act did not constitute an offence.

For the Chief Commissioner

JOHN K. WEBER
Colonel, Inf.
Chief Legal Adviser

Copy to : Public Safety Sub-Commission
(Security Division)

Roma, addì 7 novembre 1945

PROCURA GENERALE MILITARE

PRESSO IL

TRIBUNALE SUPREMO MILITARE

prot. n. AC/4053/L. risp. f. del 2-11-945

STAMPERIA REALE DI ROMA

ALLEGATI N.

OGGETTO : ANGELINI Marcello e CAPOTOSTI Lorenzo.

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

= ROMA =

In esito al foglio sopradistinto si comunica che con sentenza in data 19 ottobre 1945 del Tribunale militare di Bologna, l'ANGELINI Marcello è stato dichiarato colpevole del reato di cui all'art. 5 D.L.L. 27-7-944 n. 159 in relazione all'art. 58 C.P.M.G. e condannato ad anni sei e mesi otto di reclusione militare, mentre il CAPOTOSTI Lorenzo è stato assolto dall'imputazione ascrittagli perchè il fatto non costituisce reato.

0 7 1 0

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

= ROMA =

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LEG. 18 COMMISSIONE	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLIPICS	
SNQU 1945	

IL PROCURATORE GENERALE MILITARE
(U. Borsari)

m. Borsari

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

EAP/es

AC/4053/L

2 November 1945

SUBJECT : ANGELINI Marcello
CAPOTOSTI Lorenzo

TO : Procuratore Generale Militare

1. Reference is made to AC/4053/L of 19 September 1945 and to your Rif. F. del 19-9- 945 of 12 October 45.

2. Will you please inform this Sub-Commission the results of the trial of the above named before the Military Court at Bologna stated in your letter to be due for trial on the 19 October 45.

Musgrave Thomas
Italia Branch
for Chief Legal Advisor.

Copy to: AFHQ-G-2

(your GBI. 389.701/PF/755D
of 1 Nov; 45 refers)

0712

Declassified E.O. 12356 Section 3.3/NND

No.

785016

~~CONFIDENTIAL~~

OJSM/epf

218A

4053 ✓
ALLIED FORCE HEADQUARTERS
Office of the Assistant Chief of Staff, G-2

GHI. 389.701/PF/755D

1 November 1945.

SUBJECT : ANGELINI Marcello.
CAPOTOSTI Lorenzo.

TO : HQ Allied Commission
APO 394
Legal Sub-Commission.

208A

Reference your letter AC/4053/L.

It would be appreciated if this HQ
could be informed of the results of the trial of Subjects
before the Military Consul of BOLOGNA stated by you to have
been due to be held on 19 Oct 45.

For the Assistant Chief of Staff, G-2.

2 OJShumer Capt
EARLE B NICHOLS,
Colonel, G.S.C.
Asst/AC of S., G-2.

~~CONFIDENTIAL~~

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

217A

31 October 1945.

S/413/L.

SUBJECT : Sequestration of Turkeys.
Case of Brettschneider Moritz.

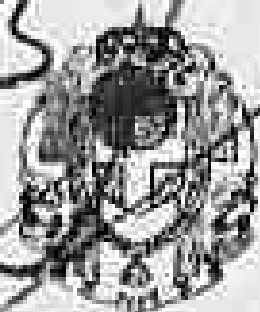
TO : A.C., Liaison Officer, BARI.

I enclose a copy of a letter from the Minister of Pardon & Justice regarding the above case which was heard before the Pretura Unificata of Bari on 24 January 1945. The Minister has on two occasions requested the Procuratori Generali of Bari and Catanzaro to obtain the release of the sum of L.517,400 wrongly detained by the judicial authorities since January last. In view of the unreasonable delay in the release of this money I should be glad if you would request the Procuratori Generali to carry out the instructions of the Minister of Justice at once, and have the above-mentioned sum paid to the Navy, Army and Air Force Institutes through this Sub-Commission.

By command of Rear Admiral STONE.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

4053



Mod. 40

Roma 26 Ottobre 1945

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio I° A. R.

Prot. N° 131/645/2403

1a COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGA-
LE R O M ARisposta al f. del 6/10/1945
Dir. A. C. L. N. 4053/L;OGGETTO: Sequestro di tacchini - Causa di B. ETTSCH
NEIDER Moritz.-

204A

e, per conoscenza:
ALL'UFFICIO COLLEGAMENTO
G A B I N E T T O

Si assicura di avere interessato, con di-
spaccio urgente del 15 corrente, i Procuratori
Generali di Bari e di Catanzaro affinché, nello
ambito della rispettiva competenza, diano raggua-
gli sulla vicenda giudiziaria che condusse al se-
questro dei tacchini indicati in oggetto e, quin-
di, della somma ricavata dalla lor vendita, e
provvedano, contemporaneamente, con la sollecitu-
dine del caso, in merito alla richiesta di co-
desta Commissione Alleata.-

Si riservano, perciò, ulteriori comunicazio-
ni.-

PER IL MINISTRO

29 OCT 1945

→ Italian Section

215A

HEADQUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

ES/cap

AG/4053/L

29 October 1945

SUBJECT : Carlo MARCHESIANI and Fausto PESCI
- 15 years old, held in Regina Coeli

TO : The Minister of Pardon and Justice

1. I wish to draw your attention to the case of the above two minors who were arrested by the British Royal Air Force Police in March 1945 on charges of conspiracy, attempted sabotage of an Allied military installation, possession of firearms, fascist activities, etc..

2. After their arrest the two youths were placed at the disposal of Italian authorities and later transferred to the Regina Coeli prison.

3. I am now advised that although more than six months have elapsed since the arrest the case has not yet been disposed of. You will no doubt agree that this delay is most unfortunate particularly in view of the age of the prisoners, and that steps should be taken to bring the case to a speedy termination.

4. It is urged that this case be brought to trial as quickly as possible bearing in mind that the Allied authorities only expect from the Italian Judges a fair trial and a judgment freely rendered as in the case of a felony committed against the Italian Armed Forces.

5. Would you be kind enough to inform me of the steps taken in this case.

JOHN K. WEBER,
Colonel, Infantry.,
Chief Legal Advisor.

Si accusa ricevuta della lettera della Commissione Alleata (Sottocommissione Legale) del 29 ottobre 1945, n. AC/4053/L, indirizzata al Ministro di Grazia e Giustizia.

Roma, 29 ottobre



Voddy on 10/11/45

51

*Receipt for attached letter
delivered by hand by H/Cpl. Boordaman.
0930 hrs 29/10/45*

0717

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

Ortals?

GMS

CC

$\frac{26}{10}$

Col. Weber - C.L.A.
I agree with
last para
of Col. Apost-
olo's report.
Will you pls
pass the word
to Ital. and

LIAISON OFFICER TO CHIEF COMMISSIONER
ALLIED COMMISSION HQMemo to the Chief Commissioner.

October 22 1945

Subject:- Carlo Merchelegiani & Fausto Pesci- 15 years old - arrested for Fascist activities on March 28 by R.A.F. police.

a) Visited Lt. Col. Millhouse (B). He is the Allied Liaison Officer to the Questura. He had all the evidence on the case which he let me see.

1. A man, who is also held, organized the plot. The two boys, with several others, were arrested on the following charges:- conspiracy, attempted sabotage, possession of firearms, ammunition, explosives, Fascist activities. These charges are based on detailed evidence and by a voluntary statement signed by each one of the boys. Their guilt results from both evidence and statements. In particular the two boys here stated, had the intention of crossing the front line to join the Fascist army and they received copies of clandestine Fascist paper "Onore" and distributed it; the boy Pesci contributed in fetching the mine and supplied the detonator to blow up a pipe line.

2. The boys were transferred to Regina Coeli on account of the serious charges against them, and also because they had caused trouble in the Mincm's prison in which they were held.

3. An Italian Court will have to set up the trial against them.

4. The opinion of Lt. Col. Millhouse is that nothing is to be done except to wait for the judgement of the Italian Court.

b) I also talked with Dr. Rodriguez, (I), who is assistant to Lt. Col. Millhouse

1. He told me, confidentially, his opinion on this case. He feels that the Italian Judges do not see what is the stand of the Allied Authorities. Is it a political or common case? Might it be considered as an example of the relations between Italy and the Allies, or as an example of the behaviour of the Italian Courts in rendering justice on cases of sabotage against Allied Military property, so that if they should take into account the fact that the war ended several months ago, the minor age of the boys, and rendered a mild verdict on some of the accused who resulted less guilty, might the Allies consider them severely? Or may they freely consider this case in the same way they would consider one of sabotage committed against Italian Military property?

2. He feels that the delay in setting up the trial is due to the uncertainty of the Judges on what would be the stand of the Allied Authorities, and if something could be done to clear up this point the case might be closed the earliest possible.

c) If you want to do something on this line Sir, in my opinion you could write a letter to the Minister of Justice or to the Prime Minister, urging for the performance of the trial and signifying that the Allied Authorities only expect from the Italian Judges a fair trial and a judgment freely rendered as if it would be a case of felony committed against the Italian Armed Forces.

APCSTOLO,
~~Lt. Gen. G. M.~~
~~L.O. to G.C. AG HQ.~~

2150

To : Rear Admiral Ellery STONE
Chief Commissioner, Allied Commission

Two mothers desperately anxious for the future of their sons during these last six months, are addressing you asking for an act of kindness, which in vain they waited from others.-

On the night of March 28, 1945, the R.A.F. Police arrested the boy Carlo MARCHEGIANI, 15 years, Rome, Corso Trieste 165, a student, saizing him at his own house.- And on same day the R.A.F. police arrested also an other boy Fausto PESCI, 15 years, Rome, Viale Mazzini 88, a student.-

Two days later Carlo Marchegiani was released, for want of evidence, but on 16 April, 1945 ne was newly arrested and impriso^{ned} in the local Allied Military prisons at Porta Portese with Fausto Pesci.-

Only on 20 July 1945 the two boys together with an other

an act of kindness, which in vain they waited from others.-

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Two days later Carlo Marchegiani was released, for want of evidence, but on 16 April, 1945 ne was newly arrested and imprisoned in the local Allied Military prisons at Porta Portese with Fausto Pesci.-

Only on 20 July 1945 the two boys together with an other boy of 15 years arrested on the same charges, Domenico Cortellesa, were transferred to Regina Coeli, and placed at the disposal of the Italian Authorities.-

Carlo Marchegiani and Fausto Pesci are charged to have contacted a group of boys suspected to be fascistis, some of them planning to explode an Allied pipe-line.-

Such action should be considered more as an act of boyish

imprudence and exuberance which could not result any damage or danger, owing to the means at their disposal and the inconstancy of their designs.- In any way that action, whose inconstancy clearly appears both on the point of view of right and social danger, can't be charged against Carlo Marchegiani and Fausto Pesci.- They never were exactly aware of what was being planned, that they did not take part in the attempt of sabotage planned and executed by Domenico Cortellezza together with his brother and Franco Ragnasco, (this latter still completely free).-

It is now six months that these three boys are languishing in prison, and their health and that of their parents and their studies are being affected, not to say of the great danger their moral education is exposed to while they are compelled to spend months of their youth among common prisoners.-

If you consider the fact from its proper side, i.e. as a boyshly action; if you consider that they were born and grew in an unfortunate period, in which the education given by the family was overrun as a matter of fact by that given by the past regime; if you consider that no social danger was brought about to the

not take part in the attempt of sabotage planned and executed by Domenico Cortellezza together with his brother and Franco Bagnasco, (this latter still completely free).-

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If you consider the fact from its proper side, i.e. as a boyshly action; if you consider that they were born and grew in an unfortunate period, in which the education given by the family was overrun as a matter of fact by that given by the past regime; if you consider that no social danger was brought about to the Allies who are so strong and superior to such boyshly ^{actions;} and last, if you value the immense harm by which the youths are affected owing to their situation we cannot have the slightest doubt that an act of generous justice be estimated most necessary by you and that you be willing to return these boys to their grieving famil

lies.-

Two unhappy mothers are begging you for such action of ge
nerous justice, in as much as war is over and victoriously won
by the Allies.-

Will you be willing to signify the Italian Authorities the
intention not to insist on such charges, considering moreover
that six months imprisonment could be regarded as a sufficient
punishment to the imprudent inconsideration of these boys.- An
act of generosity would affect more benevolently their minds
than an act of excessive rigour.-

Your decisive intervention appears to be most necessary
inasmuch the Judicial Italian Authorities, seem to be excessively
preoccupied by the fact that they have to deal with a charge made
by the Allied Forces, and therefore they are delaying any definitive
action to sentence and at last put an end such lamentable situ
ation.- The Procura del Regno should presently open the judici
cial inquiry.-

We have the confidence that you will be willing to consider
benevolently what we have referred you; will you understand the

0 7 2 6

that six months imprisonment could be regarded as a sufficient punishment to the imprudent inconsideration of these boys.- An act of generosity would affect more benevolently their minds than an act of excessive rigour.-

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We have the confidence that you will be willing to consider benevolently what we have referred you; will you understand the state of our minds and our anguish as we know that our sons, still so young and in need of our attention, are in very poor health conditions and deprived of any moral and material comfort.-

We beg you desperately; give us back our children, and we their mothers who are in the best position to influence their minds,

will inculcate them the same deepest everlasting sentiments of
gratitude for you and your Country than we will retain for all
our life.-

From before 1945

Polk Bros
Via Dakota Ave

M. ovata Marchegian
Cotso tuate, 165

Question - *What is the difference between a question and a statement?*

Corso Trieste, 165

at Liaison -
JTB, Washington

Question - 2nd 1/2

1/2

no less serious signs of unrest, more and districts of
faded intention to end the day and forest intention of plan

Chapman

Conspiracy - Attempt, sabotage - Removal of firearms, weapons, and
forest activities.

214A

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4053/L

26 October 1945

SUBJECT : CAPOTOSTI Lorenzo

TO : Procura Generale Militare.

R O M E

1. This Sub Commission is informed that the above mentioned has been tried and acquitted by the Military Tribunal of Bologna on 19th Oct 1945.

2. It seems that the approval of the Allied Commission has been requested for the release of the person in question.

3. As the case was tried in territory which has been restored such approval is not necessary.

4. Please take the necessary steps for the immediate release of the above mentioned.

MURGRAVE THOMAS
Italian Branch
for Chief Legal Advisor

214A

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4053/L

26 October 1945

SUBJECT : CAPOTOSTI Lorenzo

TO : Procura Generale Militare.

ROME

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MURGRAVE THOMAS
Italian Branch
for Chief Legal Advisor

MOVIMENTO PARTIGIANO

DIREZIONE CENTRALE

Largo Corrado Ricci - ROMA - Torre de' Conti

TELEFONO N. 61-426

Ufficio *Segreteria*

Prot. N. *1500.*

Roma, 23 Ottobre 1945

To the Allied Commission

R O M E

Capotosti Lorenzo was tried by the Military Tribunal of Bologna but was acquitted by verdict of the 19th of October 1945 and therefore he should have been set free; owing to excessive zeal, O.K. of the Allied Commission of Rome was requested.

The Capotostis have joined the partisans in their struggle against the Germans, and this is why Lorenzo Capotosti, although guiltless of the crime ascribed to him, was judged with benevolence and acquitted.

The "Movimento Partigiano" (Partisan Movement), through its General Secretary Col. Gustavo Dolfi - recommends the case of the a/m family - who have so much suffered and endured Hardships - to the Allied Commission, kindling asking to cable the Military Tribunal of Bologna in order to cause Lorenzo Capotosti to be set free at once.

The "Movimento Partigiano" thanks beforehand.

(Col. Dolfi)

2146

0732

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The "Movimento Partigiano" thanks beforehand.

(Col. Dolfi)

General Secretary of the National

Committee of the Partisan Movement

Dolfi



44/53

Roma 11 ottobre 1945

(213A)

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIOAlla COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGALE
ROMAUfficio 131/528/2070
Let. N°Risposta al f. del 20/8/1945
Dr. AC Leg. N° 4053/L.

OGGETTO Procedimento penale contro FASCETTI Renata di Armando.-

2628 R.F.

e, per conoscenza:

ALL'UFFICIO COLLEGAMENTO

GABINETTO

La Procura Generale presso la locale Corte di Appello ha comunicato che la causa indicata in oggetto, sarà discussa dinanzi la IX^a Sezione della locale Pretura unificata, all'udienza del 15 ottobre corrente, e che in base alle risultanze emerse non appare necessaria la presenza del tenente SMITH il quale perciò non sarà citato a comparire.-

Si comunicherà l'esito del giudizio.-

d'ordine del MINISTRO

Chief Counsel

C/O

Italian Section

CL RKS

5 OCT 1945

Luciano
Atty Gen. Fione
B.F. 3 Nov. Dell'Ure

212A

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB COMMISSION

AC/4053/L

/LN
22 October 1945

SUBJECT : Sequestration of Turkeys.
Case of Brettschneider, Moritz.

TO : C EPI, GH, GMP

1. Reference your letter No. CEFI/80/673 of 19 Oct 45.
2. A reminder was sent to the Minister of Justice on 6th October inquiring if the money in question had been released as requested by this Sub Commission's letter of 21 Sept 45.
3. A further endeavour will be made in order that instructions may be issued at once by the Minister for the release of the L 317,400.
For the Chief Commissioner.

MUSGRAVE THOMAS
Italian Branch
for Chief Legal Advisor

Incls :

Lc 217 A

NAVY, ARMY & AIR FORCE INSTITUTES

EXPEDITIONARY FORCE INSTITUTES

CENTRAL MEDITERRANEAN FORCES

CORRESPONDENCE
IN REPLY TO THIS
LETTERS SHOULD BE
ADDRESSED TO

C. EFI
HQ: EFI
AFHQ
C M F



TELEPHONES } 51486
52598
52452

PERSONAL LINE TO
C. EFI

BASEBALL 120

CABLES & TELEGRAMS

EFI Freedom

Ref. CEFT/SO/ Quoted
673.

Date 19th October, 1945.

HQ. Allied Commission,
A.P.O. 394.
Legal Sub-Commission.

Subject:- Sequestration of Turkeys. Case of Brettschneider, Moritz.

With reference to your AC/4053/L dated 20th September, 1945, you are advised that no communication has been received from the Procuratore del Regno at Cosenza with regard to the refund of 317,400 Lire due to EFI in respect of turkeys sequestered during 1944. It will be appreciated if you will follow this matter up.

[Signature]

Major
for C.EFI.GHQ.CMF.

c.c. File.

SP/ET.

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

210A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

/lc.
22 October 1945

SUBJECT : Paul COROSINE, French subject.

TO : AC. Liaison Officer, BARI.

1. Reference your letter No. LB/53/ of 15th October forwarding a report on the arrest of five persons, including Paul COROSINE, for larceny from the docks.

2. In a letter from the French Embassy in Rome, a copy of which was forwarded to you in our letter of 2nd Oct., it is stated that Paul Corosine is at present in the hands of the Italian Police and is liable upon being convicted to be punished with a minimum punishment of three years imprisonment, while three English members of the crew who took part in the same thefts, were punished by a British Court in Taranto with two months prison each.

3. In order to answer the French Embassy could you kindly inform this Sub-Commission if Corosine has been convicted, and if so, what was the sentence.

4. I would refer to para 2 of Lt. Col. Hannaford's letter to you of 2nd October on this matter (AC/4053/L), and would be glad of your views in reply to the inquiry made therein.

By command of Rear Admiral STONE:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

4-3
 0
 ALLIED COMMISSION
 LIAISON OFFICE
 B A R I

209A

October 15, 1945

SUBJECT: Paul Corosine, French
 Subject.

REF : LB/33/

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

203A

1. Reference yours AC/4053/L dated 2 October 45.
2. The attached reply received from APM HQ.54 Area is passed to you for perusal and return to this office.



G.M. Reveley

G.M. REVELEY, Major,
 Liaison Office,
 AC., Bari.

Chief Counsel

CIO

Italian Section

CL RKS

19 SEP 1945

SUBJECT:- PAUL ROSINE - French Subject

File No. LB/53

Liaison Officer

Asst Liaison Officer

TO:- Liaison Officer
Southern Region
Bari

Hq. Area CMF
APM/23/4/No.46
Tel. 14121
11 Oct 45

Reference your LB/53/141 of 8 Oct 45 addressed 181 Pro
Coy.

1. The investigations in this case were carried out by 62 Sec SIB and a copy of their report under ref. SIB/62/A/45/593 of - Aug 45 is enclosed herewith for perusal and return to this office.
2. All enclosures to your a/m letter are returned herewith.

E. O. Powell.

Major
Assistant Provost Marshal
(E. O. POWELL)

EOP/EM

RECEIVED

Ref. No. SIB/62/A/45/593.

62 Section. S.I.B.
C.M. Police. C.M.F.

Your Ref.

August 1945.

Subject:-- Persons in custody - Larceny from Docks.

(a) TORRENTE Ramon di Ramon and di Concetion
Saidago - Occupation - Greaser - Age 36
Residing at - No. 36. Puente Deneuve.
Coruna (SPAIN)

(b) DOMINGUEZ Tomas de Juane and di Teresa
Arranz. Occupation - Fireman - Age 26.
Residing at - Fernando el Catolico.
No. 24. Madrid. SPAIN.

(c) SCOPAZZI Giovanni di Domenico and fu
Antonla SCOPAZZI. Occupation - Fireman.
Age 31 yrs. - Born Aubona.
Residing at - Via Superiore, No. 33.
Aubona Port. Italy.

(a) MERU Angelo fu Salvatore and di
FERRARA Silverio - Born. Carleforte.
(Cagliari) Italy. on the 1st Aug. 1909.
Residing at - Via Regina Margherita.
No. 43. Sestio. (Cagliari) Italy.

(e) COROSINE Paul di Roland and di Aurore
Maurert - Occupation - Fireman. Age 21.
Born at Forte de France.
Residing at No. 24. Rue Perrinon. Forte
de France. French Martinique.

To.

The D.A.P.M.
62 Section. S.I.B.
C.M. Police. C.M.F.

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 20 1945	
FBI - NEW YORK	

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 20 1945	
FBI - NEW YORK	

20 AUG 1945
APM 30 11

[Handwritten signature]

H.O.A.C. 77

W. J. Campbell

✓
Antonio SORAZZI. Occupation - Fireman.
Age 34 yrs. - Born Albano.
Residing at - Via Superiore, No. 33.
Albano Port. Italy.

✓
(d) MERU Angelo di Salvatore and di
FERRARA Silverio - Born Carleforte.
(Cagliari) Italy. on the 1st Aug. 1909.
Residing at - Via Regina Margherita.
No. 43. Santio. (Cagliari) Italy.

✓
(e) COROSINE Paul di Rolana and di Aurore
Hambert - Occupation - Fireman. Age 21.
Born at Forte de France.
Residing at No. 24. Rue Perrinon. Forte
de France. French Martinique.

To. The D.A.P.M.
62 Section. S.I.D.
C.M. Police. C.M.F.

Read and submitted.

Sir,

I have to report that on the 31st
July, 1945, the above named were arrested on the
following charge :-

SMUGGLING - In that they at Bari, Italy,
on the 31st JULY 1945, did steal, take,
and carry away from Berth 15. Bari Port,
12 x 25 lbs boxes cube sugar, 44prs
snoes, 1 x 43 case tinned milk. 74 lbs
loose cube sugar. 50 lbs granulated sugar
the property of U.N.R.R.A. (ITALY) and
valued at £49 - 1 - 9. (19,635.Lire)

62 Section HEADQUARTERS A.C. CASE NO. 77

Distribution.
Reports and statements.

- DPM. 3 District.
- APM. 54 Area.
- Vice Consul's Office, Bari.
- NPM. Taranto.
- NOIC. Bari.
- Questura, Bari.
- (translated copy)
- File.

The accused now stand in arrest at the
Civil Prison, Bari., pending trial by the civil
Authorities.

Continued.....

Distribution. (Cont)Statements.

The facts leading up to the arrest of the accused are as follows:-

On the 28th. July 1945 the British ship S.S. OMEGA berthed at Bari Port. Subsequently the crew were given shore leave, and on returning they noticed that there was a large amount of ships cargo, consisting of sugar both granulated and cube, civilian shoes in cardboard boxes, and tinned milk, stacked in Berth 15.

On the night of the 30th. July 1945 whilst returning from shore leave, certain members of the ship crew, shown above, DIAS Carson Lee and Manuel J. Silva (British subject), decided to steal from the stack of food, etc, at Berth 15. Consequently after returning to the ship, they made frequent visits to this Berth, and each time brought back with sugar or shoes, and in one instance, a case of tinned milk, which they stowed in various places in their cabins.

At about 0130hrs. on the 31st July 1945, as a result of information received, in company with Cpl. BAYLIS of 181. (Porte) Provost Company, I kept observations, at a point between berth of S.S. OMEGA. About 0200hrs, I saw two civilians, walking towards Berth No. 12. One, Torrente RAMON, was carrying one box under his arm, the other DOMINGUEZ TOMAS was carrying boxes under his arm. I called to them to halt, which they did. On our approach, DOMINGUEZ dropped the boxes he had been carrying to the ground. I arrested them and upon examination of the boxes I saw that they contained cube sugar. Both these men were of Spanish Nationality but DOMINGUEZ spoke English. I cautioned him, and asked him for his identity, he replied "We are from the S.S. OMEGA".

I immediately went to the S.S. OMEGA, went aboard and requested permission to carry out a search. This was granted by the Officer of the watch who accompanied Cpl. BAYLIS and I during the search. The search was commenced in the firemen and greasers quarters, and in various parts of the cabins, in lockers and under beds etc. I found 12 cases of cube sugar, 1 case of tinned milk, and one open cardboard box containing about 37 lbs cube sugar. A further search revealed a suit case which also contained cube

181. (Torts) Provost Company, I kept observations, at a point between berth of S.S. OMEGA. About 0200hrs, I saw two civilians, walking towards Berth No. 12. One, Torrente RAMON, was carrying one box under his arm, the other DOMINGUEZ TOMAS was carrying boxes under his arm. I called to them to halt, which they did. On our approach, DOMINGUEZ dropped the boxes he had been carrying to the ground. I arrested them and upon examination of the boxes I saw that they contained cube sugar. Both these men were of Spanish Nationality but DOMINGUEZ spoke English. I cautioned him, and asked him for his identity, he replied "We are from the S.S. OMEGA".

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Continued.....

I arrested COROSINE, MEREU, and SCOPAZZI and I conducted them to the Ports Police Office. On arrival at this office, I saw DIAS Carson Lee, who had been arrested by a member of the Carabiniere, whilst hiding under a wrecked crane in Berth 14., and who had been found carrying a Sack, which upon examination proved to contain 12 prs of Shoes.

I placed the accused SCOPAZZI, MEREU, COROSINE, TORRENTE and DOMINGUEZ in the R. QUESTORA to be detained. DIAS I placed in the guardroom of 510 Provost Company. C.M.P. as he is a British subject.

Later the same date, I again visited the S.S. OMEGA., in the company of Cpl. BAYLISS., and carried out a further search of the ship, as it had been suggested that other members of the crew, had been concerned, but with no result. I there saw Manuel. J. SILVA. I arrested him, and conducted him to the 510. Provost Company Guardroom, as although SILVA is Portuguese, he signed on the ship on British Articles, and his home is at Cardiff.

Continuing my enquiries, I saw DIAS at the S.I.B. Office, where in the presence of Cpl. BAYLISS, I informed him of my identity, and said to him, "I am making enquiries, regarding the possession of shoes and sugar in your cabin. You are not obliged to say anything unless you wish to do so, but whatever you do say will be taken down in writing and may be given in evidence". He replied, "I will tell the truth". He then elected to make a statement, which I took down in writing and which after reading he signed.

I next interviewed MEREU Angelo, and through the medium of the official interpreter, I informed him who I was, the nature of my enquiries, and cautioned him. He replied, "I will tell everything". He then made a statement, which was taken down in writing by the interpreter, and after he had read it through, MEREU signed it.

On the 1st August 1945, I interviewed TORRENTE.

I there saw Manuel J. SILVA. I arrested him, and conducted him to the 510. Provost Company Guardroom, as although SILVA is Portuguese, he signed on the ship on British Articles, and his home is at Cardiff.

Continuing my enquiries, I saw DIAS at the S.I.B. Office, where in the presence of Cpl. BAYLISS, I informed him of my identity, and said to him, "I am making enquiries, regarding the possession of shoes and sugar in your cabin. You are not obliged to say anything unless you wish to do so, but whatever you do say will be taken down in writing and may be given in evidence". He replied, "I will tell the truth". He then elected to make a statement, which I took down in writing and which after reading he signed.

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On the 1st August 1945, I interviewed TORRENTE, DOMINGUEZ, COROSINE and SCOPAZZI. I saw them separately, in the presence of Cpl. BAYLISS, and an official interpreter. I made known my identity and the nature of my enquiry, and cautioned each of them. They all elected to make a statement which were taken down by the interpreter, and after each had read his own statement, he signed it. In the statements each man blames the other and indicates DIAS and SILVA as being the ringleaders.

On the 6th August 1945, I interviewed SILVA, who speaks English, but is unable to read or write it. I made attempts to procure the services of a Portuguese interpreter, but without success. I spoke to him and informed him who I was, the reason for my enquiry and then cautioned him, he replied, "I know I took something, but it was the drink that made me do it". He then made a statement which I took down

Continued.....

.....statement which I took down in English, I then went to the British Section of Bari Prison, where the statement was read over to him, by Ddr. MORRIS of 610. Regt. R.A., after which SILVA signed it.

On the 10th August 1945, I visited both the Italian and British wings of Bari Civil Prison, in company with an official interpreter. I then cross - served each of the accused, with copies of statements typed out in the language they understood. They were each cautioned, and made no reply, with the exception of SILVA, who after the statements had been read over to him and he had been cautioned, replied, "They don't like me and they are all putting the blame on me". I then charged DIAS and SILVA with the offence shown on page One. of this report. I later visited the Civil wing and cautioned and charged COROSINI, SCORAZZI, MEREU, TORRENTI and DOMINGUEZ. They made no reply.

Continuing the enquiry I interviewed, Mr. PUTINI., of U.N.R.R.A. (ITALY) who made a statement and identified the property as that of U.N.R.R.A. and valued at £49 - 1 - 9. I later interviewed Carabinieri BAX Antonio, who had arrested DIAS, and obtained a statement from him. (attached)

The property the subject of the charge is part of supplies, purchased from America, for the use of the Italian people, and is now retained at this office.

In the Field.
August 1945.

L.R. Coulson
.....Bergeant.
(L.R. COULSON.)
62. Section. S.I.B. C.M.F.

I.B. Headquarters.
1st August 1945.

Statement of :- Mr. C.A. PUTINI.
Port Traffic Officer.
U.N.N.R.A. (Italy)
A.P.O. 394.

States, I am Port Traffic Officer for U.N.N.R.A. (Italy) and on the 1st August 1945, I went to the S.I.B. Headquarters, where I was shown 12 cases, each containing 25 lbs of Cube sugar. There was also another larger box and a suit case, which together contained about 75 lbs of sugar. I also saw 444 lbs of shoes, which I identify as U.N.N.R.A. Cargo, unloaded from the S.S. MADINEY BROWN, at Berth 15. I value the shoes at 200 Lire per pair and the sugar at 25 Lires per pound.

The above is U.N.N.R.A. property and no one had any right to take it away.

Signed. C.A. PUTINI.

I have read over the above statement, it is true and correct.

Signed. C.A.P. UTINI.

Statement taken down read over and signature witnessed by Sgt. COULSON, of 62 Section S.I.B., at 1130hrs on the 1st August 1945, at S.I.B. Headquarters.

of sugar. I also saw 444 prs of shoes, which I identify as U.M.N.R.A. Cargo, unloaded from the S.S. HADLEY BROWN, at Berth 15. I value the shoes at 200 Lire per pair and the sugar at 25 lires per pound.

The above is U.M.N.R.A. property and no one had any right to take it away.

Signed. C.A. PUTINI.

I have read over the above statement, it is true and correct.

Signed. C.A. PUTINI.

Statement taken down read over and signature witnessed by Sgt. COULSON, of 62 Section S.I.B., at 1130hrs on the 1st August 1945, at S.I.B. Headquarters.

H.Q. S.I.B.
31st July 1945.

Statement of :- DIAS Carson Lee.

of S.S. OMEGA. Occupation. Fireman. Age. 23 years.
Home address.
George Town. Grand Cayman. British West Indies.
Identity Card. No. R.305353.

Who states,

I have been cautioned by Sgt. COULSON of 62 Section. S.I.B., that I am not obliged to say anything unless I wish to do so, but whatever I do say will be taken down in writing and may be given in evidence. To show that I understand this caution I sign my name.

Signed. Carson Lee DIAS.

I am a ships fireman on the British ship S.S. OMEGA, which I joined at Naples, Italy about two months ago. On the 28th July 1945, the ship arrived in Bari, with a cargo of coal. On the 30th July 1945, I went ashore at 1500 hrs and returned to the ship at 1700 hrs, where I had my tea. At 20.00 hrs the same date I again went ashore and visited the Garrison Theatre. I saw the performance which concluded at about 2200 hrs. I then made my way back to the ship, and arrived on board about 2245 hrs. I went to my cabin, and a few minutes later, I saw a greaser whom I know as Emanuele SILVA pass my cabin door, with about two dozen bottles of beer, which I recognised as being 'BECK'S'. I then changed my clothes and went on deck. I then saw Emanuele and a fireman whom I know as COROSINE go ashore. They were gone about half an hour, and as no one came back, I went ashore. I walked along the quay past Berth 13 towards the wrecked ship. COROSINE was carrying a case, which I knew contained boots, shoes, and Emanuele was carrying two cases of sugar. As I passed them Emanuele said, "There's plenty more boots down there". I passed them and came to the wrecked crane, where I saw a large number of cases of sugar, a case of boots, and a sack containing boots. I picked up the sack and carried it underneath the crane, where I opened it and examined the contents which were a doz. pair of mixed boots and shoes. Just then an Italian Policeman came along accompanied by a civilian. The Policeman then stacked the sugar neatly, and he then walked round the crane. I kept perfectly still for fear of being seen. The civilian then saw me and the Italian Policeman pointed his rifle at me, and ordered me to come out. I came out and together with the boots I was taken to the British Consulate.

minutes later, I saw about two dozen bottles of beer, which I my cabin door, with about two dozen bottles of beer, which I recognised as being 'EMMANUELS'. I then changed my clothes and went on deck. I then saw Emanuele and a fireman whom I know as COROSINE go ashore. They were gone about half an hour, and as no one came back, I went ashore. I walked along the quay past Berth 13 towards the wrecked ship. COROSINE was carrying a case, which I knew contained boots, shoes, and Emanuele was carrying two cases of sugar. As I passed them EMMANUELS said, "There's plenty more boots down there". I passed them and came to the wrecked crane, where I saw a large number of cases of sugar, a case of boots, and a sack containing boots. I picked up the sack and carried it underneath the crane, where I opened it and examined the contents which were a doz., pair of mixed boots and shoes. Just then an Italian Policeman came along accompanied by a civilian. The Policeman then stacked the sugar neatly, and he then walked round the crane. I kept perfectly still for fear of being seen. The civilian then saw me and the Italian Policeman pointed his rifle at me, and ordered me to come out. I came out and together with the boots, I was taken to the Ports Police Office, where I was handed over to Sgt. COULSON and Cpl. MAYLISS. I further wish to state that on the 29th July 1945, I worked EMMANUELS shift from 18.00hrs to 06.00hrs the following morning. He paid me 800 Lire to do this. During my tour of duty, I saw the smallest R.N. Gunner come on board come on board carrying a case of milk. A short while later I again saw him come aboard carrying another case of milk. I am very sorry that I took the boots and I have acted in rather a foolish manner.

Signed. Carson Lee DIAS.

The above statement has been read over to me, and I have had the opportunity of making any alteration or addition where necessary. It is made quite voluntarily.

Signed. Carson Lee DIAS.

Statement taken down read over and signature witnessed by Sgt. COULSON, 52 Section, S.I.B. in the presence of Cpl. MAYLISS of 181 (Ports) Provost Coy. at 2100hrs on 31st July 1945 at S.I.B. H.Q.

62 Section. S.I.B.
6th August 1945.

Statement of :- SILVA Manuel Joseph.

'S.S'. OMEGA.

Occupation. Greaser. Age. 36 yrs.
No. 36. Adelaide Street. Cardiff. Wales.

States,

I have been cautioned by Sgt. COULSON of the S.I.B. that I am not obliged to say anything unless I wish to do so, but whatever I do say will be taken down in writing and may be given in evidence. This statement has been read over to me and to show that I understand it I sign my name.

Signed. Manuel SILVA.

I am a ships greaser on board the S.S. OMEGA, which I joined at Barry Docks, Cardiff on the 19th September 1944. On the 28th July 1945, the ship arrived in Bari, Italy, with a cargo of coal. On the 30th July 1945, I finished work about 06.00 hrs and I then went to bed, and slept until about 10.00 hrs. I then went ashore, and I stayed ashore drinking until late in the evening. I then returned to the ship, where I met a member of the crew, whom I know as DIAS, who said to me, "Let's go down the quay and get something". I then accompanied DIAS along the quay to where a Greek ship was lying. I there saw a stack of sugar, boots and tinned milk. DIAS and I then took some of these, and moved them near to the wrecked ship. I then took three cases of sugar, and DIAS remained guarding the other stuff. I took the sugar to my cabin and returned to DIAS, who was waiting at the foot of the gangway. I took another case of sugar, and DIAS brought a case of boots and shoes, and a case of milk aboard, and we brought the lot to my cabin. After this knowing I had had too much to drink, I went to the boat deck, and slept. The first mate awoke me about 06.00 hrs on the morning of the 31st July 1945, and told me that the Military Police had been aboard, and searched the cabins, and had taken away the goods I had stolen, and he also told me to stay aboard ship until the M.P.'s returned, when they arrested me.

Signed . Manuel SILVA.

I have had the above statement read over to me, and I have had the opportunity to make any alteration or addition, where necessary. This statement is made voluntarily.

then went to bed, and slept until about 10.00. I then went ashore, and I stayed ashore drinking until late in the evening. I then returned to the ship, where I met a member of the crew, whom I know as DIAS, who said to me, "Let's go down the quay and get something". I then accompanied DIAS along the quay to where a Greek ship was lying. I there saw a stack of sugar, boots and tinned milk. DIAS and I then took some of these, and moved them near to the wrecked ship. I then took three cases of sugar, and DIAS remained guarding the other stuff. I took the sugar to my cabin and returned to DIAS, who was waiting at the foot of the gangway. I took another case of sugar, and DIAS brought a case of boots and shoes, and a case of milk aboard, and we brought the lot to my cabin. After this knowing I had had too much to drink, I went to the boat deck, and slept. The first mate awoke me about 06.00 hrs on the morning of the 31st July 1945, and told me that the Military Police had been aboard, and searched the cabins, and had taken away the goods I had stolen, and he also told me to stay aboard ship until the M.P.'s returned, when they arrested me.

Signed . Manuel SILVA.

I have had the above statement read over to me, and I have had the opportunity to make any alteration or addition, where necessary. This statement is made voluntarily.

Signed. Manuel SILVA.

Statement taken down in English and signature witnessed by me in the presence of Bdr. MORRIS. J. of 615 Regt. R.A. on 6th August 1945, at 14.00 hrs.

Signed. L.R. COULSON. Sgt.
62 Section. S.I.B.

Statement read over to Manuel SILVA, in English by me on 6th August 1945, at 14.10 hrs.

Signed. J. MORRIS. Bdr.

181 (arts) Provost Coy.
1st August 1945.

Statement of :--TOMAS DOMINGUEZ de Juana and de Teresa Arranz.
Occupation Fireman. Age 26 years.
Residence el Catolico No.24. Madrid. Spain.

States,

I have been cautioned by Sgt. COMBESON, 62 S.I.D. that I am not obliged to say anything unless I wish to do so, but that whatever I do say will be taken down in writing and may be given in evidence. To show that I understand this caution I sign my name.

Signed. TOMAS DOMINGUEZ.

I am a ships fireman at present employed aboard the S.S. OREGA. I joined the ship at Naples about one month and a half ago. The ship arrived in Bari on the 28th July 1945, and we berthed at No.12 Berth. About 00.15 hrs on the 31st July 1945, I returned to my ship from shore leave, and went to my cabin which is No.3, as I was doing so, I saw in No.2 Cabin a fireman whom I know as GIOVANNI he had a large amount of shoes in the cupboard. He gave to me a pair of shoes. Just a few moments before this, I had also had given a pair of shoes from a greaser whom I know as MANUEL. I then changed my clothes and a Frenchman a member of the crew said, "There's plenty of sugar on the quays". I then went to No.15 Berth where I took a box of sugar from a stack, and took it to my cabin. I there saw my friend RANON TORRONTI and I said to him, "There is plenty of sugar down on the quay". I then accompanied my friend back to No.15 Berth where RANON took one box and I took two more boxes of sugar. We then made our way back to the ship. We were about 100 metres from the ship, when we were stopped and arrested by the Military Police. I wish to state that I am very sorry that this has occurred, and had I known how serious it was, I would not have done it.

Signed/ TOMAS DOMINGUEZ.

I have read over the above statement and it is true and correct. I have had the opportunity to make any alteration or addition where necessary. This statement is made voluntarily.

Signed. TOMAS DOMINGUEZ.

gave to me a pair of shoes. Just a few moments before this, I had also had given a pair of shoes from a greaser whom I know as MANUEL. I then changed my clothes and a Frenchman a member of the crew said, "There's plenty of sugar on the quays". I then went to No. 15 Berth where I took a box of sugar from a stack, and took it to my cabin. I there saw my friend RANCH Torrente and I said to him, "There is plenty of sugar down on the quay". I then accompanied my friend back to No. 15 Berth where RANCH took one box and I took two more boxes of sugar. We then made our way back to the ship. We were about 100 metres from the ship, when we were stopped and arrested by the Military Police. I wish to state that I am very sorry that this has occurred, and had I known how serious it was, I would not have done it.

Signed/ TOMAS DOMINGUEZ.

I have read over the above statement and it is true and correct. I have had the opportunity to make any alteration or addition where necessary. This statement is made voluntarily.

Signed. TOMAS DOMINGUEZ.

Statement taken down read over and signature witnessed by me in the presence of Sgt. GULSON, 62 S.I.B. and Cpl. BAYLIS of 181 (Ports) Provost Company, at 14.00 hrs on the 1st August 1945 at Ports Provost Headquarters.

Signed.....

BARONI Fernando.

Official Interpreter.

I hereby certify that to the best of my belief and ability, this is a true translation from French into English of the statement made by TOMAS DOMINGUEZ.

Signed.....

BARONI Fernando.

Official Interpreter.

181 (2013) Provost.
1st. August 1945.

Statement of:- RAMON Torrente dl Ramon and dl Concepcion
Saldaña - Occupation Greaser - Age 36 -
Residing at Santiagoestino No. 36 -
Puente de Navas (Coruna) Spain.

States,

I have been cautioned by Sgt. COULSON of the S.I.B. that I am not obliged to say anything unless I wish to do so, but whatever I do say, will be taken down in writing and may be given in evidence. To show that I understand this caution I sign my name.

Signed. RAMON Torrente.

I am a Greaser employed aboard the S.S. OMAHA. I joined the ship at Naples, about 8 months ago. The ship arrived in Bari on the 28th. July 1945 and we berthed at No. 12 Berth. About 2355 hrs on the 30th. July 1945 I returned to the ship from shore leave, where I saw my friend DOMINGUEZ who said to me, "There is plenty of sugar on the quay." I accompanied DOMINGUEZ to Berth 15 where I saw a lot of cases of sugar. I took one and DOMINGUEZ took two cases. We then made our way back to the ship, and we were about 100 metres from the ship when we were stopped by the Military Police and arrested. Previously the same night when I entered my cabin, I saw that a greaser, whom I knew as MANUEL had a lot of shoes and two big cases in his cabin, but I do not know what was in the cases. On the 29th. July 1945 I saw that MANUEL had brought a case of milk into the cabin. I am very sorry that this happened and I think I took this case of sugar because I had had a little too much to drink.

Signed. RAMON Torrente.

I read over the above statement and it is true and correct. I have had the opportunity to make any alteration or addition where necessary. This statement is made voluntarily.

Signed. RAMON Torrente.

Statement taken down read over and signature witnessed by me in the presence of Sgt. COULSON, 62 S.I.B. and Cpl. BAYLISS of

shore leave, where I saw my friend DOMINGUEZ who said to me, "there is plenty of sugar on the quay." I accompanied DOMINGUEZ to Berth 15 where I saw a lot of cases of sugar. I took one and DOMINGUEZ took two cases. We then made our way back to the ship, and we were about 100 metres from the ship when we were stopped by the Military Police and arrested. Previously the same night when I entered my cabin, I saw that a greaser, whom I know as MANUEL had a lot of shoes and two big cases in his cabin, but I do not know what was in the cases. On the 29th. July 1945 I saw that MANUEL had brought a case of milk into the cabin. I am very sorry that this has happened and I think I took this case of sugar because I had had a little too much to drink.

Signed. RAMON Torrente.

I read over the above statement and it is true and correct. I have had the opportunity to make any alteration or addition where necessary. This statement is made voluntarily.

Signed. RAMON Torrente.

Statement taken down read over and signature witnessed by me in the presence of Sgt. COULSON, 62 G.I.B. and Cpl. DAVIES of 181 (Ports) Provost Coy. at 1445 hrs on the 1st. August 1945 At Ports Provost Headquarters.

Signed.
BARONI Fernando.
Official Interpreter.

I hereby certify that to the best of my belief and ability, this is a true and correct translation from Spanish into English of the statement made by RAMON Torrente.

Signed.
BARONI Fernando.
Official Interpreter.

121 (Porte) Provost Coy.
1st August 1945.

Statement of :- SCOPAZZI Giovanni di Domenico and fu
Antonio Scopazzi - Occupation Fireman -
Age 31 years - Born Ancona -
Residing Via Superiore, No. 33
Albano Port.

Who states,

I have been cautioned by Sgt. OUELSON of the
S.I.B. that I am not obliged to say anything unless I
wish to do so but whatever I do say will taken down in
writing and may be given in evidence. To show that I
understand this caution I sign my name.

Signed. SCOPAZZI Giovanni.

I am a fireman on board the ship B.A. OMEGA. On the 4th.
March 1945 I joined the ship at Sestio, Sardinia. On the
29th. July 1945 we arrived at Bari with a cargo of coal.
On the 30th. July 1945 at about 2400 hrs I arrived back
at my ship from shore leave, and I saw that a great many
members of the crew were carrying boxes and cases aboard,
which had been stolen from the docks. I also stole and
took a half sack of sugar containing about 30 kilos of
sugar, and about nine pairs of shoes. I put the shoes
in my overalls and went on board. When I got on board
I put the sugar in another sack and put it under the
stairs leading down to the seamen's cabins. The members
I saw stealing were COROSINI (a Frenchman), two Spaniards
and Dias, also a fireman named Romeno stole something
from the quayside.

Signed. SCOPAZZI Giovanni.

I have read over the above statement and it is true and
correct. I have had the opportunity to add or delete
where necessary. This statement is made voluntarily.

Signed. SCOPAZZI Giovanni.

I am a fireman on board the ship at Santid, Sardinia. On the March 1945 I joined the ship at Santid, Sardinia. On the 29th July 1945 we arrived at Bari with a cargo of coal. On the 30th July 1945 at about 2400 hrs I arrived back at my ship from shore leave, and I saw that a great many members of the crew were carrying boxes and cases aboard, which had been stolen from the docks. I also stole and took a half sack of sugar containing about 30 kilos of sugar, and about nine pairs of shoes. I put the shoes in my overalls and went on board. When I got on board I put the sugar in another sack and put it under the stairs leading down to the seamen's cabins. The members I saw stealing were COROSINI (a Frenchman), two Spaniards and Dias, also a fireman named Emanuele stole something from the quayside.

Signed. SCORAZZI Giovanni.

I have read over the above statement and it is true and correct. I have had the opportunity to add or delete where necessary. This statement is made voluntarily.

Signed. SCORAZZI Giovanni.

Statement taken down read over and signature witnessed by me in the presence of Sgt. COULSON, 62 S.I.B. and Capt. BAYLIS of 181 (Porta) Provost Company at 1530 hrs on the 1st August 1945 at Ports Provost Headquarters.

Signed

.....
BARONI Fernando.

Official Interpreter.

I hereby certify that to the best of my belief and ability, this is a true and correct translation from Italian into English of the statement made by SCORAZZI Giovanni.

Signed

.....
BARONI Fernando.

Official Interpreter.

TRANSLATION.

M.Q. S.I.B.

C.M. Police.

31st July 1945.

Statement of :- MURRU Angelo fu Salvatore and di
 NERUARA Silverio - Born Carloforte
 (Cagliari) on the 1st, August 1909
 Residing at No. 43 Via Regina Margherita
 Sestio. (Cagliari).

States,

I have been cautioned by Sgt. COULSON of 62 Section S.I.B., that I am not obliged to say anything, unless I wish to do so, but whatever I do say will be taken down in writing and may be given in evidence. To show that I understand this caution I sign my name.

Signed. MURRU Angelo.

I am a ships fireman on the S.S. OMBRA which I joined at Sestio (Dardania) on 22nd June 1945. On the 28th, July 1945 the ship arrived at Bari carrying a cargo of coal, and we berthed at No. 12 Berth. On the 30th, July 1945 at about 22.00 hrs, I was working when I was approached by a greaser whom I know as Emanuele, and whom I know to be of Portuguese nationality, who asked me to do his shift, as he had a job to do ashore. EMANUELE at once went ashore, and returned about half an hour later or perhaps three quarters of an hour. He called to me, and took me to his cabin, where I saw a big case of dark wood, a cardboard box, which was open containing shoes, and four boxes of sugar. He gave me one case of sugar and said to me, "Break it open". I opened this box, and put the contents in my valise, and I threw the box overboard. At about 22.30 hrs I saw an Italian fireman whom I know as SCOPAZZI Giovanni who was throwing shoes from a porthole into the corridor of the cabin. Regarding the sack of sugar which was found, SCOPAZZI Giovanni brought it on board on the 29th July 1945, carrying the sugar a bit at a time, until he had about 50 kilos. Regarding the two Spanish, RAMON TORRENTE a greaser and

I am a ships fireman on the S.S. Santa Fe. On the 28th. July 1945 Santo (Pardina) on 22nd June 1945. On the 28th. July 1945 the ship arrived at Bari carrying a cargo of coal, and we berthed at No. 12 Berth. On the 30th. July 1945 at about 22.00 hrs, I was working when I was approached by a greaser whom I know as Emanuele, and when I know to be of Portuguese nationality, who asked me to do his shift, as he had a job to do ashore. EMANUELE at once went ashore, and returned about half an hour later or perhaps three quarters of an hour. He called to me, and took me to his cabin, where I saw a big case of dark wood, a cardboard box, which was open containing shoes, and four boxes of sugar. He gave me one case of sugar and said to me, "Break it open". I opened this box, and put the contents in my valise, and I threw the box overboard. At about 22.30 hrs I saw an Italian fireman whom I know as SCOPAZZI Giovanni who was throwing shoes from a porthole into the corridor of the cabin. Regarding the sack of sugar which was found, SCOPAZZI Giovanni brought it on board on the 29th July 1945, carrying the sugar a bit at a time, until he had about 50 Kilos. Regarding the two Spanish, RAMON TORRENTE a greaser and TOMAS DOMINGUEZ a fireman, I saw them bring on board ship a box of sugar each. They then went ashore again, and they did not return.

Signed. NEREU Angelo.

The above statement has been read over to me, and I have had the opportunity to make any alteration or addition where necessary, it is true and correct, and is made voluntarily.

Signed. NEREU Angelo.

Statement taken down, read over, and signature witnessed by me, in the presence of Sgt. COULSON, 62 S.I.B. and Cpl. BAYLISS of 181 (Ports) Provost Company at 22.00 hrs on the 31st. July 1945 at S.I.B. headquarters.

Signed Fernando MARONI.
Official Interpreter.

I hereby certify that to the best of my belief and ability, this is a true and correct translation from Italian into English, of the statement made by NIREU Angelo.

Signed.....

(Baroni Fernando)

Official Interpreter.
62 Section. E.I.B.

181 (Ports) Provost.
1st August 1945.

Statement of :- COROSINE Paul di Roland and di
Aurore Lambert - Occupation Fireman -
Age 21 years. Born at Forte de France.
Residing at No. 24, Rue Perrinon -
Forte de France, Martinique.

Who states,

I have been cautioned by Sgt. COULSON of the
S.I.B. that I am not obliged to say anything unless I wish
to do so, but that whatever I do say will be taken down in
writing and may be given in evidence. To show that I under-
stand this caution I sign my name.

Signed. COROSINE Paul.

I am a fireman aboard the S.S. QUENGA, which I joined at
Naples on 12th May 1945. The ship arrived at Bari on the
28th. July 1945, carrying a cargo of coal. On the night of
the 30th July 1945, about 21.00 hrs, I walked along the
Quay, and I there saw some sugar. I took a box and a half
and I took it on board ship to my cabin. In the early
hours of the morning of the 31st. July 1945, my cabin was
searched, by the Military Police and the sugar recovered.
I would like to state that when I went near the place
where the sugar was stacked the Italian guards told me
that if I wanted some, they would look the other way.

Signed. COROSINE Paul.

I have read over the above statement, it is true and correct,
and I have had the opportunity to add or delete where
necessary. This statement is made voluntarily.

Signed. COROSINE Paul.

Statement taken down read over and signature witnessed
by me in the presence of Sgt. COULSON, S.I.B. and Col
MAYNARD of 181 (Ports) Provost.

naples on 12th May 1945. The ship arrived at Bari on the 28th. July 1945, carrying a cargo of coal. On the night of the 30th July 1945, about 21.00 hrs, I walked along the Quay, and I there saw some sugar. I took a box and a half and I took it on board ship to my cabin. In the early hours of the morning of the 31st. July 1945, my cabin was searched, by the Military Police and the sugar recovered. I would like to state that when I went near the place where the sugar was stacked the Italian guards told me that if I wanted some, they would look the other way.

Signed. COROSINE PAUL.

I have read over the above statement, it is true and correct, and I have had the opportunity to add or delete where necessary. This statement is made voluntarily.

Signed. COROSINE PAUL.

Statement taken down read over and signature witnessed by me in the presence of Sgt. COULSON, 62 A.E.B. and Cpl. BAYLIS of 101 (Forbes) Provost Company at 1700 hrs. on the 1st August 1945 at Forts Provost Headquarters.

Signed.....

BARONI Fernando.

Official Interpreter.

I hereby certify that to the best of my belief and ability this is a true and correct translation from French into English of the statement made by COROSINE PAUL.

Signed.....

BARONI Fernando.

Official Interpreter.

62 Section, S.I.B.
11th August 1945.

Statement of :- No. 5079162, CPL. BAYLESS, E.
181. (Port.) Provost Company,
C.M. Police. C.M.T.

states,

On the 31st July 1945, as a result of information received, in company with Sgt. COULSON of 62 Section, S.I.B. I kept observations on the quays at Port Fort. About 02.00 hrs I saw two civilians whom I know now to be TOMAS DOMINGUEZ and RAMON TORRENTE of the S.S. OMEGA. TORRENTE was carrying a box under his arm, and DOMINGUEZ was carrying a box under each arm. Sgt. COULSON called on them to 'Halt' which they did. We then went up to them, and I saw that DOMINGUEZ had dropped the boxes he had been carrying, and they were lying on the ground. On examining the boxes, I found that they contained cube sugar, and that the boxes were similar to those stacked on No. 15 Berth. Sgt. COULSON then said to DOMINGUEZ, who spoke ENGLISH, "You are not obliged to say anything unless you wish to do so, but whatever you do say will be taken down in writing and may be given in evidence, I would like you to show me your identity". DOMINGUEZ replied, "We are from the S.S. OMEGA".

In company with Sgt. COULSON, I went to Berth 12, where we went aboard the S.S. OMEGA. Permission to carry out a search of the ship was granted by the officer of the watch. In his presence Sgt. COULSON and I searched the Firemen's and Greaser's quarters, and in the cabins occupied by DOMINGUEZ, TORRENTE, CORCOINE, SCOPAZZI, MURRU, DIAS and GLIVA, we found hidden in various places 9 x 25 lb boxes of cube sugar, 1 x 46 case tinned milk, 1 large cardboard box, containing about 37 lb cube sugar. A suit case containing about 37 lb cube sugar was identified by MURRU as his property. The above property was confiscated.

CORCOINE, SCOPAZZI and MURRU were present during the search and when questioned by Sgt. COULSON, admitted being concerned in stealing the above property. The search was continued and underneath the steps leading from the Firemen's Quarter, to the deck we found 32 pairs of shoes, and a sack containing approx. 50 lbs loose sugar. This was also confiscated.

Berth. Sgt. COULSON then told to DOMINGUEZ, who spoke Spanish, "You are not obliged to say anything unless you wish to do so, but whatever you do say will be taken down in writing and may be given in evidence, I would like you to show me your identity". DOMINGUEZ replied, "We are from the S.S. OMEGA".

In company with Sgt COULSON, I went to Berth 12, where we went aboard the S.S. OMEGA. Permission to carry out a search of the ship was granted by the officer of the watch. In his presence, Sgt. COULSON and I searched the Foremast and Foremast quarters, and in the cabin occupied by DOMINGUEZ, TORRENT, COROZINE, SCOPAZZI, MEREU, DIAS and SILVA, we found hidden in various places 9 x 25 lb boxes of cube sugar, 1 x 46 case tinned milk, 1 large cardboard box, containing about 37 lbs cube sugar. A suit case containing about 37 lbs cube sugar was identified by MEREU as his property. The above property was confiscated.

COROZINE, SCOPAZZI and MEREU were present during the search and when questioned by Sgt. COULSON, admitted being concerned in stealing the above property. The search was continued and underneath the steps leading from the Foremast Quarters, to the deck we found 32 prs of shoes, and a sack containing approx. 50 lbs loose sugar. This was also confiscated.

Sgt. COULSON and I then conducted the three members of the crew referred to above and the property recovered to the Forts Police Office. At the Forts Police Office, I saw DIAZ Carlos Lee another member of the crew of the S.S. OMEGA together with 12 prs of shoes. The shoes and DIAZ was handed over to us by the Carabiniere.

In the afternoon of the 31st July 1945, I again accompanied Sgt COULSON to the S.S. OMEGA, where M.J. SILVA was arrested.

The above named persons, with the exception of SILVA and DIAZ, who were placed in the town guardroom, were placed under arrest in the R. QUESTURA.

Continued.....

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The same date, I was present in the G.I.E. Office, when DIAZ was interviewed. Sgt. COULSON said to him, "I am a sergeant of the G.I.E., I am making enquiries, regarding the possession of shoes by you, and also sugar found in your cabin. You are not obliged to say anything unless you wish to do so, but whatever you do say will be taken down in writing and may be given in evidence". DIAZ replied, "I will tell the truth". He then elected to make a statement, which the sergeant took down in writing, and which after reading DIAZ signed.

MEYER was next interviewed, and through the medium of the official interpreter, Sgt. COULSON informed him of his identity, and said to him, "I am making enquiries regarding shoes and sugar found in your cabin". He was then cautioned and replied through the interpreter, "I will tell everything". He then made a statement which was taken down in writing by the interpreter, and which after reading he signed.

On the 1st August 1945, I was present at the Port. Provost, when TORRENT was interviewed, through the medium of an official interpreter. The sergeant made known his identity and said to him, "I am making enquiries, as to how an amount of cube sugar and shoes came to be in your possession. TORRENT replied after being cautioned, "I will tell you all I know". He then made a statement which was taken down by the interpreter, which after reading he signed.

Next DOMINGUEZ was seen, and through the interpreter Sgt. COULSON told him who he was, and said to him, "I am making enquiries, as to how you came to have a certain amount of sugar and shoes, in your cabin aboard the G.S. OMEGA". He was then cautioned, and replied, "I took some but there were others as well". He then elected to make a statement which at his request was taken down in French, by the interpreter, and which after reading DOMINGUEZ signed.

GOPEAZZI was next interviewed in my presence, and through the interpreter, Sgt. COULSON, told him who he was, and the nature of his enquiries. He was then cautioned, and he replied, "I took some shoes and sugar and I admit it". He then made a statement, which he signed after reading it.

On the 1st August 1945, I was present at the Provost, when TORRENT was interviewed, through the medium of an official interpreter. The sergeant made known his identity and said to him, "I am making enquiries, as to how an amount of cube sugar and shoes came to be in your possession. TORRENT replied after being cautioned, "I will tell you all I know". He then made a statement which was taken down by the interpreter, which after reading he signed.

Next DOMINGUEZ was seen, and through the interpreter Sgt. COULSON told him who he was, and said to him, "I am making enquiries, as to how you came to have a certain amount of sugar and shoes, in your cabin aboard the S.S. OMEGA". He was then cautioned, and replied, "I took some but there were others as well". He then elected to make a statement which at his request was taken down in French, by the interpreter, and which after reading DOMINGUEZ signed.

GOFAZZI was next interviewed in my presence, and through the interpreter, Sgt. COULSON, told him who he was, and the nature of his enquiries. He was then cautioned, and he replied, "I took some sugar and sugar and I admit it". He then made a statement, which he signed after reading it.

Later, in my presence CORCORAN was interviewed, and through the medium of the interpreter, he was informed of Sgt. COULSON's identity, and the reason for the interview, he was then cautioned and he replied, "I had it given to me by EMANUEL". He then elected to make a statement which was taken down in the French language, and which after he read over he signed.

In the Field.

11th August 1945.

..... *E. Bayliss* ... Cpl.

(E. BAYLISS)

181. Port, Provost Company, C.M.P.

62 Section. S.I.D.
11 August 1945.

Statement of No. 849157. Sgt. L.R. COULSON.

62 Section. S.I.D.
C.M. Police. C.M.F.

States,

On the 31st July 1945, as a result of information received, in company with Cpl. BAYLISS of 181 (Ports) Provost Company, I kept observations on the quays at Bari Port. About 02.00hrs, I saw two civilians, whom I now know to be THOMAS DOMINGUEZ and RAMON TORRENTE of the ship S.S. OMEGA. TORRENTE was carrying a box under his arm, and DOMINGUEZ a box under each arm. I called on them to halt, which they did. Cpl. BAYLISS and I went up to them, and I saw that DOMINGUEZ had dropped the boxes he had been carrying, to the ground. Upon examination of the boxes, I found they contained sugar similar to that stacked on No. 15 Berth. I said to DOMINGUEZ, who spoke English, "You are not obliged to say anything unless you wish to do so, but whatever you do say will be taken down in writing, and may be given in evidence, I would like you to show me your identity". DOMINGUEZ replied, "We are from the S.S. OMEGA."

In company with Cpl. BAYLISS, I then went to Berth No. 12, I went aboard the S.S. OMEGA and requested permission to carry out a search of the ship. This was granted by the Officer on duty. In his presence I searched the Firemen's and Greasers quarters, and in the cabins occupied by, DOMINGUEZ, TORRENTE, COROSINE, SCOPAZZI, MEREU, DIAS and SILVA, I found hidden in various places, 9 x 25lbs boxes of cube sugar, 1 x 48 case tinned milk, 1 large cardboard box, containing about 37 lbs cube sugar. A suit case containing about 37 lbs cube sugar was identified by MEREU as his property. The above property I confiscated

COROSINE, SCOPAZZI and MEREU were present during the search and when questioned by me, admitted taking some of the above property. I continued the search and found 32 prs of shoes and a sack containing approx. 50 lbs loose sugar, which I found hidden behind the steps leading to the deck. This I also confiscated.

say anything unless you want to, and may be given
do say will be taken down in writing, and may be given
in evidence, I would like you to show me your identity".
DOMINGUEZ replied, "We are from the S.S. OMEGA."

In company with Cpl. BAYLISS, I then went to Berth
No. 12, I went aboard the S.S. OMEGA and requested permission
to carry out a search of the ship. This was granted by
the Officer on duty. In his presence I searched the
Firearms and Greasers quarters, and in the cabins
occupied by, DOMINGUEZ, TORRENT, COROSINS, SCOPAZZI, MERU,
DIAS and SILVA, I found hidden in various places, 9 x 25lbs
boxes of cube sugar, 1 x 43 case tinned milk, 1 large
cardboard box, containing about 37 lbs cube sugar. A suit
case containing about 37 lbs cube sugar was identified
by MERU as his property. The above property I confiscated

COROSINS, SCOPAZZI and MERU were present during
the search and when questioned by me, admitted taking
some of the above property. I continued the search and
found 32 prs of shoes and a sack containing approx.
50 lbs loose sugar, which I found hidden behind the
steps leading to the deck. This I also confiscated.

I then went to the Ports Police Office, where I
saw DIAS Carson Lee, and 12 pairs of similar shoes. DIAS
together with the shoes was handed over to me by a
member of the C.C.R.R.

On the 31st July 1945, I returned to the S.S. OMEGA
and arrested M.J. SILVA.

The above named persons, with the exception of
SILVA and DIAS, whom I placed in the Town Guardroom, I
placed under arrest in the R. QUESTURA.

Continued.....

The same day I saw DIAS at the S.I.B. office, I said to him, "I am a Sergeant of the S.I.B. I am making enquiries regarding the possession of shoes by you, and also sugar found in your cabin. You are not obliged to say anything unless you wish to do so, but whatever you do say will be taken down in writing and may be given in evidence." He replied, "I will tell the truth". He then elected to make a statement which I took down in writing, and which after reading he signed.

I next interviewed MEREU, through the medium of the official interpreter, I informed him who I was, and said to him, "I am making enquiries regarding shoes and sugar found in your cabin. I then cautioned him. He replied, through the interpreter, "I will tell everything". He then made a statement which was taken down in writing by the official interpreter, and which after reading he signed.

On the 1st August 1945, I went to the Ports Provost where in the presence of Cpl. BAYLISS, and the official interpreter, I saw TORRENTE. I made known my identity and said to him, "I am making enquiries, as to how an amount of cube sugar, and shoes came to be in your possession". I then cautioned through the interpreter and he replied, "I will tell you all I know". He then made a statement which was taken down in Spanish by the official interpreter.

I next saw DOMINGUEZ, and through the interpreter I told him who I was, and said to him, "I am making enquiries, as to how you came to have a certain amount of sugar and shoes, in your cabin aboard the S.S. OMEGA". He was then cautioned by the interpreter, and he replied, "I took some but there were others as well". He then made a statement which at his request was taken down in the French language by the interpreter, and which after reading DOMINGUEZ signed.

I then saw SCOPAZZI, and through the Interpreter I told him who I was and the nature of my enquiry, I then cautioned him, and he replied, "I took some". He then elected to

On the 1st August 1945, I went to the Ports Provost where in the presence of Cpl. BAYLISS, and the official interpreter, I saw TORRENTE. I made known my identity and said to him, "I am making enquiries, as to how an amount of cube sugar, and shoes came to be in your possession". I then cautioned through the interpreter and he replied, "I will tell you all I know". He then made a statement which was taken down in Spanish by the official interpreter.

I next saw DOMINGUEZ, and through the interpreter I told him who I was, and said to him, "I am making enquiries, as to how you came to have a certain amount of sugar and shoes, in your cabin aboard the S.S. OMEGA". He was then cautioned by the interpreter, and he replied, "I took some but there were others as well". He then made a statement which at his request was taken down in the French language by the interpreter, and which after reading DOMINGUEZ signed.

I then saw SCOPAZZI, and through the Interpreter I told him who I was and the nature of my enquiry, I then cautioned him, and he replied, "I took some shoes and sugar, and I admit it". He then elected to make a statement which was taken down in the Italian language, and which after reading he signed.

Later this date, I interviewed COROSINE and through the medium of the interpreter, I made known my identity and the reason for my interview, and I then cautioned him, and he replied, "I had it given to me by EMANUELE". He then made a statement which was taken down in the French language by the Interpreter. COROSINE then read the statement over and signed it.

On the 6th August 1945, I interviewed SILVA, I said to him, "I am a Sergeant of the S.I.B. and I am making enquiries regarding the Sugar, Milk and shoes, which I have recovered from your cabin". I then cautioned him, and he replied, "I know I took something, but it was the drink that made me do it".

it was the drink that made me do it". We then elected to make a statement, which I took down in English. As I was unable to obtain the services of a Portuguese interpreter, and the accused was unable to read the statement, the statement was read over to him, at the British section of the civil Prison, by Brd. MORRIS of 6102 Regt. R.A. The accused then signed the statement.

On the 10th August 1945, I visited both the Italian and British wings of the Civil Prison, Bari, in company with an official interpreter. I then served each of the accused with a copy of each others statement, typed in the language they understood. They were each cautioned, and they made no reply, with the exception of SILVA, who said, "They don't like me, and they are all putting the blame on me".

I then interviewed the prisoners again. I cautioned them and said to them, "You will be charged, with, that you were concerned together with others now in custody, in that you at Bari, on the night of the 30th - 31st July 1945, did steal, 12 cases cube sugar, 74 lbs of loose cube sugar, 1 x 48 case tinned milk, 44 prs of shoes, 50 lbs Granulated sugar, the property of U.N.R.R.A. (Italy) and valued at £49 - 1 - 9." They made no reply.

In the Field.
11th August 1945.

..... *L.R. Coulson* sergeant.
(L.R. COULSON.)
62 Section. S.I.B. C.M.P.

Form No. J 1-4

S.I.B./62/A 5/593.

Prof. N.

A.D. 202

ALLIED COMMISSION COMMISSIONE ALLEATA

Form to be completed on arrest of a prisoner who is to be brought before a Court for trial

Modulo che deve essere riempito all'atto dell'arresto di un prigioniero che deve essere
tradotto dinanzi ad un Tribunale.

IF, ON ARREST, the prisoner is taken before a military, naval or air force officer or N. C. O., this form must be completed by the person making the arrest and countersigned by the officer or N. C. O. On completion it will be handed over together with the prisoner to the Carabinieri or other person detaining the prisoner until he is brought to trial.

IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks this form must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto dinanzi ad un ufficiale o N. C. O. dell'Esercito, della Marina o dell'Aviazione, il presente modulo deve essere riempito dalla persona che opera l'arresto e controfirmato dall'Ufficiale o dal N. C. O. Quando è stato completato dovrà essere consegnato insieme al detenuto ai Carabinieri o ad altra persona che abbia custodia del detenuto finché egli non venga tradotto in giudizio.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella Caserma stessa dalla persona che ha operato l'arresto, e lasciato ai Carabinieri.

CORONIE Paul di Roland e di Aurore Humbert.

Name of Person Arrested: Born Forte de France - 1924.

Nome della persona arrestata:

No. 24. Rue Perrinon, Forte de France. French Martinique.

Address of person arrested:

Indirizzo della persona arrestata:

Name, Rank, Number and unit or organization of Person making arrest:
Nome, Grado, Numero e unità di organizzazione della persona che opera l'arresto:

L. R. COULSON, Sergeant, No. 319157. 62 Section, S.I.F. C.M. Police.

On completion it will be handed over together with the prisoner to the Carabinieri or other person detaining the prisoner until he is brought to trial.

IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks this form must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto dinanzi ad un ufficiale o N. C. O. dell'Esercito, della Marina o dell'Aviazione, il presente modulo deve essere riempito dalla persona che opera l'arresto e controfirmato dall'Ufficiale o dal N. C. O. Quando è stato completato dovrà essere consegnato insieme al detenuto ai Carabinieri o ad altra persona che abbia custodia del detenuto finché egli non venga tradotto in giudizio.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella Caserma stessa dalla persona che ha operato l'arresto, e lasciato ai Carabinieri.

COROGNE PAUL di Roland e di Amore Humbert.
Name of Person Arrested: Born Forte de France, 1924.
Nome della persona arrestata:

No. 24. Rue Ferriniou, Forte de France, French Martinique.
Address of person arrested: Indirizzo della persona arrestata:

Name, Rank, Number and unit or organization of Person making arrest:
Nome, Grado, Numero e unità di organizzazione della persona che opera l'arresto:
L. A. COULSON, Sergeant, No. 319157, 62 Section, S.I.T. C.N. Police.

CHARGE: (Such as (a) interfering with communications by cutting wire, (b) being in unlawful possession of firearms, (c) acquiring by gift or purchase any military equipment or war material belonging to the Allied Forces).

ACCUSA: (Come per esempio (a) interrompere le comunicazioni tagliando un filo, (b) era in illecito possesso di armi da fuoco, (c) otteneva in dono o per acquisto un capo di vestiario militare o un oggetto di materiale bellico appartenente alle Forze Alleate).

Stealing - In that he at Bari on the night of the 30th - 31st July 1945, was concerned together with others now in custody, in stealing from Berth No. 15, Bari Docks, 12 x 25 lbs and 75 lbs Cube sugar, 50 lbs Granulated Sugar 48 Tins Milk and 44 prs of Shoes, the property of U.N.R.R.A. and valued at 249 - 1 - 9. (19,635 Lire)

STATEMENT OF FACTS:

(Describe simply in the first person, that is using the form of words "I saw... I heard... I said..." or "We heard... we said..." the facts which caused you to make the arrest. Example: At 1400 hours on 21st May 1943 I was on patrol duty at X when I saw the accused crouching behind a hedge cutting a piece of wire. As soon as he saw me he ran away. I chased and captured him then took him back to the spot where I had seen him crouching. There I found that a length of wire, about 30 feet, had been cut and was lying on the ground. The wire was British wire or American wire or as the case may be".)

DESCRIZIONE DEL REATO:

(Si esponga brevemente la prima persona, usando le parole "lo ho visto... ho udito... ho detto..." oppure "Noi abbiamo visto... abbiamo udito... quale è il motivo che ha spinto ad operare l'arresto. Esempio: "Alle ore 14 del 21 Maggio 1943 mentre ero di servizio io vidi l'accusato accovacciato dietro una siepe e intento a tagliare un tratto di filo. Appena egli mi vide si diede alla fuga. Io lo inseguii, lo catturai e lo ricondussi sul luogo dove lo avevo visto accovacciato. Colà io trovai un tratto di filo, della lunghezza di circa 30 piedi, era stato tagliato e giaceva in terra. Il filo era di fattura inglese o di fattura americana o altra a secondo del caso).

AT 03.30 hours on 31st July 1945 (Month) (Year)

ALLE ORE del giorno del mese dell'anno

I We,
Io Noi.

Report to follow as soon as investigations are completed.

Signed... *L.R. Coulson*

(L.R. COULSON)

62 Section. S.I.B.

S.I.B./62/A 5/593.

Prot. N.

Form No. 112

A.D. 016.

ALLIED COMMISSION
COMMISSIONE ALLEATA

202

Form to be completed on arrest of a prisoner who is to be brought before a Court for trial

Modulo che deve essere riempito all'atto dell'arresto di un prigioniero che deve essere tradotto dinanzi ad un Tribunale.

IF, ON ARREST, the prisoner is taken before a military, naval or air force officer or N. C. O., this form must be completed by the person making the arrest and countersigned by the officer or N. C. O. On completion it will be handed over together with the prisoner to the Carabinieri or other person detaining the prisoner until he is brought to trial.

IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks this form must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto dinanzi ad un ufficiale o N. C. O. dell'Esercito, della Marina o dell'Aviazione, il presente modulo deve essere riempito dalla persona che opera l'arresto e controfirmato dall'Ufficiale o dal N. C. O. Quando è stato completato dovrà essere consegnato insieme al detenuto ai Carabinieri o ad altra persona che abbia custodia del detenuto finché egli non venga tradotto in giudizio.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella Caserma stessa dalla persona che ha operato l'arresto, e lasciato ai Carabinieri.

COROSIE Paul di Roland e di Autore Humbert.

Name of Person Arrested: Donn Forte de Franco . 1924.
Nome della persona arrestata:

Address of person arrested:
Indirizzo della persona arrestata:

No. 24. Rue Ferninou, Forte de Franco. French Martinique.

Name, Rank, Number and unit or organization of Person making arrest:
Nome, Grado, Numero e unità di organizzazione della persona che opera l'arresto:

0776

IF, ON ARREST, the prisoner is taken before a military, naval or air force officer or N. C. O., this form must be completed by the person making the arrest and countersigned by the officer or N. C. O. On completion it will be handed over together with the prisoner to the Carabinieri or other person detaining the prisoner until he is brought to trial.

IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks this form must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

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SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella Caserma stessa dalla persona che ha operato l'arresto, e lasciato ai Carabinieri.

COROSINE Paul di Roland e di Aurore Humbert.
Name of Person Arrested: Born Forte de France, 1924.
Nome della persona arrestata:

No. 24. Rue Ferrillon, Forte de France. French Martinique.
Address of person arrested:
Indirizzo della persona arrestata:

Name, Rank, Number and unit or organization of Person making arrest:
Nome, Grado, Numero e unità di organizzazione della persona che opera l'arresto:
L.R. COULSON, Sergeant, No. 319157, 62 Section, S.I.B. C., Police.

CHARGE: (Such as (a) interfering with communications by cutting wire, (b) being in unlawful possession of firearms, (c) acquiring by gift or purchase any military equipment or war material belonging to the Allied Forces).

ACCUSA: (Come per esempio (a) interrompeva le comunicazioni tagliando un filo, (b) era in illecito possesso di armi da fuoco, (c) otteneva in dono o per acquisto un capo di vestiario militare o un oggetto di materiale bellico appartenente alle Forze Alleate).

Stealing - In that he at Bari on the night of the 30th - 31st July 1945, was concerned together with others now in custody, in stealing from Berth No. 15, Bari Docks, 12 x 25 lbs and 75 lbs Cube sugar, 50 lbs Granulated Sugar 48 Tins Milk and 44 prs of Shoes, the property of U.N.R.R.A. and valued at £49 - 1 - 9. (19,635 Lire)

0777

SKETCH: (if necessary clearer understanding of case)
DISEGNO: (quando sarà necessario per la migliore esposizione del caso)

Name of witnesses, giving rank and number if service personnel and address if civilians.
Nome dei testimoni, indicando il grado e il numero se persone di servizio, l'indirizzo se civili.

CPL. BAWLISS. 181. (Ports) Provost Company. C.I.P.

31

R. Coulson

Sergeant.

1. Signature of person making arrest:
1. Firma della persona che opera l'arresto: (R. COULSON.)

Name of witnesses, giving rank and number if service personnel and address if civilians.
 Nome dei testimoni, indicando il grado e il numero se persone di servizio, l'indirizzo se civili.

Cpl. BAYLESS. 121. (Fortis) Provost Company. C.M.P.

31

1. Signature of person making arrest:

1. Firma della persona che opera l'arresto:

2. Countersignature of Officer or N. C. O. (if any):

2. Controfirma dell'Ufficiale o N. C. O. (se occorre):

3. Signature of Italian authority to whom accused is handed over:

3. Firma dell'autorità italiana cui l'accusato viene consegnato:

Sergeant.

T. J. Coulson

(T. J. COULSON.)

Giuseppe Carlo

Maresciallo L. P. L.

UNIT
UNITÀ

R. Gestura Bari

STATION
STAZIONE

STATEMENT OF FACTS:

(Describe simply in the first person, that is using the form of words "I saw... I heard... I said..." "or We saw... we heard... we said...", the facts which caused you to make the arrest. Example: At 1400 hours on 21st May 1943 I was on patrol duty at X when I saw the accused crouching behind a hedge cutting a piece of wire. As soon as he saw me he ran away. I chased and captured him then took him back to the spot where I had seen him crouching. There I found that a length of wire, about 30 feet, had been cut and was lying on the ground. The wire was British wire or American wire or as the case may be".)

DESCRIZIONE DEL REATO:

(Si esponga brevemente la prima persona, usando le parole "Io ho visto... ho udito... ho detto..." oppure "Noi abbiamo visto... abbiamo udito... abbiamo detto..." quale è il motivo che ha spinto ad operare l'arresto. Esempio: "Alle ore 14 del 21 Maggio 1943 mentre ero di servizio io vidi l'accusato accovacciato dietro una siepe e intento a tagliare un tratto di filo. Appena egli mi vide si diede alla fuga, lo lo inseguì, lo catturai e lo ricondussi sul luogo dove lo avevo visto accovacciato. Cola io trovai un tratto di filo, della lunghezza di circa 30 piedi, era stato tagliato e giaceva in terra. Il filo era di fattura inglese o di fattura americana o altra a secondo del caso).

AT 03.30 hours on 31st July 1945 (Month) (Year)

ALLE ORE del giorno del mese dell'anno

I We
to Noi

Report to follow as soon as investigations are completed.

Signed... *R. R. Coulson*

(I.R. COULSON)

62 Section. S.I.B.

ALLIED COMMISSION
LIAISON OFFICE
B A R I

October 8, 1945

SUBJECT: Paul COROSINE,
French Subject.

REF : LB/53/141

TO : 181 Ports Provost Coy,
Bari.

1. The attached correspondence is passed to you for your information and such action as you may deem necessary.
2. Please may this office be informed of all details in this connection, for information of French Embassy.



G.M. Reveley
G.M. REVELEY, Major,
Liaison Office,
AC., Bari.

(copy)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2 October 1945

AC/4053/L.

SUBJECT: Paul COROSINE, French subject.

TO : AC.Liaison Officer, BARI.

1. Copy of a letter received from the French Embassy is enclosed.

2. Would you please be good enough to enquire into this matter and let this Sub-Commission know whether you think this affair can be settled locally giving satisfaction to the French Authorities, or whether you feel that the Ministry of Justice should be requested to intervene.

3. In all probability the Procuratore del Regno will be in a position to give you all necessary information.

By command of Rear Admiral STONE:

/sgn/

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

Copy to: French Representative HQ AC
Ministry of Justice.

(Copy)

COPIE

PF/AM

Gouvernement Provisoire
DELEGATION FRANCAISE

au
Conseil Consultatif
pour les
Affaires Italiennes

No.1096
à rappeler

République Française
Rome le 26 September 1945

M. Francois de ROSE

Conseiller d'Ambassade
Gérant la Délégation Française au
Conseil Consultatif pour les affaires
Italiennes

à
Monsieur le Capitaine de Vaisseau
MOULLEC
Représentant Français à la Commission
ALLIEE

A bord d'un navire anglais, transportant du charbon entre la Sardaigne et Bari, arrivé dans le dernier port le 27 Juillet 1945, un certain nombre d'hommes d'équipage, porteurs de sucre ont été arrêtés à la sortie du port par la police militaire alliée.

Une perquisition menée à bord, immédiatement après l'arrestation des coupables, amena la découverte d'importantes quantités de sucre.

Tous les membres de l'équipage trouvés en possession de cette denrée, ont été mis en état d'arrestation: parmi les inculpés se trouvent:

des Anglais, des Espagnols, des Italiens, un Portugais
et un Français, nommé Paul COROSINE.

Tous furent envoyés à la Prison Civile de Bari, leur dossier fut transmis à la Questure, et le Procureur du Roi fut saisi de cette affaire.

Les trois marins anglais compromis, furent réclamés quelques jours après par les autorités britanniques qui les envoyèrent pour être jugés devant le tribunal anglais, siégeant à Taranto. Celui-ci aurait déjà rendu son jugement et les coupables, qui étaient les chefs de la bande, reçurent deux mois de prison chacun.

Notre concitoyen qui serait encore à l'heure actuelle aux mains de la police italienne, serait susceptible d'être condamné à un minimum de peine de 3 ans de prison.

Il semble que dans ces conditions, il serait souhaitable qu'une intervention des Autorités Alliées évite à notre compatriote une condamnation trop sévère et dont l'injustice serait flagrante, à la suite du traitement qui a été réservé aux trois inculpés anglais.

Signé F. de ROSE.

TRANSLATION

On board a British Ship, carrying coal from Sardinia to Bari, which arrived at the latter port on the 27th July '45, some men belonging to the Ship's crew were found in illegal possession of sugar. These men were arrested at the port by the Allied Military Police.

Immediately after the arrest of the men the ship was searched and there was found a great quantity of sugar.

All the men of the ship's crew who were found in possession of the sugar were arrested: among them were: some Englishmen, some Spaniards, some Italians, one Portuguese and one Frenchman.. His name is Paul COROSINE.

All the a.m. were sent to the Civil Prison at Bari; their documents were sent to the Questura, and the Procuratore del Regno was charged to deal with this matter.

The 3 Englishmen were requested by the British Authorities for judgement by the English Court at Taranto. The English Court has already issued the sentence, and the accused were charged with 2 months of prison.

Our fellow-citizen, who is still in the hands of the Italian Police should be condemned at a minimum of 3 years of prison.

It seems that the intervention of the Allied Authorities should be necessary in order to prevent that our fellow-citizen receives a too heavy sentence in relation to the sentence issued to the Englishmen.

signed F. de Rose

208A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

/lo.
16 October 1945.

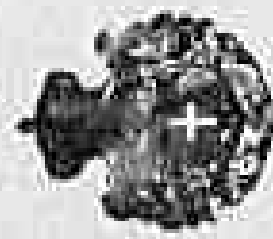
SUBJECT : ANGELINI Marcello, CAPOTOSTI Lorenzo.

TO : AFHQ G-2.

The Procuratore Generale Militare has just informed this Sub-Commission that the cases of Angelini and Capotosti are fixed for trial before the Military Court at Bologna on the 19th October.

For the Chief Commissioner:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.



PR
LA GENERALE MILITARE
REGNO
DEL RE IMPERATORE

PRESSO IL

TRIBUNALE SUPREMO MILITARE

N. 3326
p. 9

prot.

n. A.C. / 4053 LL.

Reg. f. f. del 19-9-945

STAMPERIA REALE DI ROMA

ALLEGATI N.

OGGETTO: Procedimenti ANGELINI Marcello e CAPOTOSTI Lorenzo.

Con riferimento al foglio sopra distinto, comunico che i militari in oggetto sono stati in data 3 ottobre 1945 rinviati al giudizio del Tribunale militare di Bologna, per rispondere del delitto di cui all'art. 5 D.L.L. 27.7.44 n. 159 in relazione agli articoli 51-54-58 c.p.m.g. e 245 C.P., per avere preso le armi contro lo Stato italiano arruolandosi nella g.n.r. e prestando aiuto al nemico tedesco, nella esecuzione dei suoi disegni politici e dei piani militari, partecipando a missioni di spionaggio e di sabotaggio posteriormente all'8 settembre 1943 nella zona di Porto S. Giorgio, Osimo ed altre località.

La discussione della causa è fissata per il 19 corrente.

Roma, addì

12

ottobre

1945

ALLA COMMISSIONE ALLEATA

Sottocommissione Legale

= ROMA =

Con riferimento al foglio sopra distinto, comunico che i militari in oggetto sono stati in data 3 ottobre 1945 rinviati al giudizio del Tribunale militare di Bologna, per rispondere del delitto di cui all'art. 5 D.L.L. 27.7.44 n. 159 in relazione agli articoli 51-54-58 c.p.m.g. e 245 C.P., per avere preso le armi contro lo Stato italiano arruolandosi nella g.n.r. e prestando aiuto al nemico tedesco, nella esecuzione dei suoi disegni politici e dei piani militari, partecipando a missioni di spionaggio e di sabotaggio posteriormente all'8 settembre 1943 nella zona di Porto S. Giorgio, Osimo ed altre località.

La discussione della causa è fissata per il 19 corrente.

IL PROCURATORE GENERALE MILITARE
(U. Borsari)

W.D.

RECEIVED	SECTION
CLIO	
DCIO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
12 OCT 1945	

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

6 October 1945. /lc.

SUBJECT : Request for Evidence - Military Tribunal of Palermo.

TO : O.C., 2600 Special Detachment, U.S. Army Forces in Austria.
(Attn. Capt. Anthony N. Ingrassia).

1. The attached correspondence received from A.C. Liaison Officer, Sicily, is passed to you.

2. It will be appreciated if you will transmit to this Sub-Commission any information you may be able to furnish on this matter.

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

Incls.

OFFICE OF A.C. LIAISON OFFICER
c/o N.O.B. - NAVY 157
PALERMO-SICILY

29 September 1945

Ref: AC/S/G 10

Subject:- Request for Evidence - Tribunale Militare di Palermo.

To :- G.Q. Allied Commission, APO 394,
(for Legal Sub-Commission).

1. Attached hereto is a copy of letter received from the Tribunale Militare Territoriale di Palermo, requesting that evidence be obtained from a Lieut. INGRASSIA, former C.A.O. at Lampedusa, in order that such evidence may be used to facilitate proceedings now pending.

2. The location of Lieut. INGRASSIA is unknown to this office and it is requested that, if possible, the desired information may be obtained from him.

W. J. MacCallum
W.J. MacCALLUM, ED, Lt-Col.,
A.C. L.O. SICILY.

Encls: copy of letter Tribunale Militare di Palermo, N° 8362 dated 26 Sept.45.

LEG. SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
OCT 1945	

C O P YTRIBUNALE MILITARE TERRITORIALE
DI PALERMO

Palermo li 26/9/1945

N. 8362 Prot.

OGGETTO:
Richiesta Informazioni.AL OFFICE OF A.C. LIAISON OFFICER
c/o N.O.B. Navy 157
PALERMO

Riferimento vostra nota AC/S/G10 del 20 c.m. .
L'informazione che questo ufficio desidererebbe
dal 1st Lieutenant Ingrassia dell' U.S. Army, è la seguente:
Se il detto ufficiale, quale Governatore di Lampedusa diede, nello
Aprile 1944, l'ordine al brigadiere dei Carabinieri Reali
Castellucci Ottavio, di arrestare il Tenente Cappellano dell'esercito
italiano Rizzardi Giuseppe.

Poichè non si ritiene che tale informazione possa
essere fornita da cotesto ufficio, si gradirebbe conoscere a quale
ente possa essere rivolta la richiesta per conoscere l'attuale
destinazione dell'Ufficiale.

IL SOSTITUTO PROCURATORE MILITARE DEL REGNO
(Cap. G.M. Lucchesi Dr. Giuseppe)

/s/

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

204A

MT/pa.
6 Oct 45.

AC/4053/L.

SUBJECT : Sequestration of Turkeys. Case of
Brettschneider, Moritz.
TO : The Minister of Pardon and Justice.

196+

With reference to my letter No. AC/4053/L of 21st
September this Sub-Commission would be glad to have a reply
at your earliest convenience stating whether the money in
question has been released and can be paid over to the Navy,
Army and Air Forces Institutes.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

203A

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4053/L.

GCM/lc.
2 October 1945.

SUBJECT : Paul COROSINE, French subject.

TO : AC. Liaison Officer, BARI.

1. Copy of a letter received from the French Embassy is enclosed.

2. Would you please be good enough to enquire into this matter and let this Sub-Commission know whether you think this affair can be settled locally giving satisfaction to the French Authorities, or whether you feel that the Ministry of Justice should be requested to intervene.

3. In all probability the Procuratore del Regno will be in a position to give you all necessary information.

By command of Rear Admiral STONE:

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

Copy to : French Representative HQ AC
Ministry of Justice.

50

COPIE

20313

PF/AM

République Française

Rome le 26 Septembre 1945

Gouvernement Provisoire

DELEGATION FRANÇAISE

au

Conseil consultatif

pour les

Affaires Italiennes

N° 1096

à rappeler

M. François de ROSE

Conseiller d'Ambassade

Gérant la Délégation Française au
Conseil Consultatif pour les Affaires
Italiennes

à

Monsieur le Capitaine de Vaisseau

MOULLEC

Représentant Français à la Commission
ALLIÉE

A bord d'un navire anglais, transportant du charbon entre la Sardaigne et Bari, arrivé dans ce dernier port le 27 Juillet 1945, un certain nombre d'hommes d'équipage, porteurs de sucre ont été arrêtés à la sortie du port par la police militaire alliée.

Une perquisition menée à bord, immédiatement après l'arrestation des coupables, amena la découverte d'importantes quantités de sucre.

Tous les membres de l'équipage trouvés en possession de cette denrée, ont été mis en état d'arrestation: parmi les inculpés se trouvent:

- des Anglais, des Espagnols, des Italiens, un Portugais et un Français, nommé Paul COROSINE.

Tous furent envoyés à la Prison civile de Bari, leur dossier fut transmis à la Questure, et le Procureur du Roi fut saisi de cette affaire.

Les trois marins anglais compromis, furent réclamés quelques jours après par les autorités britanniques qui les envoyèrent pour être jugés devant le tribunal anglais, siégeant à Tarente. Celui-ci aurait déjà rendu son jugement et les coupables, qui étaient les chefs de la bande, reçurent deux mois de prison chacun.

Notre concitoyen qui serait encore à l'heure actuelle aux mains de la police italienne, serait susceptible d'être condamné à un minimum de peine de 3 ans de prison.

Il semble que dans ces conditions, il serait souhaitable qu'une intervention des Autorités Alliées évite à notre compatriote une condamnation trop sévère et dont l'injustice serait flagrante, à la suite du traitement qui a été réservé aux trois inculpés anglais.

Signé F. de Rose.

202A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

GGH/pa.
28 Sept 45.SUBJECT : ANGELINI Marcello
CAPOTOSTI Lorenzo.

TO : AFHQ G-2 .

1. Reference your GBI-389. 701/FF/755/D dated 8 September 1945.

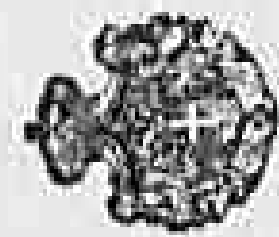
2. Procuratore Generale Militare confirms that the cases of ANGELINI and CAPOTOSTI have been transferred from Florence to Bologna.

3. Further information will be available in the course of the next few days.

For the Chief Commissioner :

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

Copy to : Security Division, Hq AC.



PROCURA GENERALE MILITARE del REGNO

PRESSO IL

TRIBUNALE SUPREMO MILITARE

Roma, addì

1945

Settembre

N. 3075

prot.

risp.

ref. alla nota n. A.C. 4053 L. del 19 corr.

STAMPERIA REALE DI ROMA

ALLEGATI N.

OGGETTO

: Procedimento penale contro ANGELINI Marcello e
CAPOTORTI Lorenzo.

ALLA COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGALE

R O M A

Come da telegramma pervenuto in data odierna dal tribunale militare di Firenze, il procedimento contro ANGELINI Marcello e CAPOTORTI Lorenzo risulta trasmesso per competenza al tribunale militare di Bologna.

Si fa riserva di riferire sullo stato del procedimento appena perverranno da Bologna le relative informazioni già richieste con tutta urgenza.

IL PROCURATORE GENERALE MILITARE

(U. Borsari)

Espresso

ROMA

Come da telegramma pervenuto in data odierna dal tribunale militare di Firenze, il procedimento contro ANGELINI Marcello e CAPOTORTI Lorenzo risulta trasmesso per competenza al tribunale militare di Bologna.

Si fa riserva di riferire sullo stato del procedimento appena perveniranno da Bologna le relative informazioni già richieste con tutta urgenza.

IL PROCURATORE GENERALE MILITARE
(U. Borsari)

LEG	Division
DOLO	
Chief Counsel	
Section	
CL 1005	
CL 1005	

Mr. Borsari
AF file - G. 2
Subject of your letter of 1-12-44 is information that the cases of Angelini & Capotorti have been transferred to the Division of Bologna.
3) Further information will be available in the course of the next few days.
copy to: Security Division

0796

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

785016

4053
full

200A

Lt. Jack N. Smith
Co C, 399th M.P. Bn.
APO 772, U.S. Army.

Col. W.E. Behrens
Hq. Allied Commission, Legal Sub-Commission,
APO 394, U.S. Army.

Dear Sir:

Received your letter of 3 September 1945 in regard
to the case of Fascetti, Renata.

I wish to express extreme thanks on behalf of Miss
Fascetti and myself for the manner in which you have handled
this case.

Thanks.

Sincerely,

Jack N. Smith
Jack N. Smith

11 - 12

HEADQUARTERS ALLIED COMMISSION
APO 7394
LEGAL SUB-COMMISSION

GGH/pa.
26 Sept 45.

AC/4053/L.

SUBJECT : Case of LAMPE Andrea.

TO : Regional Commissioner (Attn: R.L.O.),
VENEZIA Region.

1. CLA agrees with you and me that this case should not be tried by AMG Courts.

2. On the other hand it appears prima facie that LAMPE should be tried by an Italian Civil Court rather than by a Military Tribunal.

3. As far as can be ascertained from the memorandum LAMPE is a civilian and therefore does not fall under Art. 224 of CPMG which starts: "1. militare che, nel territorio dello Stato o in paese nemico etc." Art. 13 speaks of "ogni altra persona appartenente alle Forze Armate nemiche" and should not apply to the case of LAMPE.

4. However if LAMPE is a member of the German Forces or can be considered as a camp follower the objections set out in the precedent paragraph are irrelevant and he would fall under the jurisdiction of a Military Tribunal.

By command of Rear Admiral STONE :

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

P.S. Documents returned herewith.

File
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

193A

AC/4053/L.

GGH/pe.
22 Sept 45.

SUBJECT : Case of Caporale DONA Pietro.
TO : Procuratore Generale Militare, ROMA.
Via degli Acquasparta 2 .

Reference your Pr t.No. 0301 of 14 Sept 45, it is regretted that Lieut. W.D.F. WALTERS has returned to England and will not be able to attend as a witness in the above case.

G. G. HANNAFORD, *45*
Lt.Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

0799

4953

CHA { AM 9 in
Italian Court
197A

HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

21 September 945.

TO : Chief Legal Adviser, Legal Sub-Commission
HQ.AC.

SUBJECT : Special case- LAMPE Andrea.

File No : RXII/LEG/Bol/A/05.

1. A copy is enclosed of a letter received to-day from Provincial Commissioner Bolzano together with the documents therein referred to.

2/ Do you agree that this is a case for an Italian Military Court? The activities of the Company would appear to be illegal under International Law as the goods were not requisitioned for the needs of the German Army.

for the
agree
JH

Jackman

Major
Regional Legal Officer,
Venezie Region.

Encl. (1)

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Liaison	
CL-RIS	
24 SEP 1945	

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

196A

AC/4053/L.

S. 204A

MT/10.

21 September 1945.

SUBJECT : Sequestration of Turkeys. Case of Brettschneider,
Moritz.
TO : The Minister of Pardon and Justice.

1. I wish to call your attention to the above case heard before the Pretura Unificata di Bari on 24th January 1945, as the result of which the sum of Lire 317,000, the property of the British Army, being the purchase price of 251 turkeys confiscated by order of the Prefect of Cosenza, is now held by the judicial authorities.

2. On 14th February 1945 the Allied Commission Liaison Officer by letter requested the Procuratore del Regno at Cosenza to obtain an order from the appropriate Court for the money to be returned to the British Army, but no reply has been received.

3. A letter and enclosures setting out the facts of the case were sent on 18th May to the Avvocato dello Stato at Catanzaro who on 9th June wrote to the Procuratore del Regno of Cosenza advising him that the British Army was entitled to the immediate release of the above named sum, and requested that he should obtain an order from the appropriate court for the release of the money.

4. In view of the unjustifiable detention since January last of money belonging to the British Army this Sub-Commission requests the Minister to issue immediate instructions to the Procuratore del Regno of Cosenza to obtain the release and payment of the above sum to the Navy, Army and Air Force Institutes through this Sub-Commission.

5. May this matter be treated as urgent, please.

MUSGRAVE THOMAS,
Italian Branch,

Copies to: 1) AC Liaison Officer Bari,
enclosing copy(of translation)for Chief Legal Advisor.
to be sent to the Procuratore del Regno at Cosenza;
2) (with translation) Avvocatura dello Stato Catanzaro.

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

195A

AG/4053/L.

BT/1c.
20 September 1945.SUBJECT : Sequestration of Turkeys. Case of Brettschneider,
Moritz.

TO : C.EFI, HQ:EFI, AFHQ.

1. Reference your letter N°.CEFI/80/9575 of 15th
September.

2. Our letter of 5th May last was returned from Bari
and on 18th May sent with its enclosures to the Avvocato dello
Stato, Catanzaro, who by letter dated 9th June requested the
Procuratore del Regno at Cosenza to obtain an order from the
competent court for the release of the sum of Lire 317400 to
the British Military authorities.

3. No action appears to have been taken on the above
mentioned request, and accordingly this Sub-Commission has
requested the Minister of Justice to issue immediate instructions
to the Procuratore del Regno at Cosenza to obtain the release
of the sum to your Institute. There has been a wholly un-
justifiable delay in releasing money, but it is hoped that an
order from the Ministry of Justice will result in the money
being paid over to you at any early date.

4. A further letter will be sent to you when the
result of the Minister's action is known.

For the Chief Commissioner:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

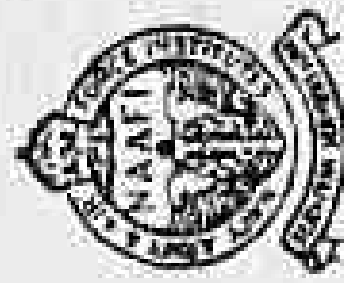
NAVY, ARMY & AIR FORCE INSTITUTES

EXPEDITIONARY FORCE INSTITUTES

CENTRAL MEDITERRANEAN FORCES

CORRESPONDENCE
IN REPLY TO THIS
LETTERS SHOULD BE
ADDRESSED TO

C. E F I
H Q: E F I
A F H Q
C M F



TELEPHONES { 51496
52598
52452

PERSONAL LINE TO
C. E F I

BASEBALL 120

CABLES & TELEGRAMS
E F I Freedom

15th September, 1945

Date

CEFI/50/9575

Ref. Quoted

To:- H.Q. Allied Commission,
APO 394,
Legal Sub-Commission

For Attention Chief Legal Advisor

Subject:-

Sequestration of Turkey.
Case of Brettschneider, Moritz

I would refer you to your AG/4053/L dated the 5th May, 1945 addressed to the Avvocato dello Stato, Court of Appeal, Bari, a copy of which was forwarded to this H.Q. by the Senior Legal Officer, H.Q. AMG, Naples Commune on the 30th June, 1945.

No finality having been reached by the end of July a letter was addressed to the AMG, Naples Commune to which in reply a recommendation was made that an officer from this H.Q. should contact the Avvocato dello Stato, Court of Appeal, Bari and this has now been done. In his report dated the 4th September, 1945, he states

1. No action had been taken from Bari upon receipt of letter from H.Q. A.C. of the 5th May, 1945
2. The case was outside the jurisdiction of the Court at Bari.
3. The matter should be taken up with the Court of Appeal at Catanzaro.

In view of the above it would be appreciated if you would

Subject:-

Sequestration of Turkey's.
Case of Brettschneider, Moritz

125A

I would refer you to your AC/4053/L dated the 5th May, 1945 addressed to The Avvocato dello Stato, Court of Appeal, Bari, a copy of which was forwarded to this H.Q. by the Senior Legal Officer, H.Q. AMG, Naples Commune on the 30th June, 1945.

No finality having been reached by the end of July a letter was addressed to the AMG, Naples Commune to which in reply a recommendation was made that an officer from this H.Q. should contact the Avvocato dello Stato, Court of Appeal, Bari and this has now been done. In his report dated the 4th September, 1945, he states

1. No action had been taken from Bari upon receipt of letter from HQ. A.C. of the 5th May, 1945
2. The case was outside the jurisdiction of the Court at Bari.
3. The matter should be taken up with the Court of Appeal at Catanzaro.

In view of the above it would be appreciated if you would refer this matter to Catanzaro and endeavour to obtain prompt settlement of the sum in question viz., 317,400 Lire as it is felt that the dilatory manner in which Avvocato dello Stato at Bari has treated this matter, our chances of final recovery have been minimised. In view of the last paragraph of your letter dated the 5th May, you may care to express to the Avvocato dello Stato dissatisfaction of the British Army in the manner in which this matter has been handled by them.

In conclusion may I urge that the matter be finalised as soon as possible in view of the fact that the NAATI accounts for the year 1944/45 closed on September 3rd and this outstanding amount will undoubtedly receive unfavourable comments from the Corporation's auditors.

cc. File

[Signature]
Colonel
Commander LFI
ADHQ CMT



4953

ROMA, 14 settembre 1945

193A

PROCURA MILITARE DEL REGNO

presso

il Tribunale Militare Territoriale di Guerra

ROMA

AI LA COMMISSIONE ALLEATA
Sottocommissione Legale

ROMA

Risposta al foglio del 23/12/1944

AC/4053/L.

Prot. N. 0301 Allegati Div. Sez. N.

OGGETTO: Procedimento penale a carico del Caporale
DONA' PIETRO=

Pregasi disporre che W.D.F. Walters - Lt.2
R.B. si presenti all'udienza del Tribunale Militare
di Roma, nei locali di Via Acquasparta 3, il giorno 6
ottobre 1945 ore 9, per essere esaminato al dibattimento,
quale testimone nel procedimento penale a carico
del Caporale DONA' Pietro.

IL PROCURATORE MILITARE DEL REGNO
(Col.i.g.s. Alberto BELLINI)

d'ordine:



CAPELLIERE MILITARE

A. GARCEA)

Al Capitano Don
reclamato da Garcea

Stamperia Reale di Roma

DCIO

Chief Counsel

CIO

Hollan, et al.

CL RKS

1 SEP 1945

A ←

*Entire
File*

192A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rlp.
19 September 1945.

AC/4055/L.

SUBJECT : ANGELINI Marcello
CAROTOSTI Lorenzo.

TO : Procuratore Generale Militare.

1. Would you be so good as to let this sub-commission have at your early convenience all information available in regard to the above cases now pending before the Military Tribunal of Florence.

2. Should the trial be further delayed AMM has requested that they should be handed over to Allied authorities for trial by an Allied Court and in the meantime interned.

3. Kindly treat this matter as urgent.

C. G. HARRIS, JR.,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

191A

AC/4053/L.

GGH/lc.
18. September 1945.

SUBJECT : LIOTTO Domenico.

TO : The Minister of Pardon and Justice.

The enclosed dossier is passed to you "per compe-
tenza"

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Officer.

Incl.

Jul
CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

GGH/lc.

18 September 1945.

AC/4053/L.

SUBJECT : "Pia" Mission. CONTARATO Bruno and Giorgio.

TO : Regional Commissioner (Attn: Regional Legal Officer),
VENEZIE Region.

1. The contents of the Procuratore's letter have been communicated to Polads for advice.
2. They are of opinion that there is no objection to the members of PIA Mission being tried by an Italian Court for common offences.
3. It does not appear that "rapina" can at any time be qualified as "legitimate" act of warfare.

By command of Rear Admiral STONE:

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

Confidential

189A

15 Sept. 1945

TO : Chief Legal Adviser, Legal Sub-Commission,
H.Q., A.C., (for Italian Branch)

SUBJECT : "Pia" mission. CONTARATO Bruno and Giorgio.

File No : RXII/LE/Trev/C/04.

1. Further to our correspondence on the above matter
(Ref AC/4053/L 28 Aug.).
2. The enclosed document has been received from
Provincial Legal Officer Treviso and is sent to you for
your advice or action.

WOP Dates

Major,

for Regional Legal Officer
Venezie Region.

22

To: Venezia Region
4053

1) The contents of Provincial
letter have been communicated
to Polaris for advice.

2) They are of opinion that
there is no objection to the
inclusion of Pia mission in
list of an Italian unit for
common operations.

3) It does not appear that inquiry
has at any time been qualified
as an illegitimate act of warfare.

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Religion Section	
GL RKS	
17 SEP 1945	

C O P Y

189B

TREVISO PROVINCE
VENEZIE REGION
ALLIED MILITARY GOVERNMENT

CONFIDENTIAL

11 August 1945

TL33

SUBJECT: Members of "PIA" mission.

TO : R.L.O. Headquarters Venezia Region, A.M.G.

1. Referring further to our correspondence on this subject and your letter of 31 August (RXII/LE/Trev/C/04), there is forwarded herewith a letter from the Giudice Istruttore in which he advises that members of the "PIA" mission are involved in a Homicide and theft and inquires whether their acts were justified as legitimate acts of warfare.

S/ Henry L. Glenn,
Major, JAGD,
Provincial Legal Officer,

24

0810

189c

TRIBUNALE
CIVILE E PENALE
DI TREVISO

Treviſo, li 7 Settembre 1945

N. 715/45.

Al

Risposta al N.

Provincial Legal Officer presso

in data del

l' A.M.G. di

TREVISO

OGGETTO

Contarato Bruno e Giorgio
e
" Missione Pien"

con riferimento alla Vostra lettera del 4 settembre con allegato del 31 agosto, confidenziale, si comunica che nel corso dell'istruttoria a carico di Contarato Giorgio e Bruno è risultato che alcuni membri della Missione "Pia", e precisamente Patata, Rolando, Rosso e Bufalo Bil, presso ro parte, insieme con i Contarato all'uccisione di Pasce Giancarlo avvenuta il 14/4 u.s. 32 alle rapine in danno di Zorzetto Giuseppe, Genovese Domenico, Lorenzon Ferdinando, Levi Bruno Onorati Luigi, Boglich Gioachino ed altri com-

si comunica che nel corso dell'istruttoria a carico di conterrato Giorgio e Bruno è risultato che alcuni membri della Missione "pia" e precisamente Patata, Rolando, Rosso e Bufalo Bil, presso ro parte, insieme con i conterrato all'uccisione di Psace Giancarlo avvenuta il 14/4 u.s. 22 alle rapine in danno di Zorretto Giuseppe, Genovese Domenico, Lorenzon Ferdinando, Levi Bruno Onorati Luigi, Boglich Gioachino ed altri commesse nel mese di aprile nelle zone di Lancenigo, Bibano di Carbonera e Vecil di Breda di Piave.

Si prega di assumere informazioni presso il comando della Missione per accertare se le suddette azioni fossero giustificate da motivi di guerra. In caso affermativo si prega di far conoscere a quale autorità gli interessati si

debbono rivolgere per il risarcimento dei danni. Qualora invece le azioni risultassero non giustificate da motivi bellici, questa autorità giudiziaria dovrà procedere penalmente oltre che contro i coautore anche contro i Membri della Missione per i reati sopra specificati, trattandosi di cittadini Italiani ed essendo i fatti avvenuti su territorio italiano, sempre che i predetti ~~non~~ non siano stati già giudicati da un Tribunale Alleato.

Si prega perciò di informare se detti membri della missione siano già stati sottoposti al giudizio di un Tribunale Alleato per i medesimi reati comunicando in tal caso l'esito. Si comunica inoltre che verso i primi di maggio di quest'anno il capitano americano Orlandi si presentò ai partigiani di Carbonara e fece restituire una piccola parte della refurtiva che era stata sequestrata ai membri della missione, il cui comportamento venne deplorato dallo stesso Orlandi.

In attesa di cortese risposta, ringrazio.

IL GIUDICE ISTRUTTORE

dott. Mario Alborgnotti



188A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4055/L.

/rlp.
11 September 1945.

SUBJECT : Claim of COSENTINO Carmine.

TO : Commissioner (Attn: Legal Officer), NAPLES Zone.

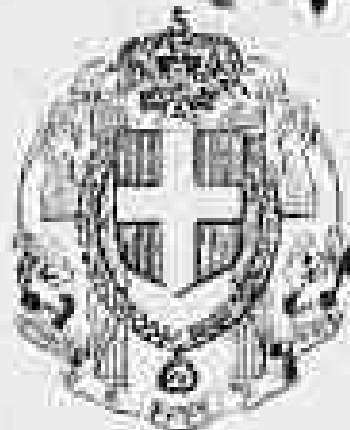
1. Can something be done in the above case? I take it that the
lentils have been disposed of long ago.

2. Documents are enclosed.

By command of Rear Admiral STONE:

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incls: Documents.



MINISTERO DI GRAZIA E GIUSTIZIA

*Direzione Generale degli Affari Penali
delle Grazie della Statistica e del Casellario*

Ufficio I° A.P.

Prot. N° 131/261/1214/1945

Risposta al f. N° AC/4053/L

del 2 Giugno 1945

OGGETTO: Cosentino Carmine - Comparsa di
generi alimentari.-

Roma, 6 Settembre 1945

la COMMISSIONE ALLEATA SOTTO
COMMISSIONE LEGALE

R O M A

e per notizia:

All. n° 4

All'Ufficio Collocamento

Gabinetto

Nel restituire gli allegati qui trasmessi con la
nota di codesta On.le Sottocommissione cui si risponde,
s'informa che il Procuratore Generale presso la Corte di
Appello di Napoli ha in merito al ricorso di COSENTINO
Carmine così ^{risultato} trasmesso:

"Si comunica che in data 16 Gennaio 1944 l'Arma di
Resina denunciò al locale Procuratore del Regno il Cosentino
Carmine ed altre quattro persone perchè trovate in possesso
di 18 botti piene di cavolfiori e 16 sacchi di lenticchie
che trasportavano su di un autocarro.-

Il Comando delle Forze Alleate di Resina, informato
del sequestro della merce, ordinò che i cavolfiori fossero
depositati presso la caserma dei carabinieri e che le lentic-
chie fossero trasportate ³¹ nei locali del Comando Alleato.-

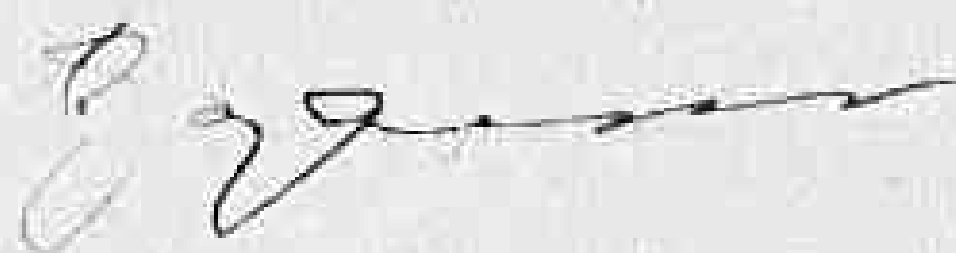
Intanto, essendo risultato che sia le lenticchie che
i cavolfiori, all'epoca del fatto, non erano sottoposti a
vincolo, il detto Procuratore del Regno, con provvedimento in
data 17/3/1944, ordinò l'archiviazione degli atti del
procedimento e la restituzione della merce al COSENTINO.

./././

Senonchè, mentre i carabinieri restituirono costui i cavoli depositati presso la loro Caserma non potettero fare altrettanto per le lentiochie, perchè queste, che erano state depositate presso i locali del Comando Alleato furono, a cura del predetto Comando, distribuite gratuitamente alla popolazione.--"

In base alle informazioni di cui sopra sembra a questo Ministero che la domanda del Casentino sia meritevole di essere presa in considerazione per un equo compenimento.--

PEL MINISTRO



LEGAL SUB-COMMISSION	
CLO	/
DCLO	/
Chief Counsel	/
CJO	/
Italian Section	/
CL RKS	/
10 SEP 1945	/

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

186A

AC/4053/L.

GGH/lc.
11 September 1945.

SUBJECT : Case of FIUMARA Vincenzo.

TO : AG Liaison Officer, Palermo c/o NOB, Navy 157.

Reference your Misc/6 of 3 Sept. 45.

1. The Italian Courts have sole jurisdiction over
Ten. FIUMARA.

2. His claim to be still a POW is not understood.

By command of Rear Admiral STONE:

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian branch,
for Chief Legal Advisor.

P.S. Petitioner returned.

4053

185A

OFFICE OF A.C. LIAISON OFFICER
C/o N.O.B.- NAVY 157
PALERMO

FILE: Misc/6

3 September 1945

SUBJECT: Request for Allied Intervention in a Civil Court Case.

TO : HQ Allied Commission, APO 394
(For Legal Sub-Commission)

The attached request for removal of a case from the Italian Civil Courts to an Allied Military Court is referred to you for such action as may be deemed appropriate.



EDWARD MORTON
Lt. Col. CE
Liaison Officer

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	☒
CL 105	
11 SEP 1945	

Liaison officer
Palermo

Subject: Case of *Fumana*
Vicenza

1) The Italian Court have
made provision for
Ten *Fumana* cases

2) His claim to be still a
POW or not is under review

— G.G.H.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

184A

/lo.
4 September 1945.

AG/4053/L.

SUBJECT : Trial of Civilians. Petrol Theft.

TO : W. C. LIAISON OFFICER PALERMO.

1. Herewith a copy of a letter received from 2 District.
2. May the information requested please be supplied.

W. E. BEHRENS,
Colonel,
Chief Legal Advisor.

Incl.

- 3 SET. 1945

4053

SUBJECT: Trial of Civilians -
Petrol Theft.PS
183AHQ No. 2 District CEF
A/702(P3)

1 Sept 1945

HQ AGC ROME

3-SET. 1945

May this HQ please be advised as to
the result of the trial of a number of Italian
civilians concerned in the theft of 21,000 gallons
of petrol at PLENO in December 1944.

CLO

DCLO

Chief Counsel

CJO

Italian Section

CLERKS CLKE

3 SEP 1945

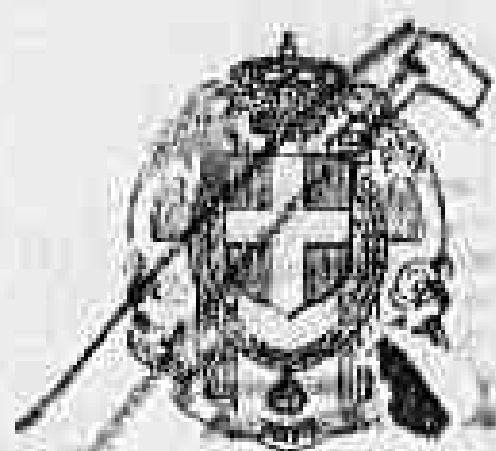
SEP 1945




Colonel
DA & QMG

366

Mod. 101.9.5



MINISTERO DI GRAZIA E GIUSTIZIA

Gabinetto di S. E. il Ministro

182A

Roma, 25 agosto 1945

n. 4053/45

Alla Commissione Alleata
Sottocommissione LegaleOGGETTO. Procedimento penale contro
Fascetti Renata.

ROMA

Fascetti Renata, detto Raffaele Capoferrato

174A

Con riferimento alla lettera AC/4053/L del 20 corrente si comunica che quanto segnalato da codesta Sottocommissione circa il procedimento penale in oggetto è stato debitamente portato a conoscenza dalla autorità giudiziaria competente.

In base alle informazioni pervenute in merito all'istruttoria in corso si sottolineano i seguenti punti.

1°) Il Tenente Smith non avrà naturalmente nessun onere testimoniale ed è completamente fuori causa.

2°) Dall'istruttoria risulta che nella condotta di Fascetti Renata appaiono esistenti prove di colpevolezza ai sensi dell'art. 527 C.P. - Quanto sopra appare fondato non soltanto sulla denuncia del carabiniere menzionato nella vostra lettera ma soprattutto su molteplici dichiarazioni di altri testimoni.

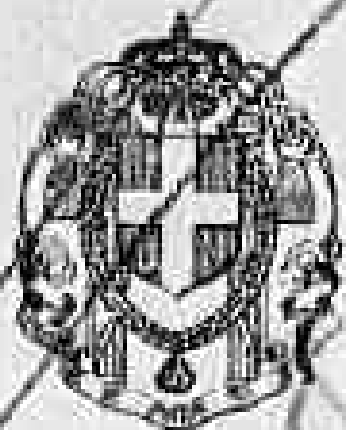
3°) Per constatare l'entità di tali prove si autorizza codesta Sottocommissione ad inviare presso la autorità giudiziaria competente, un proprio rappresentante che ^{tramiti} ~~accerti~~ tali risultanze istruttorie.

IL CAPO DI GABINETTO
(A. Spallanzani)

Italiano

27 AUG 1945

Mod. 3 Off. G. G.



MINISTERO DI GRAZIA E GIUSTIZIA

Gabinetto di S. E. il Ministro

181A

Roma, 27 agosto 1945

Al la Commissione Alleata
Sottocommissione Legale

OGGETTO: Colonnello Ruta

ROMA

Con riferimento al foglio AC/4054/L del 22
Agosto si comunica che il Procuratore Generale
di Torino ha telegrafato che l'arresto del Colon-
nello Ruta Alessandro, Cabras Giovanni e di altri
dieci militari di cui al foglio anzidetto è stato
effettuato regolarmente e che i medesimi si trovo-
no attualmente nel carcere di Torino a disposizione
della locale Corte Straordinaria di Assise.

L'UFFICIALE DI COLLEGAMENTO
(Dr. Giorgio Bonelli)

Bonelli

LEGAL SUBCOMMISSION

CIO	
ECIO	
Chia	
CIO	
ella	
Si	

00
4053 ✓
HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

188A
Confidential

31 August 1945.

TO : Chief Legal Adviser, Legal Sub-Commission, HQ., Ac.
SUBJECT : Contarato, Bruno and Giorgio.
Ref No : RXII/LE/Trev/C/09.

Reference your AC/4053/L of 28 August,
the copy letter is returned herewith.

177A
177A
Jackson
Major,
Regional Legal Officer,
Venezie Region.

4053

LEGAL 1704

HEADQUARTERS ALLIED COMMISSION

Message Centre No: **F/6021**

Date Time Rec'd: AUG 311600

Precedence: **PRIORITY**

TC : ALCOM ROME



DIST

LEGAL SC

FILE 2

FLOAT

100

100

EFGRL'S SUBCOMMISSION

CLO

DCLO

Chief Counsel

C10

Italian

CL RK

100

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

178A

AC/4053/L.

ES/1c.
28 August 1945.

SUBJECT : Bruno and Giorgio CONTARATO held for homicide,
Treviso.

TO : Regional Commissioner (Attn: Regional Legal Officer),
VENEZIE Region.

1. Reference your RXII/LE/Trev/C/09 of 11 August 1945 forwarding letter of PLO Treviso dated 8 August 1945.

2. Enclosed herewith for your information a letter of the Office of Strategic Services. The letter is self explanatory.

3. In relaying the information to the Giudice Istruttore you will no doubt wish to point out that it has been classified as confidential and must be treated as such.

4. Please return the letter after it has served the purpose.

By command of Rear Admiral STONE:

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl.

~~CONFIDENTIAL~~

HEADQUARTERS
2677th REGIMENT
OFFICE OF STRATEGIC SERVICES (PROV.)
APO 512

177A

25 August 1945

SUBJECT: Bruno & Giorgio CONTARATO held for homicide etc. -
Treviso

TO : Lt. Colonel G. G. Hannaford, Headquarters, Allied
Commission, APO 394, U. S. Army

1. In reply to your letter dated 14 August 1945, a check of the files of the "Pia" mission reveals no trace of the above mentioned subjects. However, you may be interested to know the real names of the members of said mission and their present addresses:

Angelo Pitoni-(Patata) - Via Torino 7, Roma
Guglielmo Testolino - (Buffalo Bill) -
Viale Luigi Cadorna 24, Siracusa
Rolando Appoloni - (Pia) - Via Salto 4
Avezzano
Umberto Merlo - (Stalin) - Via Cadames 69
Milano
Gisberto Michelucci - (Rosso) - Via San
Genaro 23, Santa Maria di Capua

Anthony Marcucci
ANTHONY MARCUCCI
1st Lt., CMP
Security Officer

Incl. Letter No. 715/45 dated
8/2/45 of Tribunale TREVISO.

~~CONFIDENTIAL~~

TRIBUNALE
CIVILE E PENALE
DI TREVISO

715/45
N. G.

Trevi, li 2/8/1945

176A

Risposta al N.

in data del

OGGETTO

Procedimento penale a carico
di Giorgio e Bruno Contarato
Richiesta informazioni.

AL COMANDO MILITARE ALLEATO

di

T R E V I S O

Questa autorità giudiziaria procede penalmente
contro i fratelli Bruno e Giorgio Contarato detenuti nelle
locali carceri giudiziarie, per omicidio in danno di Pesce
Giancarlo e per varie rapine commesse nell'Aprile 1944: nel-
la zona di Lancenigo. I fratelli Contarato sostengono di es-
sere stati alle dipendenze della Missione americana "Pia"
O.S.S., operante nella zona di Lancenigo dopo essere sbarca-
ta sulla costa Veneta nel Febbraio 1944, composta da cinque
italiani conosciuti con i nomi di battaglia "Holando, Rod-
so, Patata, e Buffalo Bill detto anche William e di aver com-
messo i fatti a loro attribuiti per ordine e col concorso
della predetta missione.

In base alle deposizioni di parecchi testimoni
degni di fede, a questo ufficio risulta che tale missione ef-
fettivamente esisteva che i fratelli Contarato erano effetti-
vamente ai suoi ordini.

Si prega pertanto di eseguire ricerche per cono-
scere i veri nomi dei componenti della suddetta missione e
la loro attuale residenza.

Questa autorità giudiziaria procede penalmente contro i fratelli Bruno e Giorgio Conterato detenuti nelle locali carceri giudiziarie, per omicidio in danno di Pesce Giancarlo e per varie rapine commesse nell'Aprile 1966 nella zona di Lancenigo. I fratelli Conterato sostengono di essere stati alle dipendenze della Missione Americana "Pia" O.S.S., operante nella zona di Lancenigo dopo essere sbarcata sulla costa Veneta nel Febbraio 1966, composta da cinque italiani conosciuti con i nomi di "batteglia" Rolando, Rodolfo, Patata, e Buffalo Bill detto anche William e di aver commesso i fatti a loro attribuiti per ordine e col concorso della predetta missione.

In base alle deposizioni di parecchi testimoni degni di fede, a questo ufficio risulta che tale missione effettivamente esisteva che i fratelli Conterato erano effettivamente ai suoi ordini.

Si prega pertanto di eseguire ricerche per conoscere i veri nomi dei componenti della suddetta missione e la loro attuale residenza.

Secondo le dichiarazioni di alcuni testi e del Conterato la missione era collegata col Capitano Americano Teill. Questo ufficio rimane in attesa di una risposta che è necessaria per prendere una decisione circa la libertà personale dei fratelli Conterato.

Ringraziando con distinti saluti

IL GIUDICE ISTRUTTORE

Allegato

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

22 August 1945.

AC/4053/L.

SUBJECT : Colonel RUTA.

TO : The Minister of Pardon & Justice.

1. This Sub-Commission would welcome an explanation of the facts set out in the attached memorandum.

2. If the statements contained therein are correct, the steps taken by the so called "carabinieri" are obviously extra legal and should be brought to the notice of the competent authorities.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

174A

AC/4053/L.

/rlp.
20 August 1945.

SUBJECT : Case of FASSETTI Renata di Amendo.
TO : Minister of Pardon and Justice.

1. The above named lady has been charged under Art. 527 of the Italian Penal Code with improper conduct with an officer of the American Army, Lt. J. M. Smith.

2. The charge has been referred to Dott. Raffaello Capoferro in Sezione 9 of the Pretura Court of Rome.

3. The charge in this case has been preferred by a member of the P.R.O.C. whose name will be supplied to you in due course. The charge arises from the fact that at the time of the incident mentioned, the Carabinieri was extremely rude both to the lady in question and to Lt. Smith and he in fact assaulted Lt. Smith with a gun. The Carabinieri was in consequence arrested and charges brought against him. It is not known what was the outcome of the charges preferred against the Carabinieri but in my opinion there can be no doubt that the action which he is now taking against Sig.na Fascetti is prompted by the charges made against him.

4. I am assured by Lt. Smith that the conduct of Sig.na Fascetti on the occasion in question was above reproach in every possible way. However that may be you will appreciate that the hearing of this case would involve evidence from Lt. Smith. Lt. Smith is not in fact stationed in Italy and will not be available to give evidence here even if it were desirable for him to do so. In any event I am not prepared to permit that an American officer should be required to give evidence before an Italian Court ~~and~~ where his conduct may be called in question. In these circumstances it is perfectly clear that it will be quite impossible for any fair trial of this case to take place.

5. I must therefore request you as a matter of urgency to ensure that these charges against Sig.na Fascetti are withdrawn, that a complete acquittal is registered and that no further action of any kind is taken in this case.

6. I am obtaining the name of the Carabinieri concerned which I shall forward to you and I trust that you will then enquire into his conduct and take such action as you consider necessary.

The name of the Carabinieri is
Spagnolo Alessandro
di Esercito Stazione Bari Principale.

W. E. BEHRENS,
Colonel,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/1c.

15 August 1945.

AC/4053/L.

SUBJECT : Murder of Commissario ARDIZZONE at San Vincenzo in
Prato (Toscana).

TO : The Procuratore Generale Militare, via Acqua Sparta
ROME.

The enclosed petition pertaining to the above
subject is passed to you "per competenza".

G. G. HANNAFORD;
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl.

173A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/1c.

15 August 1945.

AC/4053/L.

SUBJECT : Murder of Commissario ARDIZZONE at San Vincenzo in
Prato (Toscana).

TO : The Procuratore Generale Militare, via Acqua Sparta
ROME.

The enclosed petition pertaining to the above
subject is passed to you "per competenza".

G. G. HANNAFORD;
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl.

173A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

172A

GGH/mb.
15 August 1945.

AC/4053/L.

SUBJECT : PALADINO Eugenio.

TO : Public Safety S/C (Security Division)

1. Ref. your SD/14CHH of 16 July 1945.
2. Enclosed herewith is a copy of the preliminary reply of the Ministry of Justice.
3. You will be advised as soon as final reply is available.

Incl. : Copy of Prot. N. 131,
439/1791/45 uff. I A.P.

G.G. HANNAFORD,
Lt. col.,
Officer i/c Italian Branch
for Chief Legal Advisor.

fin

L053



Mod. 40

Roma, 10

Posto

1945

171A

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

All. On. COMMISSIONE ALLEATA

Sottocommissione Legale

R O M A

Ufficio I° A.P.

Sol. A.° 131.439/1791/45

Dispositivo del 20.7.945

Dir. L. 4053/1

OGGETTO: PALADINO Eugenio condannato dal Tribunale
Speciale per la difesa dello Stato.

e per conoscenza:

ALL'UFFICIO DI COLLEGAMENTO
GABINETTO

In relazione alla nota sopra distinta;
si assicura che in pari data si è provveduto
ad interessare il Procuratore Generale presso
la Corte di Appello di Milano perchè richieda
gli atti relativi al procedimento contro il
PALADINO ed esamini se la sentenza di condanna
emessa, a suo tempo, contro lo stesso dal sop-
presso Tribunale Speciale per la difesa dello
Stato possa essere oggetto di revisione a sen-
si del D.L.L. 5.10.944 n.136.

Si fa riserva pertanto di ulteriori co-
municazioni.

pel MINISTRO

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

170A

AC/4053/L.

ES/pa.
14 Aug 45.

SUBJECT : Bruno and Giorgio CONTARATO held for homicide
etc. -Treviso.

TO : Office of Strategic Services, Rome.

1. Enclosed herewith is an enquiry from the judge in charge of the pretrial proceedings in the above case.
2. He requests information as to whether or not the above named individuals acted on orders of an American Mission named "Pia" sent by O.S.S. behind the enemy lines.
3. It would be appreciated if you could supply the required information to this Sub-Commission for onward transmission to the judge.

G. G. HANNAFORD,
Lt.Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl.: Letter No.715/45 dated 2 Aug.45
of Tribunale TREVISO.

TRIBUNALE
Civile e Penale
di Treviso

N.715/45

COPIA

Treviso, li 2/8/1945

AL COMANDO MILITARE ALLEATO
di

T R E V I S O

OGGETTO : Procedimento penale a carico di Giorgio e Bruno Contarato
Richiesta informazioni.

Questa autorità giudiziaria procede penalmente contro i fratelli Bruno e Giorgio Contarato detenuti nelle locali carceri giudiziarie, per omicidio in danno di Pesce Giancarlo e per varie rapine commesse nell'Aprile u.s; nella zona di Lancenigo. I fratelli Conterato sostengono di essere stati alle dipendenze della Missione Americana "Pia" O.S.S., operante nella zona di Lancenigo dopo essere sbarcati sulla costa Veneta nel febbraio u.s. composta da cinque italiani conosciuti con i nomi di battaglia "Rolando, Rosso, Patata, e Bufalo Bill detto anche William e di aver commesso i fatti a loro attribuiti per ordine e col concorso della predetta missione.

In base alle disposizioni di parecchi testimoni degni di fede, a questo ufficio risulta che tale missione effettivamente esisteva e che i fratelli Contarato erano effettivamente ai suoi ordini.

Si prega pertanto di eseguire ricerche per conoscere i veri nomi dei componenti della suddetta missione e la loro attuale residenza.

Secondo le dichiarazioni di alcuni testi e del Conterato la missione era collegata col Capitano Americano Teill. Questo ufficio rimane in attesa di una risposta che è necessaria per prendere una decisione circa la libertà personale dei fratelli Conterato.

Ringraziando con distinti saluti

IL GIUDICE ISTRUTTORE
(F.ma Illeggibile)

4092/2

HGW/gc

169A

HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

file

11 August 1945.

TO : Chief Legal Adviser, Legal Sub-Commission, HQ., AC.
SUBJECT : Extraordinary Court of Assize.
Ref : RXII/LE/Trev/C/09.

1. Enclosed are a copy of a letter received from the Provincial Legal Officer Treviso together with the original request referred to therein.
2. Can you cause this request to be transmitted to the appropriate authority?

WGRDster
Colonel,
Regional Legal Officer,
Venezie Region.

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
13 AUG 1945	

TREVISO PROVINCE
VENEZIE REGION
ALLIED MILITARY GOVERNMENT

fill 8 August 1945

SUBJECT : Bruno and Giorgio Contarato
TO : R.L.O. Headquarters Venezia Region A.M.G.
(through Provincial Commissioner)

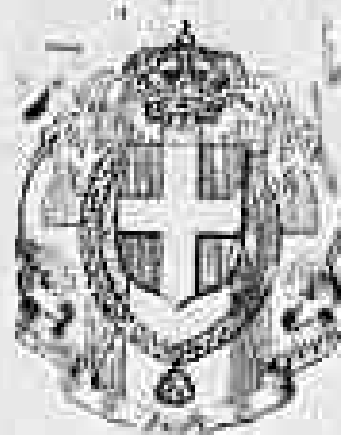
1. I am forwarding herewith for transmission to HQ. of O. S. S. (which I believe stands for Office of Strategic Service) a request for information from a Giudice Istruttore here as to whether the above named individuals (charged with homicide and theft) were members of an American Mission named "Pia" sent by O.S.S. behind the lines.

2. I suggest that O.S.S. be requested to reply directly to the Giudice Istruttore in view of the eminent termination of A.M.G.

22

Henry L. Glenn,
Major, JAGD
Provincial Legal Officer.

fm



MINISTERO DI GRAZIA E GIUSTIZIA

*Direzione Generale degli Affari Penali
delle Grazie della Statistica e del Casellario*

Ufficio 1° A.P.

Prot. N° 131.439/1791/45

Risposta al f. N°

del

OGGETTO: PALADINO Eugenio condannato dal

Roma, 10 agosto 1945

Al PROCURATORE GENERALE presso
la Corte d'Appello di

M I L A N O

Tribunale Speciale per la difesa dello
Stato.

La Commissione Alleata, Sottocommissione Legale,
ha con nota 20.7.945 n.40/4053/L, così comunicato:

""Si richiama la vostra attenzione sull'acclusa traduzione di una condanna imposta a Roma del Tribunale Speciale contro il nominativo di cui in oggetto l'8 luglio 1943 per spionaggio a favore della Gran Bretagna.

Risulta che il nominativo di cui in oggetto venne arrestato parecchie volte, rilasciato e riarrestato di nuovo dalle Autorità Italiane di Roma.

Vogliate cortesemente dare le istruzioni necessarie a ciò che nessun passo venga fatto contro il PALADINO sulla base della sentenza di cui sopra.

L'Agenzia Alleata di Sicurezza che ha portato questa causa a conoscenza di questa Sottocommissione desidera far rilevare che a loro parere non vi è motivo qualsiasi per ritenere che il PALADINO abbia tradito la causa Alleata prima o dopo la sua condanna.

Questa Sottocommissione apprezzerà il vostro consiglio sul se eppur no vi siano accuse in pendenza davanti alle Autorità Italiane contro il PALADINO per reati che non siano quelli per i quali fu condannato dal Tribunale Speciale. Se non esistono tali reati vogliate gentilmente confermare che la posizione del PALADINO sarà definitivamente chiarita. (Chiedere copia originale presso Archivio soppresso Tribunale Speciale. Sentenza n. 174 n. 663 R.G. del 31.8.943).""

Poichè risulta che i fatti per i quali il PALADI-

./.

NO riportato condanna ad anni 30 di reclusione furono commessi in Milano, si prega codesto Generale Ufficio di voler richiedere gli atti relativi al procedimento di cui trattasi al Procuratore Generale presso il Tribunale Supremo Militare ed esaminare se nella specie, possa farsi ricorso al D.L.L. 5.10.944 n.136 che detta norme speciali per la revisione delle sentenze di condanna emesse dal soppresso Tribunale Speciale per la difesa dello Stato, riferendone a questo Ministero.

pel MINISTRO



HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

167A

AC/4053/L.

/pa.
11 Aug 45.

SUBJECT : PALADINO Eugenio, sentenced by Special
Tribunal for Defence of the State.

TO : The Minister of Pardon and Justice.

Your attention is drawn to this Commission's letter
AC/4053/L dated 20 July 45 on the above subject as up to
date no answer has been received.

G. G. HANNAFORD,
Lt. Colonel,
Officer i/o Ital. Branch,
for Chief Legal Advisor.

(166A)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

/pa.
11 Aug 45.

SUBJECT : Italian Civilians awaiting trial.

TO : 276 Field Security Section RAAC.

Reference your P/348 of 27 Apr 45.

1. Procuratore Generale Militare advises that the penal proceeding in the case of MANCINI, SIMEONI and ORSINI has not been terminated as yet.

2. However, the preliminary sentence closing the pre-trial proceeding will be pronounced in the very near future.

3. You will be informed as soon as further advice is available.

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Ital. Branch,
for Chief Legal Advisor.



Roma, 2 agosto 1945

Ministero di Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

ALL'ON. COMMISSIONE ALIENATA
SOTTOCOMMISSIONE LEGALE

R O M A

Ufficio 1° A.D.

Prot. N. 15-27/367/45

Proposta del 30/4 e 10/5/1945
Dir. Leg. N. 240/4053/1

OCCETTO Procedimento penale a carico di MANCINI Francesco,
SIMONE Cesare, OLSINI Triestino.-

Recando seguito a precedente corrispondenza, si informa che il Procuratore Generale Militare presso il Tribunale Supremo Militare ha comunicato che il procedimento penale in oggetto non è stato ancora definito.-

Ha aggiunto che entro breve termine sarà emanata la sentenza istruttoria.-

D'ordine del IL MINISTRO

Luciani

164A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

/vlp.
24 July 1945.

SUBJECT : LONGO Revel.

TO : Liaison Officer, Allied Commission, Bari.

1. Reference your LB/53/63 of 19 July 1945 the papers in this case are returned herewith.

2. So long as the Italian Courts are prepared to assume jurisdiction, I am strongly of opinion that they should be permitted to do so.

3. I gather from the letter of the Procuratore Militare del Regno that he is quite prepared to assume jurisdiction unless the Allies desire to retain the case in the Allied Courts.

4. This sub-commission has no desire to retain the case since AMG Courts have no jurisdiction to deal with Longo. If he is to be tried by the Allied authorities, he must be tried by court-martial. This course is obviously undesirable and should only be adopted if the Procuratore Militare refuses to take jurisdiction over the case.

By command of Rear Admiral STONE:

W. E. DEHEMENS,
Colonel,
Chief Legal Advisor.

Incls.

SWM/lc

4053

ALLIED COMMISSION
LIAISON OFFICE
BARI

Tel. 14152

163A

R. : LB/53/63

19th July, 1945

SUBJECT : Trial of the Italian Co-operator
LONGO RAVEL.

TO : LEGAL Sub-Commission,
HQ, ALLIED COMMISSION,
C.M.F.

1. For advise please.
2. Will you kindly at the same time return the attached papers.

CIO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CLERKS	
23 JUL 1945	

S. W. Miller
S. W. MILLER, Colonel,
Liaison Officer, A.C.,
BARI.

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

TO : Chief Legal Adviser,
Legal Sub-Commission, HQ., AC.

HGW/lp.
12 July 1945.

SUBJECT: Captain Clairval.

FILE No: PXII/IE/BOL/B/O2.

1. Reference your AC/4053/L of 5 June 1945 inquiries have been made by Provincial Legal Officer, Bolzano, as to the points you raise, and he reports as follows.

2. It appears that Clairval was arrested by the Military Police of 349 Regiment, Merano, who handed him over to C.I.C. The latter in turn handed him over to the French B.S.M. in Milan.

3. Apparently neither the Military Police nor the C.I.C. made any record of the particulars of Clairval, and the information can now be obtained only from the French P.S.M.

4. In these circumstances perhaps you will be good enough to take this matter up direct with the French B.S.M. and obtain from them the information which you desire - as set out in paragraph 3 of your letter under reply.

5. I shall be glad to receive your instructions in due course. Meanwhile I am returning to you the copy of the Processo Verbale relating to the case.

H.L. Linar

Colonel,
Regional Legal Officer

162A

138A

to C.I.C. The latter in turn handed him over to the French B.S.M. in Milan.

3. Apparently neither the Military Police nor the C.I.C. made any record of the particulars of Clairval, and the information can now be obtained only from the French B.S.M.

4. In these circumstances perhaps you will be good enough to take this matter up direct with the French B.S.M. and obtain from them the information which you desire - as set out in paragraph 3 of your letter under reply.

5. I shall be glad to receive your instructions in due course. Meanwhile I am returning to you the copy of the Processo Verbale relating to the case.

H. L. Limer

Colonel,
Regional Legal Officer,
Venezie Region.

*Cx Nordini
P. Limer*

LEGAL SUB-COMMISSION	
TO	
XCLO	
Chief Counsel	

N

NFA

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4053/L.

20 July 1945.

SUBJECT : PALADINO Eugenio, sentenced by Special Tribunal for Defence of the State.

TO : The Minister of Pardon and Justice.

1. Your attention is invited to the enclosed translation of a sentence imposed by the Special Tribunal at Rome against the above on 8 July 1943 for espionage on behalf of Great Britain.
2. It appears that the above was several times arrested, released and rearrested again by the Italian authorities in Rome.
3. Would you please issue the necessary instructions that no steps shall be taken against PALADINO on basis of the above sentence.
4. The Allied Security agency which brought this case to the notice of this Sub-Commission wishes to point out that in their opinion there is no case whatever for assuming that PALADINO betrayed the Allied cause at any time before or after his conviction.
5. This Sub-Commission would appreciate your advice as to whether or not there is any charge pending before Italian authorities against PALADINO for an offence other than that for which he was convicted by the Special Tribunal. If there is no such charge would you please confirm that PALADINO's position will be definitely clarified.

Incl.

G. C. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

SECRET

(160A)

HEADQUARTERS ALLIED COMMISSION
A.P.O. 394
PUBLIC SAFETY SUB COMMISSION
SECURITY DIVISION

REF : SD/140MH

16 July 1945

SUBJECT : PALADINO Eugenio

TO : Legal S.C.

1. The attached report with enclosure is forwarded for your consideration.
2. It would be appreciated if the matter could be taken up with the Minister of Justice.
3. Please return enclosures in due course.

LEG	ub
CLO	
DCLO	
Ch of Counsel	
CH	
CH/nb	
Division	
Q-103	
19 JUL 1945	

Hayes
JOHN W. CHAPMAN,
Colonel J.A.G.D.,
Director Public Safety,
Sub Commission.

233

SECRET

P864

To: Security Branch
 HQ Allied Commission

SECRET

276 FS Section
 Phone 478445 Ext 16
 Ref: SEC/12

12 July 45

Security	
Division	
13/7	
Book	5798
File No	
Action	

Subject: PALADINO Eugenio

1. The a/n is an ex-employee of a British agency. He is at the moment experiencing a great deal of annoyance at the hands of the Italian Police whose records about subject do not appear to be in order.

2. The background is briefly as follows:
 Subject whilst working for the Allies was arrested at his home in Rome at 1500 hrs on 6 June 1942. He was imprisoned in Regina Coeli and charged with espionage. Whilst awaiting trial subject thought up an elaborate defence which in the end resulted in his release from prison. However the defence was not accepted at the trial and he was condemned to 30 years imprisonment on 8 July 43 under "Articles 483-488 C.P.P. 311-29-230-257- capor ISV and 2nd C.P. in relation to Article 268 of the same code" The sentence goes on to read "orders that PALADINO having served his sentence shall be set at supervised liberty". The sentence was passed under Sentence No 174 ref No 663 R.G. by the Special Tribunal for the Defence of the State under the presidency of GRIFFINI Dott Comm Mario, Cons.Gen. (see att appx "A")

3. PALADINO then returned once more to Regina Coeli where he began to appeal against the sentence. On or about 13 Nov 43, PALADINO was taken from Regina Coeli to see Col KAPPLER to whom the case had been referred. At 1700 hrs, KAPPLER told subject that he was free. (NB. KAPPLER has been interrogated and confirms that he released subject on the ground that he was a victim of Fascist miscarriage of justice and that anyway PALADINO was an old fool who could not possibly be mixed up in serious espionage)

4. So PALADINO is set free. By some curious mischance his name appeared in the "S" Force Target list for Rome and so upon the Allied entry into Rome he was once more arrested 1000 hrs on 5 June 44. Unfortunately the Allies chose to

condemned to 30 years imprisonment on 8 July 1943. In relation to 488 C.P.P. 311-29-230-257- capor ISV and 2nd C.P. in relation to Article 268 of the same code" The sentence goes on to read "orders that PALADINO having served his sentence shall be set at supervised liberty". The sentence was passed under Sentence No 174 ref No 663 R.G. by the Special Tribunal for the Defence of the State under the presidency of GRIFFINI Dott Comm Mario, Cons.Gen. (see att appx "A")

3. PALADINO then returned once more to Regina Coeli where he began to appeal against the sentence. On or about 13 Nov 43, PALADINO was taken from Regina Coeli to see Col KAPPLER to whom the case had been referred. At 1700 hrs, KAPPLER told subject that he was free. (NB. KAPPLER has been interrogated and confirms that he released subject on the ground that he was a victim of Fascist miscarriage of justice and that anyway PALADINO was an old fool who could not possibly be mixed up in serious espionage)

4. So PALADINO is set free. By some curious mischance his name appeared in the "S" Force Target list for Rome and so upon the Allied entry into Rome he was once more arrested 1000 hrs on 5 June 44. Unfortunately, the Allies chose the same couple of CCHR (TRANFO and DI BELLO) to carry out the arrest as had been employed by the Fascists on 6 June 1942. This naturally has upset PALADINO's faith in the Allies).

5. PALADINO was released once more on or about 6 July 1944 and on 13 July 44 he at last made contact with British officers who were trying to locate him. Since then PALADINO has been galled silly by FSS and by CSDIC and all Allied CI authorities are agreed that there is no case whatever for assuming that he betrayed the Allies or in fact had time to carry out any work to the detriment of the Fascists.

6. PALADINO is at the moment in the position of having been arrested by the Fascists and the free Italians and having been cleared by the Germans and the British. The latest effort took place about 14 days ago when the Italians once more arrested him as they say he had not completed his 30 years sentence. He was released upon the intervention of this unit.

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7. This state of affairs cannot obviously continue and it is accordingly requested that you approach the Ministry of Justice to have the sentence and all subsequent charges cancelled and erased from records so that PALADINO may cease to be troubled by the confusion of the present Italian police records.

8. PALADINO's personal particulars are as follows:

PALADINO Eugenio (father - Eugenio
mother - CARDUCCI Beatrice)

Born 15 Oct 1896, ROME

Nationality - Italian

Address, Via Francesco Denza 18, Rome

Wife - BULLING Elisabetta born Stuttgart 1900

FIELD.

reps
Capt.,
Int Corps.

*Capt Hayes says the man has
now been released again. It
20 Jul 49*

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