

10000/142/587
(VOL. 19(A))

REVIEW OF ALLIED
AUG., SEPT. 1945

10000/142/587
(VOL. 19(A))

REVIEW OF ALLIED MILITARY COURT CASES, CORRESPONDENCE
AUG., SEPT. 1945

35
328
AC/1003A/L.

Vol. 19a

FROM : No. 2203

TO : No. 2299

118 *W*

SUBJECT : REVIEW OF ARMED MILITARY COURT CASES - CORRESPONDENCE

TO : No. 2299

118 *ju*

SUBJECT : REVIEW OF ALLIED MILITARY COURT CASES - CORRESPONDENCE

100000 942 587

1004
CONTAINS TAPE
FROM *obay* 45
10 *Sept.* 45
CATALOGUE

From ; 2263

To: : 2299.

118

HEADQUARTERS ALLIED COMMISSION

AFS 34

LEGAL SUB-COMMISSION

44/rm.

28 September 1945.

AG/4002/L.

SUBJECT : Release of prisoners.

TO : The Minister of Grace and Justice.

1. Two cases have recently been brought to the notice of this Commission of attempts made in Italian Government territory to secure the release of prisoners held in gaols by the use of forged release orders purporting to be signed by Allied officers, these forgeries were so expert that they were detected only by accident.

2. In order to prevent unauthorized persons from effecting releases from Italian prisons of prisoners who are at the disposition of the Allies it is requested that you inform the Directors of all prisons and jails and others responsible for custody of prisoners in territory that has been turned back to the Italian Government that no prisoner who is at the disposition of the Allies will be released before the expiration of his sentence except upon orders from the office of the Minister of Grace and Justice, upon receipt of communication from this Sub-Commission stating its decision or action in such case.

3. These practices will apply only to the territory that has been turned back to the Italian Government.

4. It will be the policy of the Legal Sub-Commission to communicate to the Minister of Grace and Justice the action of the Sub-Commission in altering the sentence of any prisoner held at the disposition of the Allies in territory that has been returned to the Italian Government, or in denying the petition of any such prisoner.

117

Copy to : File AG/4003/1/2. ✓
Public Safety S/C.

JOHN R. RUSSELL,
Colonel, Infantry,
Chief Judicial Officer.

file

PR/LE/312

1st End.

DDM/AR.

HEADQUARTERS PIEMONTE REGION, A.M.G., LEGAL DIVISION, 22 Sept.45.

TO: H.Q. A.C. for Legal Sub-Commission.
(Attn. O i/ch Italian Branch).

2299

Forwarded for review.

ADM Tolun

D.D. Mc Colm
Major, R.A.
Act'g Reg. Legal Officer.

Encl.: Records of cases.

A document with a grid and a date stamp. The grid has 4 rows and 2 columns. The date stamp reads "2 SEP 1945".

116

ER/LB/312

1st Ind.

DDH/AR.

HEADQUARTERS PIEDMONT REGION, A.R.G., LEGAL DIVISION, 22 Sept. 45.

TO: H.Q. A.G. for Legal Sub-Commission.
(Attn. C i/ch Italian Branch).

Forwarded for review.

D.D. Mc Ginn
Major, R.A.
Act'g Reg. Legal Officer.

Encl.: Records of cases.

113

HEADQUARTERS ALLIED COMMISSION
 480 394
 LEGAL SUBCOMMISSION

JIS/rm.

21 September 1945.

10/13/45.

SUBJECT : SAMIRNO Carlo di Domenico.

To : Commissioner (ettn. Legal Officer),
 AND R. P. S. Zone.

1. In the above case, the conviction and sentence are affirmed.

2. In disposing of the 555,560 lire, an order was entered by the Court that the sum is "confiscated". It is necessary to modify such order.

3. It is undisputed that the accused stole 83 sacks of American sugar. It follows, therefore, that title to such sugar at all times remained in the United States Government. Not having title, the accused could not pass title on the alleged sale. The money which he received in exchange for the property was held by him as trustee or as a depositor or bailee for the United States Government and the Court should have entered a proper order turning over such funds to the United States Government.

4. The distinction is important. As I understand it, funds forfeited by the Court as additional punishment find their way to the Italian Treasury. The sugar or its value represents tax money expended from the Treasury of the United States. Being in the nature of stolen property, under Article 28, paragraph 3, b, the Court enters proper order that the stolen property will be returned to the true owner.

The Court, therefore, should cause the record to deal with this subject matter accordingly, and action should be taken to effectuate its execution.

By command of Rear Admiral STONE:

114

JOHN A. WEBER,
 Colonel, Infantry,
 Chief Judicial Officer,
 for Chief Legal Advisor.

75

4083/1

file

2296

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L- 4014

21 August 1945

SUBJECT: Salvati Berdinando.

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

1. Enclosed herewith is letter from Director of Pozzuoli Prison requesting information which can be found in your files.

For the Commissioner:

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, 466
Major, J.A.G.D.,
Senior Legal Officer.

CCB/ga

Encl.

COMMISSION	
CIO	
DCIO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

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45

SEP 1945

file

9295

HEADQUARTERS ALLIED COMMISSION
A.O. 394
LEGAL SUB-COMMISSION

AC/4083/1/L.

JD/r.
17 September 1945.

SUBJECT : SANTONI Umberto.

TO : Carceri Giudiziarie di Volterra.

1. Returned herewith is your letter Prot. No. 4802 of 14 August 45 and enclosure "revisione di sentenza F-1 of 13 June 45 signed by VARIANI".

2. The case of SANTONI Umberto was reviewed 12 June 45 and the decision is as follows:

"Convictions affirmed. Sentences hereby modified to read as follows: imprisonment (total) 2 (years) of which the second year is suspended during continuance of good behavior of the accused."

G.F. Goodwin,
Major, O.D.,
Judicial Branch,
for Chief Legal Advisor.

Copy to : NO DIVISION 2000
your letter L.O. 1599
of 13 Sept. 45 refers.

112

15

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

13 September 1945.

File: L.O. 1599.

Subject: Revision of sentence, Santoni Umberto.

To: Hq, Allied Commission, APC 394.
(Attn: Chief Judicial Officer).

1. The enclosed revision of sentence was carried to the Volterra prison by the wife of the accused. Since such revisions generally came directly to the prison, the prison officials were not certain of its authenticity and have asked us to check it for them. (Their letter is also enclosed).

2. This was the form used by Major Glenn and the signature "Vannini" is known to me to be the name of his secretary, so it appears authentic on its face.

3. For certainty however will you kindly have it verified from your card index file and then forward the revision paper directly to Volterra prison together with your finding.

For the Zone Commissioner:

Incl: 2.

GFD/es.

C. F. DeLeridge Jr.
C. F. DELERIDGE Jr.
Captain QMG
Legal Officer.

LEGAL SUB-COMMISSION		111
CLO		
DCLO		
Chief Counsel		
CL		
Adm. Section		
CLERKS		
17 SEP 1945		

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(2293)

AO/4083/1/L.

JRW/ra.
17 September 1945.

SUBJECT : PIZZORNO Angelo di G.B.

TO : Regional Commissioner (for Regional Legal
Officer), LIGURIA Region.

Forwarded herewith is "estratto del registro" for such
action as you may deem necessary.

By command of Rear Admiral STON:

110

G.F. GOODWIN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor.

2292

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rjp

24 Sept. 1945

AG/4083/1/L

SUBJECT : PIGNATO Cataldo
TO : Carcere Giudiziario,
Galtaniseetta

1. Reference your letter N. 3282 Tit 3, Fasc. 5
Lett. B of 31 July 45.

2. We feel, that in this case the same rule which
you would apply to an accused sentenced by Italian Courts
should also govern.

G. F. GOODWIN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor

Copy to:
The Minister of
Grace and Justice

109

2291

file

HEADQUARTERS JUDICIAL COMMISSION
AWO 384
LEGAL SUB-COMMISSION

JKW/rm.

25 September 1945.

AC/4132/L.

SUBJECT : Case of Mario FALCETTI.

TO : Regional Commissioner (for Regional Legal
Officer), VENEZUELA Region.

We have received a communication from the Yugoslav
Delegation to the Advisory Council for Italy concerning the case
of one Mario FALCETTI, who alleged to have been sentenced to 18
months imprisonment by a Superior Military Government Court in
Venezuela. May we be advised concerning this alleged case, setting
out the charges and summary of the evidence?

By command of Rear Admiral STONE:

JOHN A. WEBER,
Colonel, Infantry,
Chief Judicial Officer,
for Chief Legal Advisor.

Copy to : file 4083/1/L.

108

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40/2/1

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HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-3020

19 Sept. 1945

SUBJECT: Case of NOCERA Ferdinando.

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

1. The record in the case of NOCERA Ferdinando
was forwarded to your HQ on 31 March 1945 together
with all the other Forms 8.

For the Commissioner:



Frank L. Vecchiola
FRANK L. VECCHIOLA, by ocs
Major, J.A.G.D.,
Senior Legal Officer.

CCF/pv

107

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERS	
20 SEP 1945	

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file
HEADQUARTERS ALLIED COMMISSION
AIO 394
LEGAL SUB-COMMISSION

(2289)

AC/4083/1/L.

J./ra.
18 September 1945.

SUBJECT : MASRI Paolo.

TO : G-1 - (B) - Hq Allied Commission.

1. Returned herewith is your letter and attached report G-1B/16120/36/1/0 of 12 September 1945.

2. It is apparent, from the facts as alleged, that the case is not one which would have been submitted to this HQ for review; notwithstanding a search has been made of the regional records - (Lazio-Umbria and Umbria-Marche) - but no record of trial could be found in the case of Masri Paolo di Giovanni. It is quite possible that the matter was not submitted to the Courts for adjudication in which event a record of such trial could not exist.

3. Since the officers in question are not available, as stated in the attached report, it is suggested that the prison records could be consulted and thereby determine from the order of release,

- (a) if Masri was ever tried by an Allied Military Court, and
- (b) by whose authority Masri obtained his release.

JOHN R. WEBER,
Colonel, Infantry,
Chief Judicial Officer,
for Chief Legal Advisor.

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file
HAWAIIAN REGIONAL COMMISSION
410 994
HAWAIIAN REGIONAL COMMISSION

HC/4383/1/L.

JL/rm.
13 September 1945.

SUBJECT : Case of *WONKATA* et al.

TO : Regional Commissioner (attn. Regional
Legal Officer), Hawaiian Region.

1. Reference para 4 of your letter HC/5002 of 11 Sept. 45.
2. Receipt is hereby acknowledged.

By command of Rear Admiral STONE:

G.I. COLEMAN,
Major, JAG.
Judicial Branch,
for Chief Legal Advisor.

103

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(2287)

JAN/rm.

21 September 1945.

AC/ROB3/1/L.

SUBJECT : Case of BUZZATI Vittore.

TO : Regional Commissioner (attn. Regional Leg 1
Officer), LOMBARDIA Region.

1. See your letter 15 September 1945, LB/5005, case of
BUZZATI Vittore.

2. The accused was charged with making a false statement in
connection with an official matter. It was alleged that on or about
10 June 45, at Milan, as general secretary of the Pio Albergo Trivulzio,
he made a false statement in his "scheda personale" denying he had
been a fascist "ante-murcia" or "squadrista".

3. The prosecution produced the "scheda personale" of the
accused. In response to the question, "Have you any of the qualifications:
Antemurcia? Squadrista?" the accused answered therein "no". There was
introduced into the record as Exhibit B, a membership card in the Partito
Nazionale Fascista, which appears regular in all respects and bears the
photograph and signature of the accused. This card discloses that the
accused was inscribed in the fascist party as of 10 May 1921. There was
introduced as Exhibit "C" a letter from the Federazione provinciale
Piemontese addressed to the accused by notation on the fold on the back
side, which purports to show that accused was a Squadrista on 31 October
1922 and was charged with the duty of assembling certain squads.

4. In the instant case in the judgment of the Court there appears
the following (page 5):

"In my judgment the letter, (Proc. Ex. 3) is insufficient
to establish the fact that defendant was a squadrista, and there is no
other evidence tending to prove the fact.

The original membership card (Proc. Ex. 2) is regular in
every respect and proves prima facie that the defendant was a
member of the fascist party in good standing through out the year 1923
and that the date of his inscription in the party was 10 May 1921. The
original card having been offered and received in evidence, it became
the duty of the defendant to raise in the mind of the Court a reasonable

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- 2 -

doubt as to the date of his inscription in the party as evidenced by the card. This the defendant has failed to do".

5. From the above it is really apparent that the card (exhibit B) was measured by a rule of law which differs from that with which the letter (exhibit C) was measured. The prima facie proof accorded the card (exhibit B) is rejected as to the letter (exhibit C); the court plainly indicates that as to exhibit C other proof was requisite.

6. The prima facie proof given by the Court to exhibit B can be sustained if the document in question was outside the boundaries of hearsay evidence. The rule excluding hearsay evidence is applicable to written or documentary evidence, as well as to oral evidence. A statement of a person who is not called upon as a witness is none the less "hearsay" because it has been reduced to writing, and is offered in that form to the Court. (In the instant case the Court recognized and applied such rule to exhibit C). But in its application to documents of a public or official character the rule is subject to many important qualifications. In the case of many (but not all) such documents, though the elements which they contain are, either under the general law or under express statutory provisions, admissible as evidence of the matters to which they relate. This is so, not because such documents are an exception to the rule but because the law indulges in a presumption that persons shown to be acting as public officers are presumed to be legally in office and to perform their duties properly.

7. Italian law indulges in such presumption in many of its documents of a public or official character. The question arises, was the document offered as "exhibit B" within such favored class? We are unable to answer this question as the record is silent on that premise.

8. In answer to question (a) paragraph 4 of your letter, we give as our opinion that in the absence of a rule of law clothing such card with a presumption that the same is evidence of the matters to which it relates, it was admissible in evidence as hearsay but within the boundaries of the rules set forth in Consolidated Instructions.

9. In answer to question (b) of paragraph 4, it is our opinion that the customs, rules and regulations of the Fascist political party are controlling on the issue of whether or not by his conduct and that of the party a person was a member of the party and a "antemarcia" or "squadrista". Even if a membership card carries a presumption as to matters to which it relates, it is still open to proof whether such facts are true. The issues of fact must be decided by the court on the evidence and under the rules prescribed for its observance.

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- 3 -

10. If and when this absent matter is disclosed if it is still desired we will glad to rule on the case in the light of what has been written.

By command of Rear Admiral STONE:

JOHN A. WEBER,
Colonel, Infantry,
Chief Judicial Officer,
for Chief Legal Advisor.

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This case does not seem to me to present as difficult a question. It is solely a question of fact to be resolved by the Trial ~~Officer~~ Officer, viz, did the evidence show that accused made a false statement on his Schick Paronah when he swore that he ~~had not~~ ^{was} an "antimarxist" parrot. The RLO wants us to resolve a question of fact, which is not a proper function for us. The Trial Officer hears the evidence and resolves the witness, and it is only our concern to determine whether there is sufficient evidence to support his findings. I do not think it is mine for us to give a yes or no answer to (a) 4 of the letter of RLO. It is the proper question. ~~It must be~~ answered by the Trial Officer from a view of all of the evidence that he has heard. I think we can say from the evidence in this case that the Trial Officer was justified in finding that the ~~accused~~ ^{accused} was an "antimarxist." But this view is based upon all of the evidence in the case, not merely upon the 1923 membership card.

The evidence showed that accused possessed this ¹⁹²³ membership card, dating his membership in the party since 1921 (before the march on Rome). He stated on the trial "I knew that if I had disclosed my memberships in the Party as of 10 May ~~1921~~ ¹⁹²¹, that I would have been automatically suspended from my position." It

evidence show that accused made a false statement on his Schilda Personnel when he swore that he had not been an "antimarxist" fascist. The RLO wants us to resolve a question of fact, which is not a proper function for me. The Trial Officer hears the evidence and swears the witness, and it is only our concern to determine whether there is sufficient evidence to support his findings. I do not think it is mine for us to give a yes or no answer to (a) 4 of the letter of RLO. It is the prime question: ~~that must be~~ answered by the Trial Officer from a view of all of the evidence that he has heard. I think we can say from the evidence in this case that the Trial Officer was justified in finding that the ~~accused~~ accused was an "antimarxist." But this view is based upon all of the evidence in the case, not merely upon the 1923 membership card.

The evidence showed that accused possessed this ¹⁹²³ membership card, dating his membership in the party since 1921 (before the March on Rome). He stated in the trial "I know that if I had disclosed my membership in the Party as of 10 May ~~1921~~ 1921, that I would have been automatically suspended from my position." It appears from the evidence that accused was in 1927 issued another card in the Fascist party which did not purport to show him to be an "antimarxist" fascist.

**PARTITO FASCISTA REPUBBLICANO
FEDERAZIONE DI ROMA**

AMMINISTRAZIONE

Bilancio : 194.

Esercizio: 194 - 194

Capitolo N.

M4 IL REVISORE

ORDINE DI PAGAMENTO N°

Il Cassiere pagherà, per conto di questa Federazione, a nominat

la somma di Lit. _____ e cent.

a presentazione del presente ordine.

[illegible]**TABLE I**

Корр.-л.

194

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IL CAPO DELLA RAGIONERIA

III

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ESEGUITO IL PAGAMENTO

Operazione n. 1 del

P^0 : per il riscontro

II. CASTING

IL CONTABILE

In short, in 1927 it seems that he was not recognized by the party to be an "antemarcia" fascist. But this does not mean that he had never ~~been~~ been an "antemarcia". The cards are for different periods. One was issued in 1923 and the other in 1927. It is quite within the realm of possibility that he fell from grace in the eyes of the Party officers and was not accorded a high status in the year 1927.

The Ickes Personals does not ask whether you are now a member of the "Antemarcia"; but asks whether you have held the position of "Antemarcia". The evidence justified the Trial Court in finding that at one time, at least, he had held this position, regardless of the fact that the evidence showed without dispute that in later years he was not an "Antemarcia".

Recommendation: That we inform the P20 that the evidence is sufficient to affirm the finding of the Trial Officer to the effect that accused Pakey stated in this Ickes Personal that he had not been a member of the "Antemarcia".

Worby

H083/1.

Vle

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HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMUNE
LEGAL DIVISION
APO 394

L-3020

20 Sept. 1945

SUBJECT: Case of BASILE Angelo and TROISE Luigi.

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

1. The above mentioned accused were tried by the
Sup.Mil.Ct. No.5, Naples, on 2 May 1944.

2. May we please have the sentences imposed in
the above mentioned case?

For the Commissioner:

Frank E. Vicchiolla
FRANK E. VICCHIOLLA,
Major, J.A.G.D.,
Senior Legal Officer.

FEV/pv

LEG. DIV.	
CLO	
DCLO	
Chief Counsel	
CIO	
Ref. Sec.	
CL. Sec.	
22 SEP 1945	

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JL/rjp

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/1/L

24 September 1945

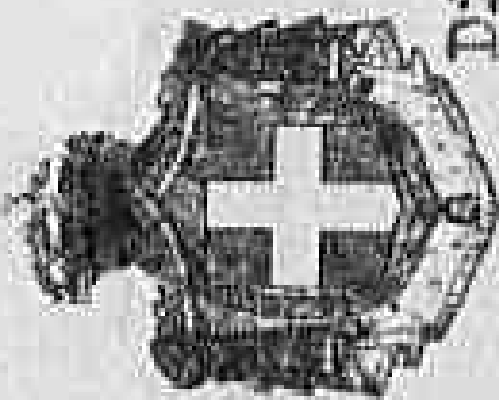
SUBJECT : BASILE Angelo and TROISE Luigi
TO : Commissioner (att. Legal Officer)
AMG Naples Zone

1. Reference your letter L/3920 of 20 Sept 45.
2. BASILE Angelo and TROISE Luigi were each sentenced to 10 years imprisonment to begin on 2 May 44.

By command of Rear Admiral STONE

G.F. GOODWYN,
Major, CAG,
Judicial Branch,
for Chief Legal Advisor

98



Mod. 1348 M. G.

2284

Ministero di Giustizia
Direzione Generale per gli Istituti di Prevenzione e di Pena

Ufficio VI
n. 143474/93958

Roma, 13.9.45

Alla Direzione delle carceri giudiziarie

NAPOLI

e P.C. Alla Commissione Alleata
- Sottocommissione Legale -

ROMA

OGGETTO: Detenuto Barca Armando fu Amedeo.-

La Commissione Alleata - Sottocommissione Legale - comunica
quanto appreso :

"AC/4083/L/L. Oggetto: Barca Armando fu Amedeo .

Al Ministero di Grazia e Giustizia.

1°- Con riferimento alla lettera della carceri giudiziarie di Napoli n. 12564 T.3. Fasc. I Lett. B del 2° luglio 45 relativa all'oggetto suindicato.

2°- La causa di Barca Armando è stata riesaminata. Il verdetto di colpevolezza è stato confermato, ma la condanna ridotta a 3 anni di reclusione.-

3°- Vogliate cortesemente impartire le necessarie istruzioni affinché la nuova decisione venga registrata negli archivi del carcere in cui il summenzionato è detenuto e vogliate informare lo stesso della riduzione della condanna. Vito J.T. Weber."

Si prega di provvedere in conformità, assicurando questo Ministero.

LEG. SUB. COMMISSION

CLO

DCLO

Chief Counsel

CLO

Pel Ministro

Ufficio VI
n.143474/S3958

Roma, 13.9.45

Alla Direzione delle carceri giudiziarie

NAPOLI

e p.c. Alla Commissione Alleata
- Sottocommissione Legale -

ROMA

OGGETTO: Detenuto Barca Armando fu Amedeo.-

La Commissione Alleata - Sottocommissione Legale - comunica

quanto appresso :

"4C/4083/1/L. Oggetto: Barca Armando fu Amedeo .

Al Ministero di Grazia e Giustizia.

1°- Con riferimento alla lettera della carceri giudiziarie di Napo-

li n.12564 T.3.Pesc.1 Lett.B del 24 luglio 45 relativa all'og-

getto suindicato.

2°- La causa di Barca Armando è stata riesaminata. Il verdetto di

colpevolezza è stato confermato, ma la condanna ridotta a 3 anni

di reclusione.-

3°- Vogliate cortesemente impartire le necessarie istruzioni affin-

chè la nuova decisione venga registrata negli archivi del carce-

re in cui il summenzionato è detenuto e vogliate informare lo

stesso della riduzione della condanna. R:to J.V.Weber."

Si prega di provvedere in conformità, assicurando questo Ministero.

Pel Ministro



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



Amministrazione Provinciale di Ascoli Piceno

N. 6393

Risposta al foglio

del 31/8/1945

N. AC/4083/L

Allegati N.

Ascoli Piceno, 7 settembre 1945

OGGETTO

Angelini Marinucci Augusto.

LEGAL S/C

Alla Commissione Alleata di Controllo

R O M A

Nel ringraziare codesta Commissione della comunicazione resa con la nota suddescritta comunico che a questa Amministrazione interessa di conoscere non tanto la pena inflitta al già dipendente in oggetto, quanto la specifica del reato per cui gli fu inflitta detta pena.

Nel rinnovare quindi preghiera di tale comunicazione ringraziando riverisco.

IL PRESIDENTE

(N. G. Teodori)

LEG. SUB. COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
d 7 SEP 1945	

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File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(2282)
JL/rjp

26 Sept. 1945

AC/4083/1/L

SUBJECT : Angelini Marinucci
TO : Amministrazione Provinciale di
Ascoli-Piceno

1. Reference your letter N. 6393 of 7 Sept 45.
2. The accused was charged with violating Proclamation 1 Article 5 section 27 - the accused on 16 January 1945 at Ascoli wrongfully had in his possession, on the farm of Gaspari Mazzareno, 18 tins of Petrol 100 octane aviation spirit the property of the Allied Forces. He was also charged with violation of Proclamation 1, Article 5, section 37, - the accused during the months of November/December 1944 in Ascoli bought for 125,000 lire 18 tins of Petrol of 100 octane aviation spirit the property of the Allied Forces.

G.F. GOODWYN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor

2281

HEADQUARTERS
ANG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

24 Sept. 1945

SUBJECT: Case of PRIORE Beniamino fu Antonio
TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, ~~together~~
~~with application for review~~ regarding the above
entitled matter.

For the Local Commissioner:

F. L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

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HEADQUARTERS
ANG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

24 Sept. 1945

SUBJECT: Case of VARLESE Raffaele

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, ~~together~~
~~with application for review~~ regarding the above
entitled matter.

For the Local Commissioner:

F.L. VECCHIOLIA,
Major, JAGD,
Senior Legal Officer.

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HEADQUARTERS
ANG - NAPLES COMUNE
LEGAL DIVISION
APO 394

24 Sept. 1945

SUBJECT: Case of CERULLO Vincenzo di Raffaele

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, ~~together~~
~~with application for review~~ regarding the above
entitled matter.

For the Local Commissioner:

F. L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

92

25 SEP 1945

12

4083/11

2278

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-8104

22 Sept. 1945

SUBJECT: Port Summary Court cases.

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

1. Enclosed herewith are cases tried by the
Port Summary Court during the period 8 August thru
11 August 1945.

For the Commissioner:

GCB/pv

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *466*
Major, J.A.G.D., *gi*
Senior Legal Officer.

47/

SEARCHED	INDEXED
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SEP 22 1945	
APO 394	

25

2277

HEADQUARTERS
AMG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

22 Sept. 45 1945

SUBJECT: Case of FARRO Vincenzo et al.

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, together
with application for review regarding the above
entitled matter.

For the Local Commissioner:

F. L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

90

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CLO	
25 SEP 1945	



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4083/1.

2276

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
AWO 394
Legal Division

Ref.: LRG/5007

31 September 1945

SUBJECT: CORBY Paolo - Case No. 000507

TO : HQ Allied Commission
Legal Sub-Commission

1. Enclosed herewith Record of Trial in the above case. To date no Petition for Review has been filed at this HQ.

For the Regional Commissioner :

89

H.M. Dickie
H.M. DICKIE
W/Comdr., R.I.F.
Regional Legal Officer.

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P.S. Petition for Review has just arrived and is attached.



2275

HP 13/11

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5007

21 September 1945

SUBJECT : INSERVINI Virginio et al.
Case No. 000577

TO : HQ Allied Commission
Legal Sub-Commission

1. Enclosed herewith Record of Trial in the above case and Petition for Review filed on behalf of GALLERA Giuseppe and INSERVINI Virginio.

For the Regional Commissioner :

80

Encl.

LEG	COMMISSION
CLO	
DC	
Chm	
CL	
Trb	
CL	
21 SEP 1945	

J. M. Reynolds
H. E. DICKIE
W/Comdr., R.A.F.
Regional Legal Officer.

ar/

12

HEADQUARTERS
ZONE
LIVORNO PROVINCE
ALLIED MILITARY GOVERNMENT

14 Sep. 45

2274

File:

Subject: TRANSMISSION OF RECORDS.

To: HQ Allied Commission, APO 394
Attn: Chief Legal Sub Commission.

Herewith ~~in~~closed find 14 records of Summary Court.

For the Zone Commissioner:

for
ARBER JOHNSON
1st Lt. Inf.
Legal Officer

W. Eric Feldman

87

17

2273

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-8104

19 September 1945

SUBJECT: Port Summary Court cases.

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

1. Enclosed herewith are cases tried by the
Port Summary Court during the period 1 August thru
7 August 1945.

For the Commissioner:

86

FLV/pv

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by 6615*
Major, J.A.G.D.,
Senior Legal Officer.

X7

2272

HEADQUARTERS
AFM - PAPLES COMMUNE
LEGAL DIVISION
APO 394

19 Sept. 1945

SUBJECT: Case of TOMASELLI Antonio and TOMASELLI Gennaro.

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, together with application for review regarding the above entitled matter.

For the Local Commissioner:

~~Dr. F. L. Vecchiolla~~
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

84

LES 8	18 SEP 1945
CIO	
DOQ	
Chief Counsel	
CIO	
Italian Section	
CLARK	
3	0 SEP 1945

2271

HEADQUARTERS
ANG - NAPLES COMTUNE
LEGAL DIVISION
APO 394

19 Sept. 1945

SUBJECT: Case of BRACCO Francesco et al.

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, together with application for review regarding the above entitled matter.

For the Local Commissioner:

F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

82

[illegible]

4073/1

2270

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

18 September 1945

TO : Chief Legal Adviser, Legal Sub-Commission
HQ., AC. (for Italian Branch)

SUBJECT : Review of case FELTRIN Federico.

FILE NO : RXII/LE/Bol/A/03

1. Enclosed herewith is the case record of
Feltrin Federico, for review by you.

W. B. B. B.

Major,
Regional Legal Officer,
Venezie Region.

INCLS.

Copy of Form No 13 from Padova Province.

x1

LEGAL SUB-COMMISSION	83
CLO	
CCLO	
Chief Counsel	
CLO	←
Region - 3-3-3-3	
REKS	
20 SEP 1945	

4083/11
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HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-8104

19 September 1945

SUBJECT: Port Summary Court cases.

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

1. Enclosed herewith are cases tried by
the Port Summary Court during the period 23
July thru 28 July 1945.

For the Commissioner:

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

CCB/ga

Encl.

LEG L SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CL	
Room	
CLERKS	
17 SEP 1945	

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HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

2268

L-8104

12 September 1945

SUBJECT: Port Summary Court Cases.

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

1. Enclosed herewith are cases tried by the
Port Summary Court on 30 and 31 July 1945.

For the Commissioner:

CCB/pv

LEGAL SUB-COMMISSION	
CHIEF	
DEPUTY CHIEF	
Chief Counsel	
CLERK	
RECORDS	
15 SEP 1945	

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *ly 668*
Major, J.A.G.D.,
Senior Legal Officer *81*

17

4083

HEADQUARTERS
LIVORNO PROVINCE ZONE
ALLIED MILITARY GOVERNMENT

2267

File: L.O. 1588
Subject: Transmission of records.
To: HQ, Allied Commission, AFO 394
Attn: Chief Legal Sub Commission.

12 Sept. 45

Herewith inclosed find 44 records of Summary Court.

For the Zone Commissioner:

ARBER JOHNSON
1st Lt Inf.
Legal Officer

ARBER JOHNSON
1st Lt Inf.
Legal Officer

LEGAL SUB-COMMISSION

NO. 1

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HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

Office of the Regional Legal Officer

13 September 1945.

PR/LE/312

SUBJECT: Review: CAFFARO Domenico.

TO : Legal Sub-Commission H.Q. A.C.

1. Herewith Record and exhibits in this case, together with prosecution statements and relative documents in the counts to which accused plead guilty.

2. It is understood that accused took exception to the wording of the first charge on the ground that it was insulting.

3. The prosecution productions relative to charges O.P.Q. have been retained as they are required in another prosecution.

4. The rubber stamps have been retained as copies are being widely circulated in the hope of tracing further cases.

For the Regional Commissioner.

DDM/LR.

Encl. Caffaro File.

D. D. Mc Colm Major

D. D. Mc Colm

Major, R.A.

Act'g Reg. Legal Officer.

LEGAL SUB-COMMISSION	
CO	
CLD	
Chief Counsel	
CLY	
Commission	
CLRS	
17 SEP 1945	

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HEAD QUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

14 September 1945

Ref.: LEG/5003

SUBJECT : Lonati Luigi et al.
Case No. 000363

TO : HQ Allied Commission
Legal Sub-Commission

1. Attached hereto Record of Trial in the above case.
2. No Petition for Review has been received to date.

For the Regional Commissioner :

Encl.

ar/

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Clerk	
CJO	
Itation Section	
CLERKS	
17 SEP 1945	

for H.M. Dickie
H.M. DICKIE
W/Comdr., R.A.F.
Regional Legal Officer.

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4083/110

2263

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
10 BARDIA REGION
APO 394
Legal Division

Ref.: LEG/5002

11 September 1945

SUBJECT : General Military Court
Case of MINEROTTI and Others

TO : HQ Allied Commission
Legal Sub-Commission

1. The above case was concluded on Thursday last 6th September, when six of the accused were convicted and sentenced to varying terms of imprisonment and to fines in accordance with Italian law, the remaining four being found not guilty.

In view of length of the Record, it is thought advisable to forward the documents for review at once. Appeals on behalf of the accused will follow as and when received.

2. The undermentioned enclosures accordingly accompany this letter :-

- (a) Record of Proceedings
- (b) Copy Charge Sheet
- (c) Envelope containing Exhibits other than Statements and other documents.
- (d) Envelope containing Statements and medical reports.

77

4. MIGHT/

11

-2-

4. Might receipt of these papers be acknowledged.

For the Regional Commissioner :

H. M. Dickie *Hfd.*

H. M. DICKIE
W/Comdr., R.A.F.
Regional Legal Officer.

Encl. documents.

er/

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5902

3rd October 1945

SUBJECT : General Military Court
Case of MURRATI and others.

TO : H.Q. Allied Commission
Legal Sub-Commission

1. Further to our LEG/5902 dated 11th September
1945 enclosing Record of Trial in the above case,
enclosed herewith is Petition for Review on behalf of
MURRATI Walter.

For the Regional Commissioner :

Encl.: Petition
for Review

for Murrati to sign
E.M. DICKIE
W/CDR. RAF
Regional Legal Officer

LEGAL SUB-COM	
CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CL RKS	
OCT 1945	

75

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

10 September 1945.

Office of the Regional Legal Officer

PR/LE/312

SUBJECT: Review of Cases.

SUBJECT: REVIEW

TO : Legal Sub-Commission H.Q. A.C.

1. Herewith record of trial of Tosello Spirito and Marro Giovanni, both of whom were charged under Italian Law. By agreement the cases were heard together as the evidence was relative to both charges.

the cases were not on charges.

2. A report has been made to the Regional Commissioner and a copy is enclosed.

3. A person who had seen something ^{was} ~~was~~ much

3. The witnesses for the defence who had seen something very reluctant to part with information; apparently suffered from much in-breeding; and when pressed took refuge in a blank stupidity that was not wholly assumed for the occasion.

For the Regional Commissioner.

ADAM Tolun Maja

D. D. Mc Colm

Major, R.A.
Act'g Reg. Legal Officer.

DDM/LR.

Encl. Copy Report to R.C.
Record and productions.

4 SEP 1965

49/8/11
17 SEP 1945
HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

Office of the Regional Legal Officer

10 September 1945.

PR/LE/306

17 SEP 1945

SUBJECT: General Court.

TO : Regional Commissioner - Piemonte Region.

1. The General Court appointed by your Order of 24 Aug. 45 consisting of the undersigned and Captain N.A. Dickens and 1st Lt. Edward E. Nevans Jr. assembled at Cuneo on 6th Sep. 45. On that and the two succeeding days it heard evidence in the charges of homicide of an Algerian soldier against TOSELLO Spirito and concealment of the corpse against MARRO Giovanni.

2. In each case a unanimous verdict of Not Guilty was returned and it was ordered that the accused who had been in prison for over three months be released.

3. The French Authorities were invited to send an officer to observe the trials or to assist in the prosecution. An officer did attend on the first morning and for part of the first afternoon. He did not understand English or Italian and the proceedings were translated for his benefit into French. He assisted the Court by translating from Arabic to French in the case of one witness.

4. One French military witness, the companion of the dead man on the day he was killed did not appear. It was stated that one week before the trial he had been repatriated to North Africa for demobilisation.

5. In his absence the case for the prosecution rested on the confessions of the accused. In the homicide case that confession covered only the firing of certain shots and evidence for the defence established the place of firing as in a small community of six or seven houses. There was no evidence that death resulted from these shots and some evidence that later the dead man went out of the village possibly followed by the accused. French medical opinion placed the place of death as some 500 metres outside the village; death as almost instantaneous; and the wound as one with which the

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- 2 -

deceased could not crawl far less walk.

6. There being no satisfactory evidence of Tosello following the deceased out of the village or of his firing any other shots the finding was as stated.

7. In the concealment case Marro acted on orders of his superior who was then exercising a form of police activity under A.M.G. and in agreement with the French Forces occupying the district. He did not carry out the order personally but through civilians to whom he relayed it. The Penal Code covers his case: the order, for reasons given by his superior, appeared a lawful one which he was not entitled to question and he is not therefore punishable. The concealment was anyway not from the competent authority. - A.M.G. - to whom the matter was reported.

DDM Colm Major

D. D. Mc Colm
Major, R.A.
Act'g Reg. Legal Officer.

DDM/LR.

O10. 1st Ind FET/pjh
HEADQUARTERS PIEMONTE REGION, AMG, APO 394, 13 Sept 45

TO: Headquarters, Allied Commission
(Attn: Civil Affairs Section)

LEGAL SUBCOMMISSION Forwarded for your information, as it concerns
French relationships.

CLO

DELO

Chief Counsel

CIO

Legal Section

CL R/S

17 SEP 1945

Floyd E. Thomas

FLOYD E. THOMAS
Colonel, Infantry
Regional Commissioner

4083/1

2261

HEADQUARTERS
ALG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

11 Sept. 1945

SUBJECT: Case of FERRARA Francesco fu Giuseppe

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, together
with application for review regarding the above
entitled matter.

For the Local Commissioner:

LEGAL SUB-COMMISSION	
TO	
SOLO	
Chief Counsel	
CJO	
Italian Section	
CL RK5	
13 SEP 1945	

F. L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

71

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HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

2260

9 September 1945

PR/LE/312

SUBJECT: Review of Cases.

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

Herewith record in cases tried at Alessandria
of:

MARCHELLI Angelo
ALOISIO Angelo
FERRARI Giulio

for review in terms of Cons. Inst. Art. 32 (3) b (2).

For the Regional Commissioner.

DDM Tolm major

D.D. Mc Colm

Major, R.A.

Act'g Regional Legal Officer.

DDM/AR.

Encl.: Cases.

20

16 SEP

9 September 1945

PR/LE/312

SUBJECT: Review of Cases.

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

Herewith record in cases tried at Alessandria
of:

MARCHELLI Angelo
ALDISIO Angelo
FERRARI Giulio

for review in terms of Cons. Inst. Art. 32 (3) b (2).

For The Regional Commissioner.

D.D. Mc Colm
Major, R.A.
Act'g Regional Legal Officer.

69

DDM/AR.

Encl.: Cases.

2259

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JKW/rjp

AC/4083/1/L

10 September 45

SUBJECT : BASTONE Antonio di Vincenzo
TO : Commissioner (att. Legal Officer)
AMG Naples Zone

1. In the above case the conviction and sentence are quashed.

2. As the Italian Government was the owner of the property, it was error to charge the offense under Proclamation 2, Article 2, section 40. Either the case should have transferred to the Italian Courts, for disposal, or the accused should have been charged with a violation of Italian Law under Proclamation 2, Article IV. Attention is directed to a copy of a letter dated 20 April 45, AC/4002/L which is self explanatory.

3. If the Legal Officer is of the opinion that the time served in jail is sufficient, this case will be dismissed; otherwise, it will be retried by the Summary Court, AMG, Naples Commune

By command of Rear Admiral STONE

JOHN K. WEBER,
Colonel, Infantry,
Chief Judicial Officer
for Chief Legal Advisor

Encl.

68

7 file
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2258

AO/4083/1/L.

GFG/rm.
11 September 1945.

SUBJECT : CANTINI Rolando.

TO : Ministero dei Trasporti
Ferrovie dello Stato
Compartimento di Firenze.

1. Reference your letter M.R. 22/1004 G/1 of 21 Aug. 45.
2. The sentence was merely reduced. The conviction was affirmed and the guilt of CANTINI was affirmed.

G.F. GOODWIN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor:

67



4083/1
MINISTERO DEI TRASPORTI
FERROVIE DELLO STATO
COMPARTIMENTO DI FIRENZE
FIRENZE

2257

N. 22.1004.5/1 GRANDI MOVIMENTI

Firenze, 21 agosto 19 45

al N. _____ del 21 agosto 1945

OGGETTO: Disciplina

A. E. C. - DIVISIONE LEGALE per la
provincia e la città di

FIRENZE



file

Risulta che il nominato CANTINI Rolando, condannato da una Corte Militare Alleata di Borgo S. Lorenzo, in data 25 gennaio 1945, per violazione del Proclama n° 1 art. 5 sezione 46, alla pena di mesi sei di reclusione, venne scarcerato prima che detta pena fosse interamente scontata, in seguito a revisione della sentenza.

Si prega comunicare se in sede di revisione la responsabilità del Cantini è stata completamente esclusa o semplicemente attenuata. =

68

IL CAPO DELLA SEZIONE MOVIMENTI

Macca

6 SEP 1945



2256
Roma 4 Settembre 1954

Mod. 40

Ministero di Grazia e Giustizia

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

LA COMMISSIONE ALLEATA/
SOTTOCOMMISSIONE LEGALE

Ufficio I° A.P.
Prot. N° 131-346/1482/45

Reperto al f. del
Dis. Per N°

Oggetto: Domanda per revisione di condanna di
COZZI Natale.-

e, per notizia:
All'Ufficio di Collegamento
Gabinetto

Facendo seguito a precedente corrisponden-
za, si informa che il Procuratore Generale del
Regno presso la Corte d'Appello di Firenze
ha, con nota del 22 agosto u.s., assicurato
di aver fatta le opportune comunicazioni al
COZZI Natale, condannato dalla Corte Militare
Alleata di Firenze, con sentenza del 25 aprile
c.s., ed attualmente detenuto nelle carceri
di Volterra.-

d'ordine del MINISTRO

[Signature]

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2255

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-5040

28 August 1945

SUBJECT: Case of FERRARO Gaetano di Luigi.

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

1. Reference is made to your letter
AC/4083/1/L, JKW/rm, 10 July 1945, relative to the
above subject.

2. Attached hereto is letter and record in
the case of the above subject.

For the Commissioner:

CCB/pv

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

LEGAL SUB-COMMISSION
CIO
DELO
Chief Counsel
CIO
Italian Section
CL RKS

30 AUG 1945

64

(2254)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rjp

AC/4083/1/L

6 September 45

SUBJECT : FUNARO Settimio fu Pacifico
TO : Commanding General,
Florence Allied Area Command
att. Provost Marshal

The enclosed is forwarded for such action as
you may deem necessary.

G.F. GOODWYN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor

Encl. 3 letters
Copy to:
R. Procura
Spoleto

63

file

2253

HEADQUARTERS ARMY COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4883/1/L.

JAS/RS.
6 September 1945.

SUBJECT : Case of LUDICO Giuseppe fu Salvatore.
TO : Commissioner (attn. Legal Officer),
AMM NAPLES Zone.

1. In the above case, the conviction and sentence under the second charge are quashed and set aside. The fine, if paid, will be refunded.

2. It will be observed that the accused was charged with and convicted of an offence of "Black Market Activities". We are unable to reconcile such charge under proclamations or orders. At the most it is a conclusion of the pleader and not the allegation of an offence denounced by legislative authority.

Even

3. / If it be assumed that the charge is valid, a conviction thereunder is in conflict with the language of Article 17, paragraph 8, "Consolidated Instructions".

4. The judgments of the Port Court are measured by the identical rules which higher authority has established for observance by all Occupational Courts.

5. It is desired that this office be informed of the action taken to comply with the order setting aside the conviction and sentence on the second charge.

By command of Rear Admiral STORAN

J. A. WEBER,
Colonel, Infantry,
Chief Judicial Officer,
For Chief Legal Advisor.
62

XI

2252

file

REPUBLICAN UNION COMMISSION
APO 364
LEO - SUB-COMMISSION

JL/rn.
18 September 1963.

AS/4093/1/1.

CONFIDENTIAL : COMMO. Conf.

TO : Chief of Legation, 11/1's area of
Transriglia - Agh-10 (Cassari).

1. Reference your request to Director of Prisons Dr. BONDRA,
for a copy of the sentence in the case of 4093-1/1.

2. It would be appreciated if you would question the prisoner
and ascertain:

- (a) date of his conviction
- (b) place of conviction
- (c) the persons or persons convicted with him, if any
- (d) sentence of the Court.

G.W. GOODBYN,
Major, G/C,
Judicial Branch,
For Chief Legal Advisor.

Copy to : 1 new letter from
your - 3024 of
6 Sept. 43 refers.

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2251

JKW/rjp

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/1/L

6 September 45

SUBJECT : MARCIANO Francesco, BENINGASA Antonio, and
ESTATE Mario

TO : Commissioner (att. Legal Officer)
AMG Naples Zone

1. The above cases are returned for clarification.
It will be observed that Proclamation 2, Article 2, Section
40 relates to Allied Property. The specification sets out
the material as "Italian signal flags". Under what premise
did the court entertain jurisdiction in this case?

By command of Rear Admiral STONE

JOHN K. WEBER,
Colonel, Infantry,
Chief Judicial Officer
for Chief Legal Advisor

Encl. 3 records

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2250

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AS/4053/1/L.

JL/RE.
13 August 1945.

SUBJECT : Case # 8811.

TO : Commissioner (attn. Legal Officer),
AAG Naples Zone.

Would you please enquire of Lt. Col. COAKES the name
of the defendant or defendants in case # 8811.

By command of Rear Admiral STONE:

A. P. W.

59

A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

BF

HEADQUARTERS A.C.
 AMO
 ANCONA PROVINCE
 ABRUZZE-MARCHE REGION
 CMF

Subject: SOCCIONEVO Ivo.

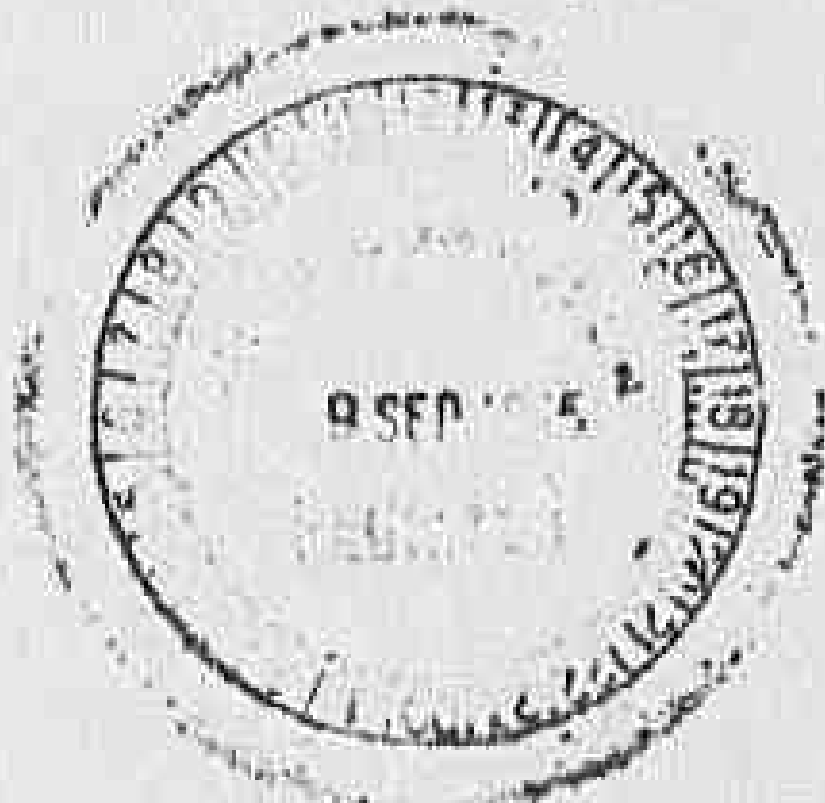
To: HQ A.C. Legal Sub-Commission

From: A.C. Ancona.

Ref: ANC/11/7
 ANC/11/7
 Date: 6 Sep 45.

Ref. your AC/4083/1/L of 16 June 45.

Herewith copy translation of letter received from
 CCRN Station, Macerata, referring to above.



O. J. MAUNDER
 O.J. MAUNDER, Lt. Col. R.A.
 A.C. Liaison Officer
 Ancona Commune.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	58
10 SEP 1945	

file

75

CORR Macerata Station.

Macerata, 1 Sep 45.

Subject: SCOCCIONOVO Ivo.

To: Legal Office A.M.G. Ancona.

Ref: 45/8040-2

Ref. your ATO/11/7 of 7 Aug 45.

We return the enclosures and inform as follows:

1. Scoccionovo Ivo di Pietro, born at Macerata on 20 Oct 1913, was tried by Allied Military Court, Pesaro, on 6 Mar 1945.
2. Along with the a/m his brother Scoccionovo Alfredo, born at Macerata in 1907, was also tried.
3. Both ~~these~~ persons were sentenced to 5 months imprisonment each, which they served at Pesaro Prison.
4. The a/truck belonging to Scoccionovo Ivo was sequestered by A.M.G. Pesaro and returned to him after 5 months.

The Station Commander
Mar.Magg. Rodolfo Tubili.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2248

JEW/rjp

AC/4083/1/L

6 September 45

SUBJECT : Case of SEPTEMBRE Luigi di Gastano
TO : Commissioner (att Legal Officer)
AMG Naples Zone

1. In the above case the conviction and sentence are affirmed.

2. The attention of the trial Court is directed to Article 12, Paragraph 8, Consolidated Instructions. The act of stealing involved the act of breaking open the case in question. One charge and one conviction was warranted by the evidence. On review, we have treated the charges and sentence as one offense.

3. It is desired that the provisions of Consolidated Instructions be followed in such cases.

By command of Rear Admiral STONE

JOHN K. WEBER,
Colonel, Infantry,
Chief Judicial Officer,
for Chief Legal Advisor

Encl. 1 record

4083/1
✓

2247

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-3028

31 August 1945

SUBJECT: Case N.8811

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

1. Reference is made to your letter AC/4083/1/L,
dated 13 August 1945.

2. The name of the defendant is VETIERO Salvatore
fu Gaetano.

For the Commissioner:

CCB/ga

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by 1012*
Major, J.A.G.D.,
Senior Legal Officer.

CCIO	
Chief Counsel	
CIO	
Italian Section	

3 SEP 1945

55

✓

2246

HEADQUARTERS
 AMG - NAPLES COMMUNE
 LEGAL DIVISION
 APO 394

10 September 1945

SUBJECT: Case of SANNINO Raffaele et al.

TO : Chief Legal Officer, Legal Sub-Commission,
 A.C., Rome.

1. Transmitted herewith is form 8, together
 with application for review regarding the above
 entitled matter.

For the Local Commissioner:

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLARKS	
11 SEP 1945	

F. L. Vecchiolla
 F.L. VECCHIOLLA,
 Major, JAGD,
 Senior Legal Officer.

54

2245

HEADQUARTERS
ANG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

10 September 1945

SUBJECT: Case of LIDONNICI Giuseppe et al.

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, together
with application for review regarding the above
entitled matter.

For the Local Commissioner:

F. L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

53

(14 SEP 1945)

HEADQUARTERS
AUG - NAPLES ~~COMUNE~~
LEGAL DIVISION
APO 394

2244

10 Sept. 1945

SUBJECT: Case of PELUSO Giuseppe fu Raffaele

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, together
with application for review regarding the above
entitled matter.

For the Local Commissioner:

F. L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

52

SEP 1945

HEADQUARTERS
~~ZONE~~
LIVORNO PROVINCE
ALLIED MILITARY GOVERNMENT

5 SEPTEMBER 1945

File: I568 L.O.

Subject: Transmission of records.

To: Hq, Allied Commission, APO 394
Attn: Chief Legal Sub Commission.

Under separate cover 89 records of Summary Court and 2 records of Superior Court are being forwarded to you.

For the Zone Commissioner:

ARBER JOHNSON
1st Lt Inf.
Legal Officer

REC SUB-COMMISSION
J.G.
J.O.
Legal Counsel
J.D.
LEGAL COUNSEL
A.C.
T.O. SEP 1945

54

334

HEADQUARTERS
ZONE
LIVORNO PROVINCE
ALLIED MILITARY GOVERNMENT

2242

7 SEPTEMBER 1945

File :
Subject : Transmission of records.
To : HQ, Allied Commission APO 394
Attn: Chief Legal Sub Commission.

Herewith inclosed find II records of Summary Court and
2 records of Superior Court.

For the Zone Commissioner:

ARBER JOHNSON
1st Lt Inf.
Legal Officer

Arber Johnson

50

2241

HEADQUARTERS
ANG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

8 September 1945

SUBJECT: Case of SANNINO Carlo di Domenico

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, ~~XXXXXXXXXX~~
~~XXXXXXXXXX~~ for review regarding the above
entitled matter.

For the Local Commissioner:

F.L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

49

MA

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

LDG/sf

8 October 1945

Lig/Log/04

SUBJECT : Allied Military General Court, Genoa. Charges
Violation of Proc. 1, Art. 4, Sec. 22, Art. 6,
Sec. 1--Possn of counterfeit currencies.

TO : Headquarters, Allied Commission - APO 394.
(Attn: Chief Legal Advisor)

1. Herewith is the Record and typewritten copy of Evidence
and Proceedings together with certain exhibits in the case of
A.M.G. against BOZZANO, GENONI, BRAMBILLA and CHIRI.

2. Also please find a petition for appeal on behalf of
BOZZANO, Giuseppe.

For the Regional Commissioner:

L.D. Glerum
L.D. GLERUM,
Major, Infantry,
Regional Legal Officer.

Encls/

48

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

2240

HEADQUARTERS
ANG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

8 October 1945

SUBJECT: Case of ORFICE Giovanni and SERAVO Vincenzo

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, together
with application for review regarding the above
entitled matter.

For the Local Commissioner:

F. L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

47

LEGAL SUB-COMMISSION	
CLO	/
DCLO	/
Chief Counsel	/
CJO	/
Italian Section	/
CL RES	/
10 OCT 1945	/

12

4083/1
✓

2240

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5007

7 September 1945

SUBJECT : DE GRANDI Andrea et al. (Case No.000442)

TO : HQ. Allied Commission
Legal Sub-Commission

1. Enclosed herewith record of trial of the
above case and petitions for Review filed on behalf
of :-

PAVESI Renzo
~~GAIARDELLI~~ Carlo
GAIARDELLI Gianni
DE GRANDI Andrea.

For the Regional Commissioner ;

46

LEG. SUB-COMMISSION	
CO.	
CLERK	
Legal Council	
ST.	
Legal Section	
CLERKS	
20 SEP 1945	

H.M. Dickie
H.M. DICKIE
W/CDR. RAF
Regional Legal Officer

✓

vb

4083/16

2239

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEC/5007

7 September 1945

SUBJECT : RACZJNSKI Tadeusz Januza
Case No. 000512

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

1. Enclosed herewith record of trial of the
above case and petition for Review on behalf of the
accused RACZJNSKI Tadeusz Januza.

For the Regional Commissioner :

LEGAL SUB-COMMISSION	
CLO	
ASST. CLO	
Asst. Counsel	
CL	
Legal Section	
Q. R. C.	
10 SEP 1945	

for H.M. DICKIE
H.M. DICKIE
W/CDR. RAF
Regional Legal Officer 45

vb

4083/1
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

2238

L-3028

6 September 1945

SUBJECT: Case of CARBONE Giorgio di Enrico.

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

1. Transmitted herewith is Form 8, together with application for review regarding the above entitled matter.

2. Form 8 in the matter of : Carbone Giorgio, Salvati Giuseppe, Travaglino Giovanni, Aurino Pasquale and Leoni Carlo, dated 15 March 1945 is returned herewith.

For the Commissioner:

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by 2613*
Major, J.A.G.D.,
Senior Legal Officer.

CCB/ga

Encls.

44

4083/1
✓

2237

HEADQUARTERS
AIG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

6 September 1945

SUBJECT: Case of SALIERNO Francesco et al.

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is form 8, together
with application for review regarding the above
entitled matter.

For the ~~Local~~ Commissioner:

7 SEP 1945

F. L. Vecchiolla
F.L. VECCHIOLLA,
Major, JAGD,
Senior Legal Officer.

43

✓ 4083/1

2236

HEADQUARTERS
AUG - NAPLES COMMUNE
LEGAL DIVISION
APO 394

5 September 1945

SUBJECT: Case of SALVATI Catello et al.

TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Transmitted herewith is Form 8, together
with application for review regarding the above
entitled matter.

For the Local Commissioner:

2 SEP 1945

F.L. VECCHIOLIA,
Major, JAGD,
Senior Legal Officer.

42

41

4083/9
HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

2235

5 September 1945.

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

SUBJECT : Review of Case.

File No : RXII/Le/Ven/A/05.

BERTON Pietro
Ven/190

The record in this case with appeal annexed
is enclosed for review by you.

Jack. L. Brown
Major,
Regional Legal Officer,
Venezie Region.

41

7 SEP 1945

*7

HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394

2234

6 September 1945.

TO : Chief Legal Advisor, Legal Sub-Commission, H.Q., A.C.

SUBJECT: Case for Review.

File No: RXII/LE/Bol/A/03.

Pircher Giorgio
BZ/Sup/1/1

The Record with appeal annexed is enclosed for
review by you.

Pircher
Major,
Regional Legal Officer,
Venezie Region.

US	
AD	
ACIO	
Chief Counsel	
AD	
Legal Section	
CE RRS	
7 SEP 1945	

40

x1

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

5 September 1945

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

SUBJECT : Review of case.

File No : RXII/LEG/Ud/A/03.

GASPARUTTI Giusto
GASPARUTTI Carlo Domenico.
Udine Sup. 12.

This record with appeal annexed is enclosed for
review by you.

Dackham
Major,
Regional Legal Officer,
Venezie Region.

39

75
CLO
DCLO
Chief Counsel
CLO
Major
GL RKS
7 SEP 1945

xy

✓
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

28 August 1945

L-4020

SUBJECT: Prosecution for exxagerated claims
against Allies.

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

1. Enclosed herewith for your consideration and advice is copy of correspondence from DAD Claims & Hirings, Naples and the Public Safety Division, AMG Naples Commune, which correspondence is self-explanatory.

2. No trace of this case can be found in the files of this Legal Division.

For the Commissioner:

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by 662*
Major, J.A.G.D.,
Senior Legal Officer.

CCB/ga

Encls.

LES	✓
CLO	✓
DCLO	✓
Chief Counsel	✓
CJO	✓
Italian Section	✓
CL RKS	✓
30 AUG 1945	

38

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMZONE
APC 194
PUBLIC SAFETY DIVISION

Ref : 23/ 15.3.

Date 18 August 1945

SUBJECT : Prosecution for exaggerated claims against Allies.
TO : Chief Legal Officer,
A.M.G. Naples Comzone C.M.F.

1. Reference detached correspondence received from D.A.D. Claims and Hiring, Naples.

2. Search has been made amongst files of Public Safety Naples Zone which was merged into HQ Southern Region Naples, in March 1945, and no trace can be found of file referred to.

3. It is possible that same was forwarded direct to Legal Officer, HQ Southern Region, for decision as to prosecution. It will be appreciated if search can be made amongst your files for period shown and also if court records may be searched to trace if proceedings were taken or not.

For the Commissioner,

37

T.P. MURPHY
Major + A.C.
S.C.A.P.O.

RMH/jag.

Copy to :
D.A.D. 48 Claims and Hiring.
Ref : CG3/48/627/A

URGENT

Tel:--No51384.
Ref:--GC3/48/627/A.

Subject : Prosecution for exaggerated claims
against Allied Government.

A.M.G. Police Officer,
Naples City.

Ref. this office letter of even number dated 31.5.44,
copy of which is enclosed herewith.

May this office file which was forwarded therewith
please be returned as soon as possible.

Naples
8 AUG 45
EJG/R

(P.D. WILLIAMS) Major,
D.A.D. 48 Claims and Hirings.

36

Enclosures :- 1 as above.

CCRY.

SUBJECT : Prosecution for exaggerated claims against Allied Government.A.M. Police Officer,
Naples City.

CC3/48/627/A

I enclose herewith my file CC3/48/627/A and suggest that this is a suitable case for prosecution by you under Proclamation No 2.

I would draw your attention to the following points :-

- 1) Claim was lodged in 14 Apr 44 (folio 1).
- 2) Claimant told (folio 2) to produce original requisition note which is now folio 6.
- 3) The office who signed this requisition note at folio 6 could not be traced and the case fell to be with by me as a claim.
- 4) I was rather dubious of folio 6. You will observe that under the word Zimmermann there is another word-different hand writing and all officers have instructions NOT to agree any price for requisitioned articles.
- 5) I therefore demanded proof of purchase price now and second hand and the "receipt" at folio 9 was produced.
- 6) The writing of this receipt looked so new that I was still suspicious and instructed the Quastura agent attached to this office to make some enquiries. (folio 10).
- 7) The results of his enquiries are at folio 15A.
- 8) I therefore demanded to see the man who actually purchased the piano and to-day Roberto SIVC appeared and as a result of examination by me made the statement at folio 16.

In view of the above I submit that the Firm of SIVC should be prosecuted under Proclamation N. 2 for:-

- a) Making an exaggerated claim in that they claimed 28.500 lire for an article which certainly did not cost more than 18.000 lire and may have cost less.
- b) For producing false evidence (the so called receipt at folio 9) in an attempt to support this claim.

35

I would draw your attention to the following points :-

- 1) Claim was lodged in 14 Apr 64 (folio 1).
- 2) Claimant told (folio 2) to produce original requisition note which is now folio 6.
- 3) The office who signed this requisition note at folio 6 could not be traced and the case fell to be with by me as a claim.
- 4) I was rather dubious of folio 6. You will observe that under the word Zimmermann there is another word - different hand writing and all officers have instructions NOT to agree any price for requisitioned articles.
- 5) I therefore demanded proof of purchase price new and second hand and the "receipt" at folio 9 was produced.
- 6) The writing of this receipt looked so new that I was still suspicious and instructed the Quastura agent attached to this office to make some enquiries. (folio 10).
- 7) The results of his enquiries are at folio 15A.
- 8) I therefore demanded to see the man who actually purchased the piano and to-day Roberto SIVO appeared and as a result of examination by me made the statement at folio 16.

In view of the above I submit that the firm of SIVO should be prosecuted under Proclamation N. 2 for:-

- a) Making an exaggerated claim in that they claimed 28.500 lire for an article which certainly did not cost more than 18.000 lire and may have cost less.
- b) For producing false evidence (the so called receipt at folio 9) in an attempt to support this claim.

Please return the file.

Naples,
31.5.44

Major,
D.A.D. Claims and Hirings.

4083/P
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-4014

4365
2231
31 August 1945

SUBJECT: LAURI Antonio fu Pietro.

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

1. Enclosed herewith is letter from CC.RR. of
Palma Campania requesting information which can be
found in your files.

For the Commissioner:

CCB/ga

Encl.

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *4662*
Major, J.A.G.D.,
Senior Legal Officer.

LEGIONE TERZA RIALE DEI CARABINIERI REALI DI NAPOLI
STAZIONE DI PALMA CAMPANIA

N° 371/80 di P/110.

Palma Campania li 14 - 8 - 1945.

OGGETTO: Mandato di cattura contro LAURI Antonio fu Pietro.

AL COMANDO BEAD DIVERS - REGION 3, ALLIED CONTROL COMMISSION
PUBLIC SAFETY OFFICE 41

A V E L L I N O

Presso questo Comando pende tuttora mandato di cattura contro la persona in oggetto segnata, emesso da codesto Comando in data 27-4-1944- N° 12. Poichè il LAURI afferma di aver già scontata la pena di mesi quattro di reclusione, in seguito a sentenza di codesto Tribunale del 10 Maggio 1944, si gradirebbe conoscere se detto mandato sia ancora eseguibile, e se l'interessato abbia o meno detta la verità.

IL MARESCIALLO d'ALLOGGIO CAPO S. P.
Comandante della Stazione
/ Leonio Liorani

33

4083/23
file

RECEIVED

15-15

A. M. G.
MARESCIALLO d'ALLOGGIO CAPO S. P.
Comandante della Stazione

29/8/45

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2930
JL/rjp

AG/4083/1/L

5 September 45

SUBJECT : DAD file GC3/48/627/A

TO : Commissioner (att. Legal Officer)
AMC Naples Zone

1. Reference your letter L/4020 of 28 Aug 45.
2. A search of Southern Region records in Archives reveals no such file.

By command of Rear Admiral STONE

G.F. GOODWYN,
Major, GAC,
Judicial Branch,
for Chief Legal Advisor

32

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2229
JL/esp

AC/4083/1/L

5 September 45

SUBJECT : ERRICHIELLO Domenico
TO : ERRICHIELLO Domenico
26, Via S. Giustino
ARZANO. (Naples)

1. Reference your request dated 31 August 45 for copy of sentence.

2. ERRICHIELLO Domenico of 26, Via S. Giustino, Arzano, Napoli, was charged with violation of "Proc 2, Art II, Section 27 - theft of 48 five-gallon cans of gasoline of AF, from Casoria Petrol Dump".

3. The accused was tried and convicted by an Allied Summary Court of Afragola, Naples Province on 20 Dec 43. ERRICHIELLO Domenico was sentenced to serve one year's imprisonment and to pay a 50,000 lire fine; in default of payment of the fine the accused to serve 6 months' additional imprisonment.

G.F. GOODWYN,
Major, GAC,
Judicial Branch,
for Chief Legal Advisor

ple

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(2228)
JL/rjp

AG/4083 '1/L

1 September 45

SUBJECT : VIGILANTE Vincenzo di Vincenzo
TO : Ispettorato Carceri Regione Meridionali
(presso C.G. Poggioreale), Napoli

1. Reference your letter Prot. No. 28851 of 5
Aug 45.

2. VIGILANTE Vincenzo was tried and convicted by
an Allied Superior Military Court, of Naples, on 3 Oct 44.
He was sentenced to 5 years imprisonment on each of the
two charges; the sentences to run concurrently.

G.F. GOODWYN,
Major, GAC,
Judicial Branch,
for Chief Legal Advisor

30

TS

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2227
JL/rjp

AG/4083/1/L

1 September 45

SUBJECT : VENERUSO Giuseppe fu Luigi
TO : Ispettorato Carceri Regione Meridionali
(presso C.G. Poffioreale), Napoli

1. Reference your letter Prot. No. 28827 of 5 Aug 45.
2. VENERUSO Giuseppe was tried and convicted on 19 Feb 45, by an Allied Superior Military Court of Naples.
3. The accused was charged with the violation of the following:
 - Charge 1 - Proc.2, Art. 1, Sect.5
 - Charge 2 - Proc.2, Art. 1, Sect.17
 - Charge 3 - Proc.2, Art. 2, Sect.27
 - Charge 4 - Proc.2, Art. 2, Sect.34
 - Charge 5 - Proc.2, Art. 3, Sect.1

He was found not guilty of the 1st, 2nd and 4th Charges but guilty of the 3rd and 5th Charges.

4. VENERUSO Giuseppe was sentenced to 3 years imprisonment on the third charge, and 3 years imprisonment plus 100,000 lire fine on the fifth charge. In default of fine accused is to serve one year of imprisonment additional. The sentences of 3 years imprisonment on charges three and five are to run concurrently. The accused is to serve 3 years imprisonment if the fine is paid or 4 years imprisonment if the fine has not been paid.

G.F.GOODWYN,
Major, CAG,
Judicial Branch,
for Chief Legal Advisor

29

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2226
JL/rjp

AC/4083/1/L

1 September 45

SUBJECT : Case of TRAVAGLINI Giovanni di Giuseppe
TO : Commissioner (att. Legal Officer)
AMG Naples Zone

1. The enclosed letter of the Ispettorato Carceri
Regiene Meridionali Prot. n. 28828 of 5 Aug 45 is forwarded
to you for whatever action you may deem necessary.

2. The record of this case is with your HQ.

By command of Rear Admiral STONE

G.F. GOODWYN,
Major, CAG,
Judicial Branch,
for Chief Legal Advisor

Encl. 1 letter

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2225
JL/rjp

AC/4083/1/L

28 August 45

SUBJECT : TOAIARI Secondo di Angelo 2^a Erbe
TO : Regional Commissioner (att. Regional Legal
Officer), Venetia Region

1. The enclosed petition is forwarded to you for
whatever action you may deem necessary.

By command of Rear Admiral STONE

Encl. 1 petition

G.F. GOODWYN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor

227

file

HEADQUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

2224
JL/rjp

AG/4083/1/L

4 September 48

SUBJECT : SPEZIALE Bruno

TO : Regional Commission (att. Regional Legal
Officer) Piemonte Region

The enclosed is forwarded for such action as
you may deem necessary.

By command of Rear Admiral STONE

G.F. GOODWYN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor

Encl. 1 letter
1 petition

4083/K

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

2223

24 August 1945

File: L.O. 1544.

Subject: Case of POLETTI Bruno.

To: HQ, Allied Commission, APO 394
(Attn: Chief, Legal Sub-Commission).

1. Reference is made to your letter dated 23 July 1945, file 40/4083/1/L, subject as above.

2. We have received this date the answer from the S. Gimignano Jail, which informs that the necessary changes in the record of Poletti Bruno have been made.

For the Zone Commission:

Arber Johnson
ARBER JOHNSON
1st. Lt., Infantry
Legal Officer.

CIO	
DELO	
Chief of Bureau	
CIO	
Italian	
Ch. Sec.	

25

7 AUG 1945

43

file

2222

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rjp

AG/4083/1/L

1 September 45

SUBJECT : PICCOLO Mario

TO : Direzione del Casa Penale di Pozzuoli

1. Reference your letter Prot. 2960 TIT 3 Fasc 1
Lett. P of 31 July 45 directed to AMG Naples.

2. PICCOLO Mario was tried and convicted by an
Allied Military Superior Court on 25 May 44; he was
sentenced to 2 years imprisonment.

G.F. GOODWYN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor

253

15

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2221

JKW/rjp

AC/4083/1/L

4 September 45

SUBJECT : Case of PACE Ciro and DELLA MONICA Raffaele
TO : Commissioner (att. Legal Officer)
AMG Naples Zone

The convictions and sentences under the second charge have been quashed for the reasons set forth in Article 12, paragraph 2, b., of Consolidated Instructions for AMG Courts.

By command of Rear Admiral STONE

JOHN K. WEBER,
Colonel, Infantry,
Chief Judicial Officer,
for Chief Legal Advisor

Encl. 1 record

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2220
JL/rjp

AG/4083/1/L

22 August 45

SUBJECT : MARGIARO Vita

TO : Commanding General Rome Allied Area Command
att. Provost Marshal

1. Forwarded herewith is the Minister of Pardon and Justice letter "ufficio 1° AP Prot No. 107 of 22 Aug 45, and petition attached.

2. The petitioner alleges that she was attacked by an allied soldier, that the said soldier was apprehended and Courts Martialed. She states that she was a witness at said trial and would appreciate ("conoscere l'esito") knowing the results of the case.

3. The enclosed are sent to you for whatever action may be necessary; should any action be taken, may notification please be sent direct to the Ministry of Pardon and Justice.

G. F. GOODWIN,
Major, GAC,
Judicial Branch,
for Chief Legal Advisor

Encl. 1 letter
1 petition

Copy to: Minister of Pardon and Justice
your letter "ufficio 1° AP
Prot. No. 107 of 22 Aug 45
refers

HEADQUARTERS ALLIED COMMISSION
AND 394
LEGAL SUB-COMMISSION

40/4083/1/L.

JAN/rn.
27 August 1945.

SUBJECT : Case of MARCHI Enzo, # 000122.

10 : Regional Commissioner (attn. Regional
Legal Officer), LOMBARDIA Region.

1. This letter is in reply to the question asked in paragraph
3 of your letter of 18 August 45, Leg/5007, same subject.

2. Under the provisions of Consolidated Instructions, Article
26, paragraph 3, "suspended sentences", (pages 67 and 68) a sentence
suspended by a Court or reviewing authority, remains "in suspense"
during the continuance of Allied Military Government. In the event of
an alleged breach of any such terms or conditions upon which the sentence
was suspended two methods are available for the putting into effect
the whole of the suspended sentence:

- (a) The accused may be brought before the first available
Summary Court (not necessarily the court which imposed
the sentence) and if such breach is
proved by evidence the court will
order the accused to serve the original sentence or
such part of it as was suspended; or
- (b) A subsequent conviction by an Allied Military Court
for any offense shall have the effect of putting into
effect the whole of any suspended sentence unless the
court otherwise directs.

3. In the instant case, a portion of the sentence was suspended
conditioned on accused's good behavior during the continuance of Allied
Military Government. In the terms of Consolidated Instructions, "The
sentence remains in suspense". The alleged breach does not, ipso facto,
change such suspense; there still remains to be followed the procedure,
judicial in nature, available for such cases.

By command of Rear Admiral STONE:

J.R. WEBER,
Colonel, Infantry,
Chief Judicial Officer,
for Chief Legal Advisor.

4083/1
2218
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5007

18 August 1945

SUBJECT : MARCHI Enzo - Case No. 000122

TO : HQ Allied Commission
Legal Sub-Commission

1. The above named was convicted of violating Proc. No. 1 Art. IV sec. 5 and sentenced to five years imprisonment, which sentence was varied on review to "conviction and sentence affirmed conditioned on good behaviour of accused last three years of sentence suspended during the continuance of Allied Military Government".

2. May advice please be given as whether the escape of the accused from jail as notified in our LEG/5007 dated 30 July 1945 constitutes such a violation of good behaviour as to nullify the suspension order.

3. The accused has not been recaptured to date but the matter is important from the point of view of the correct instructions to give to the Italian authorities in the event of his recapture.

20

For the Regional Commissioner:

21 AUG 1945
H.M. DICKIE
W/Comdr., R.A.F.
Regional Legal Officer.

ar/

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(2217)
JL/rjp

AG/4083/1/L

1 September 45

SUBJECT : LONGO Luigi ("identificato per Montello Alfredo")
TO : Commissioner (att. Legal Officer)
AMG Naples Zone

1. Reference the enclosed letter of Ispettorato Carceri Regione Meridionali, Prot. N. 23830 of 5 Aug 45.

2. A search of the records in this office discloses that the case record of the trial of LONGO Luigi, allegedly held during April 1945, was not submitted for review, nor does this HQ have any correspondence which would show that an order for release has been issued.

3. Will you please submit the record for review and any facts which will assist the reviewing officer in complying with the request contained in the enclosed letter. Please return the letter of the Ispettorato Carceri.

By command of Rear Admiral STONE

G.F. GOODWYN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor

Encl. Letter of-
Ispettorato Carceri
Regione Meridionali
(presso C.G. Poffioreale)
Napoli

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2215

AG/4083/1/L.

JL/pa.
27 Aug 45.

SUBJECT : LALLI Ferdinando.

TO : Mrs Adelina LALLI
Via Anteriori

AQUILA

1. Your letter of 1 Aug 45 is returned herewith.
2. It is regretted that a search of the records at this HQ fails to reveal any trace of a " LALLI Ferdinando" case.
3. It is suggested that "the British Military Police, FSS" be approached for any information which may shed light on the matter.

G. F. GOODWYN,
Major, CAC
Judicial Branch
for Chief Legal Advisor.

Copy to : AFHQ , G-5
your G-5 013.37 refers.

4083/1

257
LEGAL SLICALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

AMB/WSW

22/5

G-5: 013.37

24 August 1945

SUBJECT: Request for Record (Lalli Fernando).

TO : Headquarters, Allied Commission, APO 394.
(Attention: Legal Sub-Commission)

There is forwarded herewith for appropriate action application by Lalli Adelina for the record of the trial of Lalli Fernando in what would appear to be an Allied Military Government Court.

For the Asst. Chief of Staff, G-5:

A. M. BULLOWA

A. M. BULLOWA,
1st Lt. AUS.

Incl:

Ltr as above dtd 1 Aug 45.

25 AUG 1945

CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CL RKS	
27 AUG 1945	

17

f3

4083/1
6083/91
2214

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5106

20 August 1945

SUBJECT : Case of Guitti Luigi (Tito)

TO : HQ. Allied Commission
Legal Sub-Commission

1. Reference your AC/4083/1/L dated 10 August 1945.
2. Advice has now been received that GUITTI Luigi, SIMPSI Angelo and BERTAGNA Giovanni have been transferred to the prison at Volterra.

For the Regional Commissioner :

H.M. Dickie
H.M. DICKIE
W/CDR. RAF
Regional Legal Officer

16

7 AUG 1945

vb

file

92B

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

AC/4553/1/L.

JL/rm.
31 August 1945.

SUBJECT : CASPARI Nazzareno.

TO : Regione Territoriale del COME di Ancona
Compagnia di Ascoli Piceno.

1. Reference your letter No. 67 II di Prot. div. III of
28 July 45.

2. The above was tried, convicted and sentenced by the Allied
Superior Military Court of Ascoli, on 24 Jan. 45, and sentenced to
6 months imprisonment and 10,000 lire fine, to be paid by 1 Apr. 45;
in default of fine the accused is to serve 3 months additional
imprisonment.

G. F. COGLAIN,
Major OAO,
Judicial Officer,
for Chief Legal Advisor.

15

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2212
JL/rjp

AC/4083/1/L

1 September 45

SUBJECT : FIORELLO Emanuele

TO : H. Pretura of Acquaviva
Via Allied Commission Liaison Officer,
Bari

1. FIORELLO Emanuele fu Cosimo was tried and convicted by an Allied Superior Court of Bari, on 19 Jan 45. He was charged with violation of Articles 81 and 648 of Italian Penal Code.

2. The accused was sentenced to 1 year reclusione, to begin on 28 Nov 44 and to pay a fine of 5000 lire. The fine was paid.

CF. GOODWIN,
Major, GAC,
Judicial Branch,
for Chief Legal Advisor

Copy to:

Allied Commission
Liaison Officer, Bari
Your letter LB/5398 of
27 Aug 45, refers

SWM/1

ALLIED COMMISSION
LIAISON OFFICE
BARI

Tel. 14152

REF : LB/53.98

27th August, 1945

SUBJECT : Copy of Sentence. *(Anello Scurumato)*

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

Will you please forward me a copy of the required
sentence for onward transmission to the R. Pretura of ACQUAVIVIA.

S. W. Miller

S. W. MILLER, Colonel,
Liaison Officer, A.C.,
BARI.

51-5-23

File

13

30 AUG 1945

13

n.º 239

Napoli, 23.8.45

2^a richiestaM.^{re} Tribunale Allato - Bari.

Preggo transmettere con estesa urgente copia
 della sentenza in data 19.4.1945 relativa
 a Lionello Emanuele fu Cosimo condannato
 a un anno di reclusione e 8500 di
 multa per reato in danno degli Alleati -
 Nella copia, già richiesta in data 15 luglio 45,
 porre per istruire la pratica per liberazione
 condizionale -
 con onore

Il Pretore
 Assang

Ufficio Stralcio - Archivio
dell'Ufficio Staccato A.M.G. presso l'Azienda Servizi Annonari
del Quartier Generale A.M.G. - Regione di Roma

Via Carducci n°3

N° 3492 di prot. US/V

Roma li 13 Giugno 1945

Oggetto: Libretto Giudiziale di L.3808-, intestato a Fabbri Pietro di
Domenico, ricavate dalla vendita di ortaggi sequestratigli
il 23/7/1944 dagli agenti addetti ai posti di controllo di
Roma.

HQ. ALLIED COMMISSION
Attention Legal Sub Commission

R O M A

Via Veneto

Il 23 luglio 1944 veniva fermato, e tradotto in arresto (da mi-
liti della R.G. di Finanza in servizio di vigilanza lungo la periferia es-
terna dei posti di controllo istituiti dal quartier Generale A.M.G. in-
torno alla Città di Roma) il produttore agricolo FABRI PIETRO di Dome-
nico (con licenza di vendita dei prodotti di sua produzione sul Mercato
regionale di Via Montebello) sotto l'imputazione di "tentata introduzio-
ne di prodotti ortofrutticoli per via di inibito accesso e oltraggio
ai militi di servizio".

Il Fabri veniva condotto col suo carico di ortaggi (trainati su
carretto a cavallo) sul mercato di Via Montebello, ove gli ortaggi stessi
venivano venduti ed il ricavato della vendita (L.3808-) trasformato nel
vaglia bancario n° 0418898 A del 24/7/1944 della Banca d'Italia - vaglia
che, con foglio n° 207 in data 28/7/1944 questo Ufficio trasmise, come di
consueto, al BLACK MARKET CONTROL DIVISION, Roma (Via Lucullo).

Il Fabri, con verbale A/240 del 23/7/1944, venne denunciato alla
Corte Alleata per esservi giudicato.

L'interessato si e' presentato qualche tempo fa a questo Uffi-
cio per comunicare che, rimesso in liberta' pochi giorni dopo dall'arre-
sto, ha subito il giudizio, il quale si e' concluso con una condanna al pa-
gamento di una multa di L.5000-: pagamento che egli effettuo' immediata-
mente. Il Fabri chiedeva pertanto di poter rientrare in possesso della
somma di L.3808-, corrispondente, come sopra e' scritto, al ricavato della
vendita degli ortaggi del proprio orto, che egli, come di consueto, porta-

Oggetto: Libretto Giudiziale di L.3808-, intestato a Fabbrì Pietro di Domenico, ricavate dalla vendita di ortaggi sequestratigli il 23/7/1944 dagli agenti addetti ai posti di controllo di Roma.

HQ. ALLIED COMMISSION
Attention Legal Sub Commission

R O M A

Via Veneto

Il 23 luglio 1944 veniva fermato, e tradotto in arresto (da militi della R.G. di Finanza in servizio di vigilanza lungo la periferia esterna dei posti di controllo istituiti dal quartier Generale A.M.G. intorno alla Città di Roma) il produttore agricolo FABRÌ PIETRO di Domenico (con licenza di vendita dei prodotti di sua produzione sul Mercato rionale di Via Montebello) sotto l'imputazione di "tentata introduzione di prodotti ortofrutticoli per via di inibito accesso e oltraggio ai militi di servizio".

Il Fabbrì veniva condotto col suo carico di ortaggi (trainati su carretto a cavallo) sul mercato di Via Montebello, ove gli ortaggi stessi venivano venduti ed il ricavato della vendita (L.3808-) trasformato nel vaglia bancario n° 0418898 A del 24/7/1944 della Banca d'Italia - veglia che, con foglio n° 207 in data 28/7/1944 questo Ufficio trasmise, come di consueto, al BLACK MARKET CONTROL DIVISION, Roma (Via Lucullo).

Il Fabbrì, con verbale A/240 del 23/7/1944, venne denunciato alla Corte Alleata per esservi giudicato.

L'interessato si è presentato qualche tempo fa a questo Ufficio per comunicare che, rimesso in libertà pochi giorni dopo dall'arresto, ha subito il giudizio, il quale si è concluso con una condanna al pagamento di una multa di L.5000-: pagamento che egli effettua immediatamente. Il Fabbrì chiedeva pertanto di poter rientrare in possesso della somma di L.3808-, corrispondente, come sopra è scritto, al ricavato della vendita degli ortaggi del proprio orto, che egli, come di consueto, portava regolarmente a vendere sul mercato di Via Montebello.

Poiché nel frattempo il Black Market Control Division aveva cessato di funzionare nella Città di Roma e gli Ufficiali e sottufficiali addetti si erano trasferiti nel Nord Italia, lo scrivente telefona alla

./.

signorina Sini Ermes(gia' addetta alla predetta Divisione) per conoscere ove trovavasi il vaglia della Banca d'Italia di cui trattasi-ricevendone in risposta che il vaglia stesso,insieme ad altri che ancora giacevano presso il Black Market Control Division,era stato tramutato in libretto di conto corrente postale (conto giudiziale)intestato al Fabri e trasmesso con elenco della Divisione stessa,alla Procura del Regno presso il Tribunale Civile e Penale di Roma,in attesa dell'esito del procedimento. La prefata signorina non era in grado di fornire gli estremi del libretto in parola perche' l'elenco relativo all'invio dei libretti alla Procura del Regno(avvenuto nello scorso febbraio)era stato versato,con gli altri documenti d'ufficio della dissiolta Divisione,alla Commissione Alleata di Roma.

Di quanto sopra si dà notizia a codesta Commissione per conoscere se l'interessato ha diritto alla restituzione della somma incamerata di Lire 3808- e ove ,in caso affermativo,egli deve presentarsi per ottenere il permesso nulla-osta da esibire alla Procura del Regno per rientrare in possesso del libretto stesso;i di cui estremi,da desumersi dall'elenco citato,dovrebbero essere indicati.

Per l'Ufficiale delegato dal Comando Alleato
(Col.Dr.Ugo Landolfi,altrove destinato)
(Sepe Filippo Carlo)

Sepe Filippo Carlo

TRANSLATION NO. 797

SETTLEMENT OFFICE - FILE OFFICE FOR THE AZIENDA SERVIZI ANNONARI OF THE A.M.G. DETACHED
OFFICE - ROMA REGION - VIA CARDUCCI, No. 3

ROME, 13 June 1945

File No. 3792

SUBJECT: Judicial Current Account Book for lire 3303 in the name of Fabbri Pietro, son
of Domenico, obtained from the sale of sequestered vegetables on 23 July 1944
by the control-post agents.TO : THE ALLIED COMMISSION
Legal Sub-Commission - ROMA -

On July 25, 1944 the farmer Fabbri Pietro di Domenico (licensed to sell his products in the suburban market of Via Montebello) was arrested by agents of the R.Guard of Finance who were on guard duty on the checking points established by the HQ of A.M.G. around the city of Rome. He was charged with attempting to bring vegetable onto the market by illegal paths and outraging the soldiers on duty.

Fabbri was taken with his cartload of vegetables (horse-drawn) to the market of Via Montebello where the vegetables were sold. The sum obtained (Lire 3,303.00) was deposited in the Bank of Italy and a money order taken out. The money order, No. 418698 A of 24.7.1944 was sent by this office with letter No. 207 of 28.7.1944, to the Black Market Control Division, Rome (Via Lucullo).

Since in the meantime the Black Market Control Division had ceased to function in the city of Rome and the staff had been transferred to North Italy, I telephoned Miss Sini Ernes (former employee of the Division) to know what had been done with the Bank of Italy money order in question. Miss Sini replied that the money-order, together with others of the Black Market Control Division, had been changed into a post-office current account (judicial account) in the name of Fabri and sent, with a list of others, to the Procura del Regno in the Civil and Penal Law Courts of Rome, pending proceedings on this case. Miss Sini was unable to give the particulars of the current account book in question because the list accompanying the current accounts sent to Procura del Regno (last February) was forwarded, along with other official documents of the Division, to the Allied Commission of Rome.

We wish to inform you of the above in order to know whether Fabbri has the right to the sum of lire 3,303 obtained from the confiscated products. If so, he must present himself at the Commission to secure the authorization required to draw the current account book from the Procura del Regno. The particulars of the books should be given in the list mentioned above.

For the Officer representing the
General Headquarters
(Col. Lt. Ugo Landolfi, assigned elsewhere);
/s/ Sere Filippo Carlo

HEADQUARTERS ALLIED COMMISSION
APO 384
LEGAL SUB-COMMISSION

JL/rjp

AG/4083/2/L

27 August 45

SUBJECT : FADERI Pietro di Domenico

TO : Ufficio Stralco - Archivio
dell'Ufficio staccato AMG presso l'Azienda Servizi
Annonari del Quartier Generale AMG - Regione di
Roma

ROMA
Via Carducci No. 5

1. Reference your letter No. 3792 di Prot. US/v of 13 June 45 and your letter No. 3794 di Prot. US/v of 3 July 45 addressed to HQ Allied Commission attention Archives.
2. After much investigation it has been ascertained that lire 3808, transmitted by Bank of Italy check No. 0428898/A, was forfeited to AMG Finance division.
3. The claim is hereby denied.

G. F. GOODWIN,
Major, G.A.C.
Judicial Branch
for Chief Legal Advisor

27 Aug 45.

Mr. Roy Melora, former Blackst market control, employee, attested that he has received a letter from the court, stating that the sum in question above was forfeited to A.M.G. Fin. Div.

G. F. Goodwin, Major
CAC.

EXTRACT FROM LETTER IN "BANCO DI NAPOLI" FILE
21.11.
(this file in archives, Black market div.)

RM/8.1

HEADQUARTERS ALLIED MILITARY GOVERNMENT
LAZIO UMBRIA REGION
APO 301 RRM7cm

Subject: Remittance of Funds

To : Finance Division, Lazio-Umbria Region, AMG

1. Enclosed find check no. C 025-14 of the Bank of Naples for the amount of 35,063.19

2. The above sum derives from the judicial sale of confiscated merchandise pursuant to denunciations or arrests made by the enforcement agencies under the jurisdiction of this division on 15 Aug. 1944, viz:

DATE OF REPORT	CASE NO.	DEF.	AMOUNT FROM JUDICIAL SALE OF GOODS CALLED IN	Disposition of funds in accordance with Allied Courts decisions.
(Among others)				

26/7/44	A-240	Fabbri Pietro	3808.00	Money forfeited to AMG Fin. Div.
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HAROLD B. LIRSUE
1st Lt., CMF
Chief, Black Market Control.

1 Incl.

EXTRACT FROM CREDIT SHEET IN BLACK MARKET FILE 21.11

Case no. & Date report.	Description of check	Ant.	Cr.	A/c Bank	Disposition
A-240 26/7/44	Fabbri Pietro	n. 0428898/A Banco Di Napoli	3808	3808	Money forfeited to AMG fin. Div.

4083/1 - 2208

Ufficio Stralcio - Archivio
dell'Ufficio Staccato A.M.G. presso l'Azienda Servizi Annonari
del Quartier Generale A.M.G. - Regione di Roma
- Via Carducci 3 -

N. 3794 di prot. US/V.

Roma, 3 luglio 1945

OGGETTO: Libretto giudiziale di L. 3808 - intestato a FABRI Pietro,
di Domenico -

= HQ. ALLIED COMMISSION
Att. Archives R O M A
Via Veneto

e per conoscenza

= HQ. ALLIED COMMISSION
Apo 394
Legal Sub-Commission

R O M A
Via Veneto

Qui unite si trasmettono:

- Copia della lettera n. 3792/US/V in data 13 giugno u.s. da questo Ufficio diretta alla Attention Legal Sub-Commission;
- Copia della risposta n. AG/4083/1/L. in data 21 giugno u.s. della predetta Attention Legal Sub-Commission;
- Lettera originale n. 3793/US/V in data 30 giugno u.s. da questo medesimo Ufficio diretta alla Procura del Regno, con a tergo la dichiarazione della R. Procura stessa che il libretto giudiziario di L. 3808, intestato a FABRI Pietro di Domenico (di cui è oggetto l'acclusa corrispondenza) non risulta colà pervenuta.-

Si prega codesto Archivio Legale di volersi compiacere effettuare ricerche nel carteggio d'ufficio, a suo tempo versato dalla disciplina Black Market Control Division, allo scopo di accertare se (giusta l'asserito della Sig.na Sini, già impiegata presso la Divisione predetta) il libretto in questione venne effettivamente trasmesso, unitamente ad altri, con elenco del febbraio scorso, alla più volte menzionata R. Procura - o, in via subordinata, se ed a chi venne trasmesso il verbale della Banca d'Italia n. 0428898/A del 24/7/1944 per L. 3808, di cui al 2° capoverso del citato foglio di questo Ufficio n. 3792/US/V del 13 giugno u.s. (qui allegato).-

OGGETTO: Libretto giudiziale di L. 3808 - intestato a FABRI Pietro,
di Domenico -

= HQ. ALLIED COMMISSION
Att. Archives ROMA
Via Veneto

e per conoscenza

= HQ. ALLIED COMMISSION
Apo 394
Legal Sub-Commission ROMA
Via Veneto

Qui unite si trasmettono:

- a) Copia della lettera n. 3792/US/V in data 13 giugno u.s. da questo Ufficio diretta alla Attention Legal Sub-Commission;
- b) Copia della risposta n. AG/4083/1/L. in data 21 giugno u.s. della predetta Attention Legal Sub-Commission;
- c) Lettera originale n. 3793/US/V in data 30 giugno u.s. da questo medesimo Ufficio diretta alla Procura del Regno, con a tergo la dichiarazione della R. Procura stessa che il libretto giudiziario di L. 3808, intestato a FABRI Pietro di Domenico (di cui è oggetto l'acclusa corrispondenza) non risulta colà pervenuta.-

Si prega codesto Archivio Legale di volersi compiacere effettuare ricerche nel carteggio d'ufficio, a suo tempo versato dalla disciplina Black Market Division, allo scopo di accertare se (giusta l'asserto della Sig.na Sini, già impiegata presso la Divisione predetta) il libretto in questione venne effettivamente trasmesso, unitamente ad altri, con elenco del febbraio scorso, alla più volte menzionata R. Procura - o, in via subordinata, se ed a chi venne trasmesso il verbale della Banca d'Italia n. 0428898/A del 24/7/1944 per L. 3808, di cui al 2° capoverso del citato foglio di questo Ufficio n. 3792/US/V del 13 giugno u.s. (qui allegato).-

Allegati: N° 1

Per l'Ufficiale Delegato dal Comando Alleato
(Col.Dr.Ugo Landolfi, altrove destinato)
(Carlo Filippo Sene)

Carlo Filippo Sene

Copia

Ufficio Stralcio-Archivio
dell'Ufficio Staccato A.M.G. presso l'Azienda Servizi Annonari
del Quartier Generale A.M.G. - Regione di Roma
(Via Carducci 3)

M. 3793 di prot. US/V

Roma, 30 giugno 1945

OGGETTO: Libretto giudiziale di L. 3803 --, intestato a Fabbrì Pietro,
di Domenico -

ALLA PROCURA DEL REGNO

Presso il Tribunale Civile e Penale di

ROMA

Si trasmette a codesta R. Procura copia della lettera n. 3792,
in data 13 corrente, diretta da questo Ufficio al Quartier Generale
della Commissione Alleata (Attention Legal Sub-Commission) e la ri-
sposta ricevuta della Commissione stessa (AC/4083/I/L. del 21 corren-
te) in merito a quanto indicato in oggetto.--

Si prega codesta R. Procura di voler far conoscere, a suo tempo,
le decisioni adottate in merito alla restituzione al Fabbrì Pietro
del libretto giudiziale di L. 3803--., inviato nel febbraio scorso co-
sta dal disciolto BLACK MARKET CONTROL DIVISION, per poterle comuni-
care alla Commissione Alleata che le ha richieste.--

b

Per l'Ufficiale Delegato dal Comando Alleato
(Col. Dr. Ugo Landolfi, altrove destinato)

(Carlo Filippo Sene)


Alleg. n. 2

N. 3793 di prot. US/V

Roma, 30 giugno 1945

OGGETTO: Libretto giudiziale di I. 3808 --, intestato a Fabbrì Pietro,
di Domenico -

ALLA PROCURA DEL REGNO
Presso il Tribunale Civile e Penale di

R O M A

Si trasmette a codesta R. Procura copia della lettera n. 3792,
in data 13 corrente, diretta da questo Ufficio al Quartier Generale
della Commissione Alleata (Attention Legal Sub-Commission) e la ri-
sposta ricevuta dalla Commissione stessa (AO/4083/I/I. del 24 corren-
te) in merito a quanto indicato in oggetto.-

Si prega codesta R. Procura di voler far conoscere, a suo tempo,
le decisioni adottate in merito alla restituzione al Fabbrì Pietro
del libretto giudiziale di I. 3808 --, inviato nel febbraio scorso co-
sta dal disciolto BLACK MARKET CONTROL DIVISION, per poterle comuni-
care alla Commissione Alleata che lo ha richiesta.-

b

Per l'Ufficiale Delegato dal Comando Alleato
(Col. Dr. Ugo Landolfi, altrove destinato)

(Carlo Filippo Sana)



Alleg. n. 2

Copia

Si dichiara che il libretto
giudiziaro di L. 3808 -
intestato a Gabri Pietro,
non risulta pervenuto a
questo ufficio Reale Annona
ri della Procura del Regno
di Roma -

Roma 2. 7. 1945

Il Segretario

F. P. Puccinelli

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2207
JKW/rjp

AC/4083/1/L

4 September 45

SUBJECT : Case of BUGLIO Pietro
TO : Commissioner (att. Legal Officer)
ANG Naples Zone

1. In the above case the conviction and sentence are set aside, and the fine, if paid, will be refunded.

2. Attention is drawn to the enclosed directive. The evidence does not come within the boundaries of its requirements.

3. The Port Court must conform to the rules prescribed for by higher authority for observance by Occupational Courts.

By command of Rear Admiral STONE.

JOHN K. WEBER,
Colonel, Infantry,
Chief Judicial Officer
for Chief Legal Advisor

Encl: 1 Record
1 Directive

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HEADQUARTERS ALLIED COMMISSION
APO 324
LEGAL SUB-COMMISSION

(2206)
JL/rjp

AG/4083/1/L

3 September 45

SUBJECT : DI BATTISTA Antonio di Liborio
TO : Cassa Penale Speciale di Turi
(Province of Bari)

1. Reference your letter No. 7226 tit. 3 Fase 1
Lett 9541 of 16 Aug 45.

2. DI BATTISTA Antonio was tried and convicted
by an Allied Military Court at Salerno on 27 Jan 44. He
was sentenced to 15 years imprisonment but on review
the sentence was reduced to 5 years imprisonment.

G.F. GOODWYN,
Major, GAC,
Judicial Branch,
for Chief Legal Advisor

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file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2205

JL/rjp

AC/4083/1/L

1 September 45

SUBJECT : DELLA PORTA Giovanni
TO : Ispettorato Carceri Regione Meridionali
(presso C.G. Foggiorale), Napoli

1. Reference your letter Prot 23226 of 5 Aug 45.
2. The above was tried and convicted, with others, by an Allied Superior Military Court of Naples on 12 Oct 45. He was sentenced to 5 years imprisonment on each of the two charges. The sentences to run concurrently.

G. F. GOODWIN,
Major, GAO,
Judicial Branch,
for Chief Legal Advisor

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rjp

AC/4083/1/L

1 September 45

SUBJECT : DE CICCIO Salvatore and VANZANELLI Felice
TO : Ispettorato Carceri Regione Meridionali
(presso C.G. Poffioreale), Naples

1. Reference your letter Prot. No. 28229 of 3
Aug 45.

2. DE CICCIO Salvatore di Antonio of Via Carlo
Poveri 87- Pomigliano d'Arco, and VANZANELLI Felice fu
Raffaele of Via Felice Cavallotti 10 Pomigliano d'Arco
were tried and convicted by an Allied Superior Military
Court of Naples, on 5 Aug 44. They were each sentenced
to imprisonment for 5 years.

G.F. GOODWYN,
Major, CAC,
Judicial Branch,
for Chief Legal Advisor

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2203
APN/lc.

30 August 1945.

AC/4083/1/L.

SUBJECT : UNRRA Property. Case CESARINI Aldo.

TO : Senior Legal Officer, ANCONA Commune.

1. Reference your Anc/11/12 of 8 August 1945. UNRRA Property Case of Cesarini Aldo.

2. Property of UNRRA is considered property of Allied Forces, until properly delivered to a civilian, the same as Red Cross property.

3. The fine in above case is therefore affirmed and the shoes ordered returned to UNRRA.

By command of Rear Admiral STONE:

APN
ANTHONY P. NUGENT,
Maj. Chief Counsel,
for Chief Judicial Officer.

