

ACC

10000/142/624
(VOL. 28)

PETITIONS
APR. 1944

10000/142/624
(VOL. 28)

PETITIONS FOR GRACE & CLEMENCY, (AMG COURT CASES)
APR. 1944 - JULY 1947

LIAISON AND CIVIL AFFAIRS BRANCH

ROME

Legal Division

APO 794

FILE

LACAB/4083/5471

JKW/na

15 March 1947

SUBJECT : VANZINI Sergio.

TO : Ministry of Pardon and Justice.

attached

1. See your letter of 15 February 1947, no 131.110.317.

2. The case of VANZINI, SERGIO is well known to this office. At the time of imposition of sentence, the record of trial was painstakingly examined. When the program of review was inaugurated, - with which the Ministry of Grace and Justice is familiar, - the evidence was again cautiously weighed.

3. Not only did the accused kill an American soldier, but thereafter he robbed the body of the deceased. Accused was in unlawful possession of fire-arms as well. The circumstances of the killing - shooting the soldier in the head while the soldier was enjoying the hospitality of the accused - revolt against the penal laws of all civilized peoples. By his shocking conduct, the accused has forfeited any right to associate with the law-abiding people. The welfare of society must not be ignored when considering a case of this kind. At stake is the well-being of the Italian people should the accused be permitted to roam once more the streets of Italy. We have neither the desire nor the inclination to treat in a light vein our obligations in this behalf.

4. Under all the circumstances, we have felt and now feel that for the best interests of all concerned, the sentence of accused should not be disturbed.

- 2 -

5. As requested, we are returning the letter which you enclosed.

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

TRANSLATION

Rome, 19 February 1947.

Ministry of Justice

Ref. 131.119.317 Ufficio II AP

To: HQ Allied Forces - Rome

SUBJECT : Petition of Giuseppina Maria TREVES VANZINI
on behalf of her son VANZINI Sergio.

and for information

To: The Liaison Office with LACAB
Rome

Herewith enclosed for your concern a petition addressed to the President of the Council of Ministers by Giuseppina Maria Trevas Vanzini, dell'Ardenza (Leghorn) who is requesting (on behalf of her son Vanzini Sergio, sentenced in 1944 by an Allied Military Court to 28 years imprisonment for culpable homicide) a reconsideration of his case for the purpose of obtaining a reduction of penalty.

In forwarding the reply in regard to the action taken, will you please return the enclosed document.

Signed

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(illegible)

TRANSLATION

29 December 1946

To: the Secretary's Office
of H.E. DE GASPERI
R o m e

The undersigned, Giuseppina Maria Treves in Vanzini, further to the plea previously forwarded to you by so many mothers, humbly requests that you draw the attention of the American authorities, in occasion of your voyage to the United States, in regard to the serious penalties imposed by the Allied Courts.

In this particular case, for instance, my son, Sergio Vanzini, a Captain of the Navy, on permanent active service has been sentenced in 1944, to 28 years imprisonment for culpable homicide. If he were to serve the entire term, his family as well as he himself would be completely ruined.

I am confident that Y.E. will interveve on his behalf in order that his case be reconsidered so that the new year will bring a mitigation to all our sufferings and I am waiting with hope and gratitude.

Signed

Giuseppina Maria Treves
in Vanzini
Villa Vanzini
Ordenza Mare
(Livorno)

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LAPAB/4083/23/L

FILE

No action possible because
Archives can find no case
record. Due to length of time
elapsed no reply is deemed
necessary or expedient

OCT 9

SISGT OT WILLS

ARCH

Now added to file
OCT 15

133

2 May - 5 May 47. BARDINELLI

SUSPENSION SLIP

~~27 Mar 47~~ - ~~27 Mar 47~~

Date entered

~~27 Mar 47~~ 1947

Suspension Date

~~27 Mar 47~~ 1947

Interested Person

~~27 Mar 47~~ 1947

Reason for suspension:

Hastened

13 1947

SEP 1947

Hastened
in name of RLS

from Opus
pension list

URGENT

MODULARIO
G. G. - G. G. 412

Modello N. 31 (Carceri)

FIRENZE *del* 8/1/1947DIREZIONE
del

(Raccomandata)

CARCERI GIUDIZIARIE "MURATE"

N. *251* *Tit. 3* *Fasc. 1* *Lett. B*

Risposta alla lettera

del

Prego la S. V. di mandare a
questo Ufficio quanto è indicato
in margine, con cortese
solicitudine.

OGGETTO

Richiesta di copie sentenza

Il Direttore
(dott. G. B. Mazzarisi)

6/7/1945 relativa al condannato

BANDINELLI BRUNO fu Ettore,
condannato dal Tribunale A.M.G.

Alla Commissione Alleata
Sottocommissione Legale

ROMA

10.

Pete asked for case

Ord. N. 22 - 3-8-45 - Roma 14 1947

34
 Liaison and Civil Affairs Branch
 Rome
 APC 734
 Public Safety Division

~~SECRET~~
 FILE

LACAB/14211-20/PB

13 March 1947

SUBJECT : Plan for Clemency.

TO : G-5 A.F.H.Q., A.P.O. 512.

The attached letter received from the
 secretary of state to the Vatican is forwarded for
 such action as you deem necessary.

FOR THE CHIEF OF BRANCH,

E. J. Byrne
 E. J. BYRNE, Colonel
 Director.

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EJC/ae

1 encl. H. 146326/SA dated 27 Feb. 47.

This has
 already been dealt
 with O/H

934.44



Vatican City, February 27, 1947

N. 148826/SA

Dear Sirs,

The Secretariat of State of His Holiness has been requested by Sergeant Pietro Magi, to recommend to the competent Allied Authorities, a plea for clemency on behalf of himself and Soldato Benedetto Pilon, both detained at the Disciplinary Training Center in Pisa.

Thanking you for any consideration you may deem to give this matter, I am,

Sincerely yours,

Rt. Rev. Mons. Joseph F. McGeough
Secretariat of State of His Holiness

Legal Sub Commission
AS HQ
Via Veneto

Rome

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FILE

MAISON AND CIVIL AFFAIRS BRANCH
ROME
Legal Division
APO 794

LACAS/4083/23/L

LJG/rs
13 March 1947

SUBJECT : Case of IACSOVA, Giuseppe.

TO : Pontificia Commissione Assistenza
Ufficio Consulenza Legale.

1. Reference is made to your letter
No 1033/SU, with enclosed petition of Rosaro Concetta,
directed to this Division, subject as above.

2. You are hereby informed that after
this case was considered by the Board of Review the
decision was announced on 6 January 1947 that the
sentence imposed therein, originally for the period
of 5 years, was reduced so as to end on 11 July 1949.
This decision included consideration of the matters
referred to in the above mentioned petition.

3. The matter of granting Conditional
Liberty after a prisoner has served one-half of the
current sentence in cases of this kind rests exclusively
with the Italian Ministry of Grace and Justice.

4. Your letter and enclosure have been
placed with the records of this case and will be available
at any time future reference may be made to the matter.

L.J. GILGRIDE,
Major, IGD,
Chief Counsel,
for Chief Legal Advisor.

LIAISON AND CIVIL AFFAIRS BRANCH
ROME
Legal Division
APO 794

3713

LACAB/4083/23/L

AP/NS
12 March 1947

SUBJECT : ALVI Livio.

TO : Ministry of Pardon and Justice.

1. Reference is made to your letter
No uc/4349-1 dated 19 February 1947.

2. Search of the files of this office
has failed to reveal an O/S.S. certificate in the
name of the subject person.

L.J. GILBRIDE,
Major, IGD,
Chief Counsel.

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TRANSLATION

MINISTRY OF PARDON AND JUSTICE
Cabinet of the Minister

Rome 19 Feb 47

Por. R. n. c. / 4349-1

SUBJECT :: ALVI Livio

To the Legal Division
LACABR O M A

The above-mentioned was sentenced by an Allied Military Court at Bolzano on 29 Oct. 1945. On reconsideration his penalty was reduced so as to end on 11 Sep. 1947 (AG/4083/23/L refers). He was later released on conditional liberty by order of this Ministry.

ALVI Livio has now requested to withdraw his Partisan certificate issued to him by the O.S.S. 2677 Regt. APO 512 and which should be found in his Record.

In view of the above will you be so kind as to forward said certificate to this Ministry. We will hand it to the ALVI.

signed: Bonelli

10.

FILE

LIAISON AND CIVIL AFFAIRS BRANCH
ROMEAPO 794
LEGAL DIVISION

LACAB/4083/23/L.

12 Mar 47.

SUBJECT : CERONI Vittorio - TAGLIABOSCHI Sofonia;

TO : Direttore delle Carceri di
BERGAMO

Si prega di dare riscontro, con cortese urgenza,
alla lettera di questo Ufficio AC/4083/23/L del 21 dicembre
1946 concernente i nominati in oggetto.

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

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LEGATION AND CIVIL AFFAIRS BRANCH
 ROME
 APO 734
 Legal Division

FILE

LAGAR/1083/23/L.

4 March 1947

OGGETTO : NARDI LE TAVIO, NARDI LE TAVIO and
 MONTANA I Sineope.

Al. : Direttore della Carceri Giudiziarie di
BOLOGNA.

Si prega voler dare riscontro, con cortese sollecitudine,
 alla lettera di questa Divisione AG/1083/33/L. del 21 gennaio 1947, concer-
 nente i nominati in oggetto.

(C. M. Rossi)
 JOHN M. ROSSI,
 Colonel, Infantry,
 Chief Legal Advisor.

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TRANSLATION

LEGATION AND CIVIL AFFAIRS BRANCH
 WASH DC
 APO 794
 LEGAL DIVISION

14034/1083/23/1.

4-Mar 47

SUBJECT : RANDALL Licio, RAYMOND Licio and
 MICHAEL Giuseppe.

TO : The Director of the Judicial prison of
 PHOENIX

An early reply will be appreciated to this Division letter
 14034/1083/23/1 dated 21 January 1947, concerning the above named persons.

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

COPYHEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4085/23/L

24 gennaio 47.

OGGETTO : BARDELLI Livio, BALESTRI Iovante and
MONTANARI Giuseppe.AL DIRETTORE DELLE CARCERI GIUDIZIARIE
BOLOGNA

E' stato comunicato a questa Divisione Legale che i nominati in oggetto, in data 11 dicembre 1945 furono trasferiti dalle carceri di Reggio Emilia a quelle di Bologna.

Si gradirebbe, pertanto, conoscere lo stato attuale dei predetti, e nel caso fossero stati ritrasferiti o escarcerati, si prega voler indicare la nuova destinazione dei predetti e ogni altra informazione al riguardo.

La presente ha carattere di urgenza.

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

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Attaching Vol. 1 of
4085/23

FILE

LIAISON AND CIVIL AFFAIRS BRANCH
ROME
APO 794
Legal Division

LACAE/4083/23/L

TW/nb
4 March 1947

SUBJECT : GUASCO Vincenzo,
Via Duomo 34,
SALERNO.

TO : The Minister of Pardon and Justice.

1. Reference is made to our letter
AO/4083/23/L dated 29 Jan 47, subject as above.

2. Please amend the date in Paragraph 2
of our above-mentioned letter to read: 5 January 1944.

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

MAJOR AND CIVIL AFFAIRS BRANCH
ROME

Legal Division

APO 794

FILE

LACAB/4083/23/L

JEW/ns
11 March 1947

SUBJECT : FERRARESI Arrigo.

TO : Direzione della Carceri Mandamentali
di Revere.

1. See your letter of 17 Jan 47, n.1696/1723 to the Ministry of Pardon and Justice copy of which is enclosed.

2. We are amazed at the explanation given for the release of this prisoner. The release was not made until July 11, 1946. At that time, and long prior thereto, orders had been issued by the Minister of Grace and Justice to all prisons that releases of Allied Government prisoners would be by order of the Minister of Grace and Justice. The sole purpose for this order was to prevent unlawful releases being made, as in this case.

3. This accused has been released on an unauthorized order and in violation of instructions issued by the Minister of Grace and Justice. We are passing this matter to you. We cannot understand why your orders have been violated.

JOHN R. WEBER,
Colonel, Infantry,
Chief Legal Advisor.Incl. 1: Copy of letter of
Ministry of Justice Off. IV.
162430/77320 of 29 Jan 47.

C O P Y

MINISTERO DI GRAZIA E GIUSTIZIA

Roma 29 gennaio 1947

Direzione Generale
per gli Istituti di Prevenzione
e di Pena.

Uff. VI°
Prot. N° 162430/77320

Alla Commissione Alleata -
Sottocommissione Legale

R O M A

Risp. al f° del 18-12-1946 AC/4083/2/L

OGGETTO: Detenuto ferrarese Arrigo

In riferimento alla nota sopra indicata, si trascrive qui di seguito quanto ha comunicato la direzione delle carceri giudiziarie di Mantova con nota 1896/1723 del 17 gennaio 1947:

"La Direzione delle carceri madamentali di Rovera, ove il condannato già era in espiatione della residuale pena inflittagli dal Tribunale del Governo Militare Alleato il 1 settembre 1945, comunica che il nominato in oggetto è stato scarcerato l'11 luglio 1946 per ordine del Comando Militare Alleato con lettera 21/11/45 n.48/MA/LEG a firma Capitano J.O. Darè con la quale era stato specificato che gli ultimi 6 mesi erano stati condonati per "buona condotta del detenuto".

Pel Ministro

/S/

Volpe

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1
LIAISON AND CIVIL AFFAIRS BRANCH
ROME
Legal Division
APO 794

file

LACAB/4083/23/L

TW/ns
11 March 1947

SUBJECT : FORNARI Giovannina di Ferdinando
Via Carlo Poveri 7
Fosigliano d'Arco.

TO : The Minister of Pardon and Justice.

1. Reference is made to our release order, duplicate copy of which is attached, and to your letter, Uff. VI, Prot. N° 140739/68750, dated 29 May 46, and our letter AC/4083/23/L, dated 11 June 46, copy of which is also attached.

2. It is desired to ascertain if this accused has been released as set out in our release order, and if so, from which prison.

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

Incl.1 - Duplicate of release order
Incl.2 - Copy of letter AC/4083/23/L
of 11 June 46.

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FILE

LIAISON AND CIVIL AFFAIRS BRANCH

ROME
APO 794

Legal Division

LACAB/4083/23/L.

10 March 1947.

OGGETTO : Recapito lettera Carceri di Bologna.

AL : Ministero di Grazia e Giustizia
(Dr.Giorgio Bonelli)

L'acclusa lettera diretta al Direttore delle Carceri di Bologna é stata restituita a questo ufficio per ragioni non rese note.

Si prega voler trasmetterla, per via d'ufficio, all'indirizzo di cui sopra con cortese sollecitudine.

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

Incl.

All. 1 lettera.

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TRANSLATION

SUBJECT : Delivery of a letter to Bologna Prison.

TO : Ministry of Pardon and Justice
(Attn: Pr; Bonelli)

The enclosed letter, addressed to the Director of the prison of Bologna has been returned to this office for unknown reasons.

It will be appreciated if you could transmit it to the addressee at an early date.

FILE

LIAISON AND CIVIL AFFAIRS BRANCH
LEGAL DIVISION
ROME
APO 794

LACAE/4083/23/L

8 March 1947

Mr. Michael Chinigo
International News Service
380, Corso Umberto
Rome, Italy

Dear Sir:

Your letter of 3 March 1947 has been received.

The case of Luigi LaRocca has been considered by the Board of Review and it was determined that the sentence should not be disturbed. The accused, in addition to being guilty of serious offenses against the Allies, is an habitual criminal with a long criminal record.

It is not for us to predict what, if anything, will be done after the Peace Treaty by the Italian Government with reference to persons convicted of offenses by the Allies. The acts committed by such persons violated Italian law as well as Allied Proclamation. Many who remain in jail were tried by the Allies for Italian law transgressions. No doubt the Italian Government will consider the effect of releasing such criminals on the general public.

The case inquired about has the further element of a long Italian penal record of the accused.

We regret that we are unable to answer your questions other than as above set out.

Very truly yours,

JOHN K. WEBER
Colonel, Infantry
Chief Legal Advisor

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File in flagged
place

3871

934/41

JLK/SB



HEADQUARTERS
ALLIED MILITARY GOVERNMENT

~~SECRET~~
VENEZIA GIULIA

LEGAL DIVISION

LEGAL

Reference : VG/LEG/LD/137/1132

17 May 1947

Subject : Case of Janz Andriano

To : Commanding General LACAB - ROME
APO 794 U.S. Army

Attention : Chief Judicial Officer

Flagged

1.- Reference your LACAB/ 4083/23/L of 7 March 1947.

2.- Upon examination by a competent psychiatrist a/m was found to be suffering from "Depressive state with signs of hypothyroidism in act".

3.- In compliance with par. 4 of reference letter the following entry has been made in the record. Conditioned on good behaviour of the accused during Allied Military Government the unserved portion of the sentence is hereby suspended under Art. 36 Rules for Procedure. The accused will be released immediately."

For the Senior Civil Affairs Officer :

J. L. Keefe
J. L. KEEFE
Lt. Col, Infantry
Judicial Officer

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To Col Weber -
for information

AMHQ G-3
LACAB, Rome

21 MAY 1947

seen by Major Beltrami 22.5.47

LIATSON AND CIVIL AFFAIRS BRANCH
LEGAL DIVISION
ROME
APO 794

FILE

LACA3/4083/23/L

7 March 1947

SUBJECT : Case of JANE Adriano
TO : Hq. AMO, Venezia Giulia
(attn: C.L.O.)

1. See your letter of 12 February 1947, No. VG/AMO/LD/35/635.
2. The appeal in behalf of JANE, Adriano, filed in his behalf by Avv. Francesco Vesel, has been carefully considered. It is in order to comment that the grounds therein asserted were carefully considered on the original review of this record, and were resolved against the accused. Upon reconsideration, we adhere to our original conclusions.
3. On review, the conviction was affirmed on the theory that the accused was tried for being a fence for stolen property. See Rule 20, Rules of Procedure, Consolidated Instructions. Under Article 540, Italian Penal Code, the penalty therefor may be six years imprisonment. The evidence convincingly established that accused was put on notice that the property involved had been stolen. A sentence of two years was not excessive. We are not inclined to disturb the sentence.
4. It has been suggested that continued imprisonment of the accused may endanger his mind. Under all the facts, and the prior good record of the accused, if upon investigation you are satisfied that the interests of government have been served and the well-being of the accused requires such action, - the examination of competent medical personnel is sufficient for such purpose - you may suspend the unserved portion of the sentence conditioned on the continuing good behaviour of the accused during Allied Military Government. Simple notice for our records will be sufficient for our purposes.
5. The exhibits attached to the petition are returned for delivery to the accused or his avvocato as the case may be.

JOHN E. WHEER
Colonel, Infantry
Chief Legal Adviser

LIAISON AND CIVIL AFFAIRS BRANCH
HOME
Legal Division
APO 794

FILE

MACAB/4083/23/L

TV/na
7 March 1947

SUBJECT : RANDETTO Rodolfo di Luigi.

TO : The Minister of Pardon and Justice

1. Reference is made to your letter
Off. VI, No 149169/73145 dated 12 Sep 46, subject
as above.

2. It is believed that the above-
mentioned person is at present actually detained at
Ivrea.

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

17.

ENTER and
FILELIAISON AND CIVIL AFFAIRS BRANCH
ROME
APO 794
Legal Division

LADAR/403/23/L.

6 Marzo 1947

OGGETTO : GIOIA Germano di Giuseppe.

AL : Dr. BONOLLI Giorgio
Ministro di Grazia e Giustizia,
Ufficio Collegamento.

Con riferimento al suo biglietto del 1 marzo 1947, le comunico che il caso del ucraino in questione e' stato debitamente esaminato. La sentenza di prima istanza era di 15 anni di reclusione ridotta, poi, a 12 anni in sede di prima revisione. Detta sentenza e' stata ulteriormente ridotta a 10 anni nel corso della seconda revisione. Quest'ultima riduzione e' definitiva e nessun altro provvedimento in favore del predetto potra' essere preso da questo ufficio.

Comunque, la assicuriamo che la sua segnalazione e' stata presa in dovuta considerazione.

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

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TRANSLATION

HAISON AND CIVIL AFFAIRS BRANCH
ROME
ARO 794
Legal Division

6 March 1947.

LACAB/4083/23/L.

SUBJECT : Case of GIOIA Gennaro di Giuseppe.

TO : Dr. Giorgio Bonelli
Ministero di Grazia e Giustizia
Uff. Collegamento.

1. Reference is made to your note dated 1st March 1947.
2. The case of the above named person has been duly considered. The original sentence was 15 years' imprisonment. Such sentence was reduced to 12 years on the first review, and as a result of the recent re-review has been further reduced to 10 years. It is not contemplated that any further reduction in sentence will be made.
3. May we assure you that your request has been given merited consideration.

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

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LIAISON AND CIVIL AFFAIRS BRANCH
ROME

Legal Division

APO 794

LJS/np

6 March 1947

LACAB/4085/23/L

SUBJECT : Case of COZZOLINI Luigi.

TO : Mrs. Lia Ganetti in Cozzolino
Torre Annunziata, (Napoli)

1. Reference is made to your communication directed to the Allied Commission, dated 12 December 1946, subject as above.

2. You are hereby informed that after this case was considered by the Board of Review the decision was announced on 19 January 1947 that the sentence imposed therein was reduced to the period of 10 years from the date of arrest. This decision included consideration of the matters referred to in your letter.

3. However, your petition has been filed with the records of the case of your husband and will be available at any time future reference might be made to the matter.

L.J. GILBRIDE,
Major, IGD, 167
Chief Counsel,
for Chief Legal Advisor.

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LIAISON AND CIVIL AFFAIRS BRANCH
ROME
APO 794
Legal Division

file

LACAB/4083/23/L

TW/rs
4 March 1947.

SUBJECT : Place of confinement.

TO : The Minister of Pardon and Justice.

1. Reference is made to your letters
Uff.VI, prot. N°149102/73138 dated 18 Sep 46.
2. CICCONE Ugo has been released from
Ivrea prison under provisions of conditional liberty
21 Nov. 46.
3. AMROBBIO Luciano is at present detained
at Casale Monferrato and AMROBBIO Albertino is detained
at Ivrea.

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

C O P Y

file 4183/23
MINISTRY OF PARDON AND JUSTICE
Direzione Generale per gli Istituti
di Prevenzione e di Pena

Roma, , 28 febbraio 1947

Ufficio VII^o
Protocollo N° 0486/77886 carceri

OGGETTO imputato folle DE CANDIDIS Giuseppe fu Michele.

AL QUARTIERE GENERALE DELLA COMMISSIONE ALLEATA
DIVISIONE LEGALE

R O M A
a p. c. al Procuratore Generale della Repubblica presso
la Corte d'Appello di N

N A P O L I

Con riferimento alla nota su indicata si comunica che
il detenuto in oggetto trovasi attualmente ricoverato presso
l'Ospedale Psichiatrico Giudiziario di Aversa in virtù
dell'art. 88 C.P.P. (sospensione di procedimento penale).

Detto ricovero fu disposto dalla Corte d'Assise di
Napoli con ordinanza 14 gennaio u.s.

d'ordine del ministro

sgd. ?

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*Original filed
in info file*

Recd. - 3.3.47

GIUDIZIARIE BRESCIA
UFFICIO MATRICOLA

FILE

Visto/ si ritorna comunicando che il detenuto Spasiani Davide fu
tradotto alle Carceri Mandamentali di Montichiari (Brescia) ed è stato
esarcerato per fine pena il 17/10/946

Il detenuto Scrinzi Pietro fu tradotto alle Carceri Mandamentali
di Lonato (Brescia) il 1/10/946 e terminerà di espiare la pena il
24/9/947

Scalvini Angelo fu esarcerato dal Prefetto di Brescia il 13/3/946
che si allega copia dell'ordine di scarcerazione.

Brescia 26 febbraio 1947

AFHQ G-3
LACAD. Rome
REC'D

TO 13 MAR 1947



IL DIRETTORE

(Gott. A. Bruno)

[Handwritten signature]

ALLIED FORCE HEADQUARTERS
G-5 Section
LIAISON AND CIVIL AFFAIRS BRANCH
Legal Division

LACAB/4083/23/L.

6 febbraio 47.

OGGETTO : SPEZIANI Davide, SCRINZI Pietro and
SCALVINI Angelo.

Al Direttore delle Carceri Giudiziarie di
BRESCIA.

Risulta a questa Divisione Legale che i nomina-
ti in oggetto non sono inclusi nella lista del 13 ottobre
1946 inviata da codesta Direzione al Ministero di Grazia
e Giustizia.

Fertanto, si gradirebbe conoscere lo stato
attuale dei predetti e nel caso fossero stati escarcerati,
si prega di voler indicare l'autorità che ha disposto
la loro escarcerazione nonché di inviare a questo ufficio
copia dell'ordine.



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

520

18-2-47

71-3-47

26 Feb 1947

TRANSLATION

JUDICIAL PRISON OF BRESCIA

We are returning your note and inform you that SPEZIANI Davide was sent to the District jail of CHIARI (Brescia) on 25 Nov 1945 and has been released ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ on 17 Oct 1946 as his sentence had expired.

The prisoner SCRINZI Pietro was sent to the District Jail of LONATO (Brescia) on 1 Oct 1946 and his sentence will expire on 24 Sept 1947.

The prisoner SCALVINI Angelo was released by order of the Prefect of BRESCIA on 13 Mar 1946. Copy of the ~~XXXXX~~ release order is attached.

Copia

Telegrafia a mano

DIRETTORE - ARRETI

B R E S C I A

N° 614 Cab. - con ordinanza in data odierna ho
 disposto scarcerazione di Scavini Angelo di Antonio
 e di Bettinzoli Rosa - partigiano detenuto per porto
 abusivo di armi punto Prego provvedere in conformità
 se predetto non est detenuto per altra causa punto
 Prefetto Prochio

Al Stato

IL CAPO CABINETTO

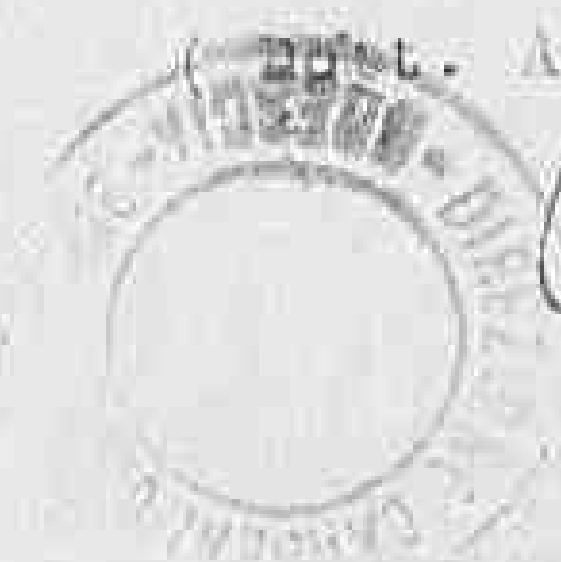
E/ illeggibile

Brescia 13 Marzo 1946

P. S. S.

IL DIRETTORE

(Prof. A. Bruno)



[Handwritten signature]

162

COPY

CABLE

TO : Prison Director, BRESCIA.

No.614 Gab. With letter of today's date I disposed of the release of SCALVINI Angelo son of Antonio and BETTINZOLA Rosa, partisan, in prison for wrongful possession of arms.

Will you please carry out this order ~~if x h w i w x~~ provided he is not in jail for other reasons.

(Sgd) Prefect ~~mfx~~
Froggio.

13 March 1946

161

405/103
PREFETTURA DI VARESE

Procl. N. 969 Div. 2^a

Risposta a nota AC/4083/23/L del

Varese 23/2/1947

Allegati 24.1.1947

OGGETTO: Del Prato Luigi fu Angelo.

RACCOMANDATA.=

All.2

AL HEADQUARTERS ALLIED COMMISSION

APC 794

LEGAL DIVISION

ROMA

Con riferimento alla nota a margine, si trasmette copia dell'ordine Regionale n.18 del Governo Militare Alleato della Lombardia in data 31 Dicembre 1945 e copia dell'ordinanza di condono della pena e della scarcerazione di Del Prato Luigi, emessa da questa Prefettura col n°969 Div.II^a del 25/2/1946.

IL PREFETTO

(G. Palombara)

PRO 65
 LACAB. Rome
 RECD
 10 MAR 1947
 10. Lital Revere

ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION

ORDINE REGIONALE N° 18.

In occasione della restituzione al Governo Italiano del territorio della Lombardia.

Io, A. N: HANCOCK Colonnello, O. B. R. Commissario Regionale, Governo Militare Alleato, Lombardia,

con il presente ordine quanto segue:

1°) Visti i precedenti di buona condotta dei detenuti partigiani condannati a pena di reclusione dalle Corti Militari Alleate per porto abusivo di armi:

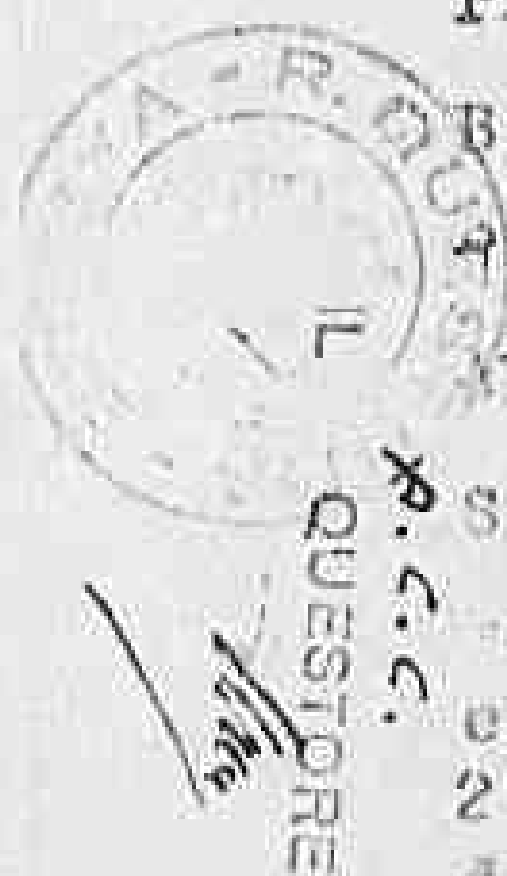
ROSSI CARLO	fu Vincenzo	Via Borgognone 26	Milano
GALUZZI FRANCO	di Angelo	Via Marzocelli 13	"
VAI BATTISTA	di Giovanni	Alsola Naviglio Grande	Milano
GIULIANO ULISSE	fu Vincenzo	Via Giambellino 130	Milano
ROSSI RENATO	fu Giuseppe	Via Pier della Francesca 23	"
REDANELLEXX UGO	di Ambrogio	Via Albertinelli 5	Milano
COLOMBO ETTORE	di Guido	Via Colombetti 4	"
PERNATI ENRICO	di Francesco	Corezzano	
B. ELLIN ZANI	FRANCO di Pilado	Via Calabria 2	"
ALLAMINI LUIGI	" Carlo	Arluno	153
ABRIONI MARIO	" Mario	Caravaggio	
SACCHI ENRICO	" Luigi	Via S. Francesco d'Assisi 3	Milano

venga agli stessi condannati il reato della loro pena e siano scarcerati entro il 31 gennaio 1946.

2°) Previo accertamento da parte dei Prefetti delle tre Province della Lombardia circa l'effettiva appartenenza all'arma partigiana o dei precedenti di buona condotta dei partigiani ivi detenuti a seguito di condanne da parte delle Corti Militari Alleate per porto abusivo di armi venga ai partigiani stessi condannati il reato della pena e siano immediatamente scarcerati.

A. R. HANCOCK COLONNELLO
GOVERNO MILITARE ALLEATO

31 DICEMBRE 1945



COPIA

PREFETTURA DI VARESE

N° 969 Div.II^

Varese 25 Febbraio 1946

IL PREFETTO

Visto l'ordine Regionale nr.18 del Colonnello A.N.Hancock, Commissario del Governo Militare Alleato della Lombardia, in data 31.12.1945, che dà facoltà ai Prefetti, previo accertamenti della loro qualifica o della buona condotta, di concedere il condono della pena e disporre la scarcerazione dei partigiani condannati dalle Corti Militari Alleate per porto abusivo di armi;

Visto che dai suddetti accertamenti effettuati dalla Questura di Varese, è risultato che il nominato DEL PRATO Luigi fu Angelo (condannato il 25.7.1945) a tre anni di reclusione dal Tribunale Militare Alleato per possesso abusivo di armi, è stato effettivamente partigiano e di buona condotta:

O R D I N A

il condono della pena e la scarcerazione del DEL PRATO, se non detenuto per altra causa.

Dell'esecuzione della presente ordinanza incarica la Questura di Varese. =

IL PREFETTO
f.to G. Palamara

158

p. C. c.

IL QUESTORE

3713

C O P Y

4083/23
file

MINISTERO DI GRAZIA E GIUSTIZIA
Direzione Generale per gli isti-
tuti di prevenzione e di pena.

Roma, 21 Feb 1947

Uff. VI
Prot. N° 164909/15980

ALLA COMMISSIONE ALLEATA
Divisione legale

R O M A

Risp. al f° del 21/12/1946
AC/4083/23/L

OGGETTO : Detenuto Vincenzo Putrino di Angelo Domenico.

In riferimento alla nota sopra indicata, si comunica che il detenuto in oggetto, condannato dalla Corte di Assise di Palmi con sentenza del 9/3/939 ad anni 22 e mesi 2 di reclusione per omicidio volontario, è il medesimo che la Corte Militare Generale Alleata di Firenze il 16/7/1945 condannò ad anni 30 di reclusione per omicidio in persona di un militare americano.

La Procura di Palmi in data 4/1/1947 ha cumulado le due condanne stabilendo la pena unica di anni 30.

Il Putrino trovasi ristretto attualmente nem manicomio giudiziario di Barcellona Pozzo di Gotto per motivi di salute e per ragioni di ordine e disciplina.

Pel Ministro

/S/ Volpe

157

TRANSLATION

MINISTRY OF PARDON AND JUSTICE

Rome 21 Feb 1947

TO THE ALLIED COMMISSION
legal Division R O M E

Ref. AC/4083/23/L of 21/12/1946

SUBJECT : PUTRINO Vincenzo, son of Angelo Domenico.

With reference to letter n° AC/4083/23/L of the 21st December 1946, the Ministry of Pardon and Justice informs this legal Division that the above-mentioned prisoner, who was sentenced on the 9th March 1939 by the Court of Assizes in Palmi to 22 years and 2 months imprisonment for voluntary homicide, is the same person, who was sentenced on the 16th July 1945 by the Allied Military Court of Florence to 30 years imprisonment for having killed an American soldier.

The Procura of Palmi has aggregated both the sentences on the 4th January 1947 and has established a unique penalty of 30 years.

Putrino is at present being interned at the judicial Lunatic Asylum of Barcellona Pozzo di Gotto, for reasons of health, order and discipline.

For the Minister

/S/

Volpe

135

C O P Y
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
VENEZIA GIUBIA
Legal Division

19 February 1947

Reference No VG/AMG/ID/136/609

SUBJECT : Case of JANZ Adriano, No 244 Sup. Trieste.

TO : ALLIED FORCE HEADQUARTERS
G-5 Section. Liaison and Civil Affairs Branch
Legal Division. - Attention Col. J. J. CARNES -

A.P.O. 794

R O M E1. Reference your letter LACAB/4003/23/L dated
14 February 1947.2. We do not propose to review the case or con-
sider the petition for Grace.3. Kindly retain record together with others
when final action can be taken by you for all the defendants
in this case.

For the Senior Civil Affairs Officer :

Sgd :

CHARLES M. MUNNCKE
LT. COLONEL
CHIEF LEGAL OFFICER

150

file
Original in Case
Record *(M)*
27.2.47

LIATSON AND CIVIL AFFAIRS BRANCH
APO 794 Rome
Legal Division

File

LACAB/4083/23/L

PR/tn
18 February 1947

Subject: CAMPANALE Giscone di Michele.

To: Ministry of Pardon and Justice.

1. We send you herewith for your information a statement of the judicial position of the above mentioned prisoner, received by us from the Pretore of Osimo.

2. With our letter of 28 December we sent you the decision on review in this case. As stated in that letter, CAMPANALE should be returned to prison to serve the unserved portion of his sentence.

LL

L.J. GILBERTO,
Major, IED,
Chief Counsel.

Incl - Stmt judicial position.

FileLIAISON AND CIVIL AFFAIRS BRANCH
APO 794 Rome
Legal DivisionPR/fm
17 February 1947

LACAB/4085/23/L

Subject: AQUINO Fortunato.

To: Ministry of Pardon and Justice.

1. Please refer to our letter of 28 January 1947 and the decision on review that was sent to you therewith, regarding the above mentioned defendant.
2. In the list you recently sent us, this defendant is shown as having been granted conditional liberty on 20 November 1946.

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

ATTACHMENT AND CIVIL AFFAIRS BRANCH
AFO 794 Rome
Legal Division

File

PR/fa

17 February 1947

LAGAB/4083/23/L

Subject: MAROTTA Antonio fu Antonio,
TURRINI Leopoldo di Luigi.

To: Ministry of Pardon and Justice.

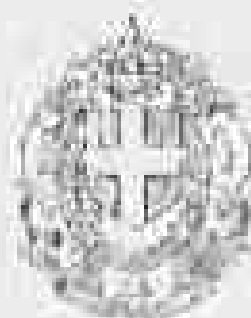
1. Under date of 20 March 1946 we sent you the decision on review in the case of MAROTTA Antonino di Antonino, mentioning his then last known place of confinement.
2. Under date of 21 May 1946 we sent you the decision on review in the case of TURRINI Leopoldo, mentioning his then last known place of confinement, Pessano, and directing that his sentence expire on 30 May 1946.
3. We did not receive from you the customary acknowledgment that the prisons concerned had entered on their records the new dates of expiration of sentence, but our receipt of your lists of prisoners dated 13 October 1946, without the name of either of the above mentioned two prisoners being listed, appeared to confirm that they had been duly released. What actually happened, however, was that you were unable to locate these two prisoners.
4. TURRINI is reported in the list of 18 January 1947 of the Casa di Reclusioni at Alessandria as confined there serving a sentence of an Allied Military Court, said sentence being shown as expiring on 29 May 1947, and also at the disposition of the Giudice Istruttore of Torino for trial on other charges.
5. MAROTTA Antonino di Antonino has now been identified as the MAROTTA Antonio fu Antonio reported in the list of 18 January 1947 of the Carceri Giudiziarie at Cagliari as confined there serving a sentence of an Allied Military Court, said sentence being shown as expiring on 30 January 1949.
6. These are excellent examples of the value of the lists of prisoners that have been, or are being, submitted by the prisons of Italy under date of 18 January 1947, and likewise of the importance not only of accuracy, but also of promptness, in the submission of said lists.
7. Duplicates of the aforementioned two decisions on review are inclosed herewith. It is desired that MAROTTA Antonio fu Antonio be immediately released, unless held for other lawful cause, and that TURRINI Leopoldo di Luigi be immediately placed entirely at the disposition of the Italian authorities. Please inform us when this shall have been accomplished by the prisons concerned.

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

2 Incls - Decisions on review.

MODULARIO
G.G. - a. c. 484

Mod. 342/343 (G. 1000)



F I C C

4083/23

Direzione del

to 1001 di prot.

Milano 16/2/1947

ARMED FORCES HEADQUARTERS
3-5 SECTION
Liaison and Civil Affairs Branch
Legal Division

OGGETTO: Det. VILLA ANGELO e SACCHI SERICO. / 4A

In riferimento alla nota H-1000/4-83/23, L. 1000-
sa da codesto Ufficio il 6/2/1947, si comunica che dalle
scritture qui agli atti dell'elenco non attivo dei detenuti
trattati in questo Carcere a disposizione di Auto-
rità non Italiana a tutto il 13 Ottobre 1946, trasmesso
al Superiore Comandante con nota n° 5145 del 14/10/46,
non risulta vi siano questi due nominativi.

Si prega però dare maggiori chiarimenti e ge-
nerali complete del Sacchi, mentre risulta che VILLA
ANGELO fu Domenico arrestato il 7 Luglio 1945 e condan-
nato con sentenza 20/7/1945 della Corte Militare Allean-
za alla pena di m. 20 di reclusione, pena confermata in
Appello il 24/8/1945.

Il Villa evade in data 31/10/1945 ed è tutt'ora
latitante.

ANHQ 45
LACAB, Rome
RECD

24 FEB 1947

IL DIRETTORE

131

Subject: Prisoners VILLA ANGELO and
SACCHI ERNESTO

With reference to letter LACAB/4083/23/L of the 6th February 1947, the prison director of Milan informs this Legal Division that the two a/m. persons don't appear on the list of prisoners detained in Milan prison and held at the disposal of Allied authorities. This list was forwarded to the Superior Ministry on the 14th October 1946 under ^{complete} file N° 5145.

The particulars of SACCHI are therefore requested. There appears to be a certain VILLA ANGELO, son of the late DOMENICO, who was arrested on the 7th July 1945 and sentenced on the 20th 1945 by an Allied Military Court to twenty ~~years~~ ^{months} imprisonment. Said sentence was confirmed on appeal, by order dated August 24th 1945. VILLA escaped on the 31st October 1945 and

is since then a fugitive.

13

The Director

Signed: illegible.

FILE

LIAISON AND CIVIL AFFAIRS BRANCH
ROME
APO 794

LACAF/4083/23/1

15 February 1947

SUBJECT : Reimbursement of Confiscated funds

TO : MINOPOLI Fernando
Via Campo Bagnoli #34
Bagnoli, Napoli

1. Your letter concerning reimbursement of money alleged to have been taken from you at the time of your arrest on 2 December 1944 has been received.

2. The matter has been passed to the Allied Financial Agency, Banca D'Italia, Roma, for consideration. Further correspondence by you should be sent to that agency.

JOHN E. WEESE
Colonel, Infantry
Chief Legal Adviser

119

file

LIAISON AND CIVIL AFFAIRS BRANCH
AFM 794
ROME
Legal Division

LACAB/4083/23/L.

JZW/pa.
15 Feb 1947.

SUBJECT : Prisoner BAGGIOMO Antonio.

TO : The Minister of Pardon and Justice.
(Attn: Uff.VI)

1. See your letter of 8 February 1947, Uff.VI, 153527/80619, subject "detenuto BAGGIOMO Antonio di R.R.", and attaching a letter dated 27 gennaio 1947 from the director della Colonia Agricola di Isili.

2. Information requested by you for consideration in granting or refusing the application for conditional liberty in this case was forwarded to your office on 9 January 1947. We do not know why this correspondence was sent to us.

According to our records, this sentence expires 25-3-47.

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

Copy to : Director of Colonia Agricola, ISILI.

148

This letter is reply to

WIAISON AND CIVIL AFFAIRS BRANCH
RONE
APO 794

FILE

JH/NE

12 February 1947

LACAB/4083/23/3

SUBJECT : Case of JANE ADRIAN and others.

TO : Lt. Col. Munnicks, Legal Officer,
ANG. VANDERLA GIULIA.

1. The review board has carefully considered the above case including the petitions and is of the opinion that in view of the part played by JANE in the crime, the 2 year sentence given him is justified by both the facts and the law and it therefore made no recommendation with respect to reduction of his sentence.

2. Recommendations were made for slight reductions in the sentences of TROP Vladimiro and SOARPA Angelo. Inasmuch as the original sentence of JANE was for 2 years, your HQ. still retains the right to reduce his sentence if it so desires.

3. While it is preferred to keep the records together until final action can be taken on all of them, if your office desires this record in order to again review JANE's case, it will be forwarded immediately.

JAMES J. GARDNER,
Col., Inf.,
Chief of Review Board.

Col. Weber.

Janz bought a Dodge
Army truck, knowing it to be
stolen property, and either lost,
or disposed of the vehicle.

His intention was to sell
the truck to some jugs, gone B,
for 200,000 lire. He paid the thieves
160,000 lire for the truck.

James J. Farnes,
col. 11 Inf.

2034

CMM/SC

HEADQUARTERS
ALLIED MILITARY GOVERNMENT

~~III CORPS~~

VENEZIA GIULIA

LEGAL DIVISION

Reference No. : VG/AMG/LD/136/135 12 February 1947
Subject : Case JANZ Adriano. Sup.
TRIESTE No. 244.
To : ALLIED FORCE HEADQUARTERS
G-5 Section
Liaison and Civil Affairs Branch
Legal Division - Attention Col. J. J. CARNES.
A. P. O. 794 - R O M E -

1. Ref. your ~~undated~~ letter 6 February.
2. Request your review the case.
3. Since the a/m case is going to be reviewed by you, it would be appreciated if you would take into consideration the attached Petition for Grace with 4 exhibits, submitted by the a/m accused.

For the Senior Civil Affairs Officer :


CHARLES M. MUNNECKE 113
Lt. Colonel
Chief Legal Officer

Incl. - 6 -

2033

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
48-CORPS

file

LEGAL DIVISION

VENEZIA GIULIA

Date 12 February 1947

FILE REF.: 12C/AMG/LD/137/536

SUBJECT: Case PISON Silvano. Sup. Trieste No. 503. and
case PLANI Ezi6. Sup. Trieste No. 277.TO: Allied Force Headquarters
G - 5 Section. Liaison and Civil Affairs Branch
Legal Division.

A. P. O. 794 R O M E

with care
with record

1. Forwarded herewith Appeals concerning a/m accused.
2. Pison's record has been forwarded to you with letter VG/AMG/LD/137/350, dated 28 January 1947 ; Plani's ~~has been~~ ^{given} ~~signed~~ personally to Col. J.J. Carnes on January 13, 1947.

For the Senior Civil Affairs Officer.


CHARLES M. MUNNECKE
LT. COL. INF.,
CHIEF LEGAL OFFICER

111

ALLIED FORCE HEADQUARTERS
G-5 Section
Liaison and Civil Affairs Branch
APO 794
LEGAL DIVISION

FILE

LACAB/4083/23/L

11 February 1947

SUBJECT : Copy of Sentence: CAPURRO Antonio di Ernesto e fu
Maddina Assunta, nato a Napoli il 21.6.1895

TO : Il Direttore, Manifatture Tabacchi
55 Apostoli
Napoli

1. Reference is made to your letter Prot. No. 727 dated 26.1.47
subject as above.

2. The above mentioned person was arrested or re-booked 6 July
1945 at Naples and charged with violation of Proc.2, Art.1, Sect.11; in
that he did steal property of the Allied Forces to an aggregate value
of more than 10,000 lire; to wit, 54 cases of British tobacco; and Art.
5, Sect.1, in that he, on or about 21.5.45, did conspire with others
to do an act constituting an offense under Proc.2, Art.1, Sect.11, and/
or did advise, assist in and procure the commission of such an act, to
wit, the theft of 54 cases of British tobacco, property of the Allied
Forces to the aggregate value of more than 10,000 lire.

3. On 5 September 1945, at Naples he was convicted of the 2nd
charge only and sentenced to serve 2 1/2 years imprisonment.

4. On review, 30 November 1945, the conviction and sentence were
affirmed.

5. On review, 4 December 1946, the sentence was reduced to 1 1/2
years imprisonment from the date of arrest.

L. J. GILBRIDE
Major, IGD
Member of Review Board

File

ALLIED FORCE HEADQUARTERS
G-5 Section
Maison and Civil Affairs Branch
APO 794
Legal Division
Rome

PR/fm
11 February 1947

LACAR/4083/23/L

Oggetto : DEL PRATO Luigi fu Angelo.

Al : On.le Prefetto di VARESE.

Questa Divisione Legale e' in attesa di una risposta alla lettera del
24 Gennaio u.s., acclusa in copia.

Data l'urgenza del caso, questa Divisione Legale gradirebbe ricevere
al piu' presto una copia del richiesto Ordine Regionale.

Con perfetta osservanza.

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

All. Copia della lettera AG/4083/23/L
del 24 Gennaio u.s.

142

FILE

ALLIED FORCE HEADQUARTERS
G-5 Section
Liaison and Civil Affairs Branch
Legal Division

LACAB/4083/23/L

LJG/ns
10 February 1947

SUBJECT : Case of CAMOGLIO Pasquale

TO : Ministry of Pardon and Justice

1. Reference is made to your letter
No 151923/74315 dated 29 September 1946, subject as above.

2. Information is provided that after
consideration of this case by the Review Board the decision
was announced on 6 September 1946 that the sentence therein
was reduced to 5 years and 6 months and that the fine
imposed by the court, if unpaid, was remitted. This action
was taken in view of the whole case record of this man,
including matters appearing in the petition forwarded with
your communication.

L.J. GILBRIDE,
Major, IGD,
Chief Counsel,
for Chief Legal Advisor.

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4013/82
 Ministero di Grazia e Giustizia
 DIREZIONE GENERALE
 PER GLI ISTITUTI DI PREVENZIONE E REPRESSIONE

UFF. VI

Tot. N° 153527/50613

OGGETTO:

Gestione Seggiole Antonio di V.F.

Roma, 8 FEB 1947

Alla Commissione Alleanza
 - Sottocommissione Negozi
 Roma

Risposta al f. del
 Sig. Leo N°

all. n. 1
 Translatum presso
 G. V.

Si trasmette, con preghiera di cortesi
 notizie al riguardo, copia della nota n. 560
 del 27 gennaio u.s., della direzione della
 colonia agricola di Isili.

Pel Ministro

for reply see letter dated 15/2/47

GOMIA

Direzione della colonia agricola di Isili

Isili 27 gennaio 1947

U.56

Al Ministero di Grazia e Giustizia
Direz. Gen. Istituti di prov. e di pena

ROMA

OGGETTO: Detenuto Saggiomo Antonio di P.V.

Il condannato in oggetto vive in uno stato di costante inquietudine perché la maggior parte dei suoi compagni condannati dalla Corte Militare, per i quali era in corso la pratica di liberazione condizionale, istrutta dal Sig. Giudice di Sorveglianza, di Cagliari, secondo le norme vigenti, hanno già ottenuto il massimo voto e sono stati liberati mentre agli nessuno notizia ha avuto nel corso della pratica che lo riguarda.

Il Sig. Giudice di Sorveglianza che trattò la sua richiesta di liberazione condizionale gli disse che si attende la risposta dal Ministero.

Stando a ciò per chiarire alle pressanti richieste dell'interessato, rivolgo preghiera perché, ove sia possibile, sia fornito un chiarimento in merito a tale pratica di liberazione condizionale al detto Saggiomo il quale sino ad oggi si è dimostrato buon detenuto e meritevole di assistenza.

Con ogni cortesia.

Il Direttore
P/te Dott. P. Ragusa

133

*Col Ruffa
informa il p. p.*

Col. Weber

14.2.47

Sir - Attached please find letter forwarded to us by Ministry of Pardon & Justice pertaining to Conditional Liberty. The sentence expires 25.3.47. Conditional Liberty information was sent to Ministry 9 Jan 47 so I see no reason for the Ministry to forward the petition to us. May we return the petition to them for their action.

J. H. Wills

for final disposition
see LACRB/4083/23/c of 15.2.47

file in Case Record

Ministry of Pardon and Justice
 General Direction of Persons.
 Office VI.

Rome, the 8th February 1947.

To the Allied Commission
 Legal S/C
Rome

Ref. N° 163 524 180619.

Subject: Prisoner SAGGIOMO ANTONIO, son of unknown
parents.

Note N° 560, dated January 24th last, of the Direction of the Agricultural Colony for Prisoners of Isili, is herewith forwarded, and a kind information in this regard is requested.

For the Minister

Signature illegible 138

Information for C.L.
 him sent in January 1947.

Anna - when does sentence expire? (10)

the sentence expires on
 25 Mar 1947

105. - 1000. 10P -

Copy

Director, of the Agricultural Colony for Prisoners of Isili.
Isili, the 24th January 1947
Nº 560.

To the Ministry of Pardon & Justice
General Direction of Prisons

Home.

Subject: Prisoner SAGGIOMO ANTONIO, son of unknown parents.

The a/m. prisoner is living in constant anxiety, due to the fact that the greatest part of his companions, who were sentenced by an Allied Court, were already released on conditional liberty, while he himself had no information at all, in regard to his own petition.

It seems that the Surveillance Judge, who has questioned Saggiomo, told him that a reply from the Ministry is expected.

For the above reason, and in order to satisfy the requests of the prisoner, I beg you to give possible information in this regard, which I could communicate to said Saggiomo, who has proved to be a good prisoner and deserves assistance.

Yours truly

The Director

Signed: Dr B. RAJUSA.

file
80
4A
ALLIED FORCE HEADQUARTERS
G-5 Section
Liaison and Civil Affairs Branch
Legal Division

LACAB/4083/23/1.

6 febbraio 1947

OGGETTO : VILLA Angelo e SACCHI Enrico.

Al Direttore delle Carceri Giudiziarie di
MILANO

Risulta a questa Divisione Legale che i nominati
in oggetto non sono inclusi nella lista del 13 ottobre inviata
da Codesta Direzione al Ministero di Grazia e Giustizia.

Si desidererebbe, pertanto, conoscere lo stato
attuale dei predetti e nel caso fossero stati escarcerati
si prega di voler indicare l'autorità che ha disposto la
loro escarcerazione nonché di inviare a questo ufficio copia
dell'ordine.

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

136
172

file

10

3A

TRANSLATION

ALLIED FORCE HEADQUARTERS
G-5 Section
Liaison and Civil Affairs Branch
Legal Division

LACAB/4083/23/L.

6 Feb 1947.

SUBJECT : VILDA Angelo and SACCHI Enrico.

TO : The Prison Director of
MILANO Prison.

1. The Legal Division noticed that the two above mentioned prisoners are not listed on the list dated 13 October transmitted by you to the Minister of Justice.

2. We would like to know the present status of the above persons and in the case they have been released will you be good enough to specify on what authority they have been released and to send us a copy of the order.

*Transmitted for
the file*

JOHN K. WEBER,

Col. Inf.

Chief Legal Advisor

file

G-5 Section
LIAISON AND CIVIL AFFAIRS BRANCH
Legal Division

2A

LACAB/4083/23/L.

6 febbraio 47.

OGGETTO : SPEZZANI Davide, SCRIMBI Pietro and
SCALVINI Angelo.

Al Direttore delle Carceri Giudiziarie di
BRESCIA.

Risulta a questa Divisione Legale che i nomina-
ti in oggetto non sono inclusi nella lista del 13 ottobre
1946 inviata da codesta Direzione al Ministero di Grazia
e Giustizia.

Fertanto, si gradirebbe conoscere lo stato
attuale dei predetti e nel caso fossero stati incarcerati,
si prega di voler indicare l'autorità che ha disposto
la loro incarcerazione nonché di inviare a questo ufficio
copia dell'ordine.

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

13.

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file
TRANSLATION

ALLIED FORCE HEADQUARTERS
G-5 Section
Liaison and Civil Affairs Branch
Legal Division

LACAB/4083/23/L.

6 Feb 1947.

SUBJECT : SPEZZANI Davide, SCRINZI Pietro and
SCALVINI Angelo.

TO : The Prison Director of
BRESCIA Prison.

1. The Legal Division noticed that the two above mentioned prisoners are not listed on the list dated 13 October transmitted by you to the Minister of Justice.

2. We would like to know the present status of the above persons and in the case they have been released will you be good enough to specify on what authority they have been released and to send us a copy of the order.

JOHN K. WEBER,

Col, Inf
Chief Legal Advisor

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ALLIED FORCE HEADQUARTERS
G-5 Section
Liaison and Civil Affairs Branch
Legal Division

FILE

LJG/ns

6 February 1947

IACAB/4083/23/L

SUBJECT : Petition for pardon in favor of
SANCARLO Giocchino.

TO : Il Capo di Gabinetto del
Capo Provvisorio dello Stato
(Attn: Avv. Umberto Collamarini)

1. Reference is made to your letter
No 16066, dated 22 January 1947, transmitting to
this office the above mentioned petition for pardon.

2. After action was taken on this
case by the Review Board decision was announced on
22 March 1946 that the sentence imposed therein was
reduced to end 18 August 1947.

3. This communication has been placed
with the records of this case for consideration at any
time future reference may be made thereto.

L.J. GILBRIDE,
Major, IGD, 133
Chief Counsel,
for Chief Legal Advisor.



Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIO

Roma 14 ottobre 1946

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Ufficio II° A.P.
Dist. N° 131.1300.2041

Prescritto al f.d. 27.9.1946
Dir. Am. N° 4083/23/I

OGGETTO. Torino Francesco di Gaetano.-

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO

S E D E

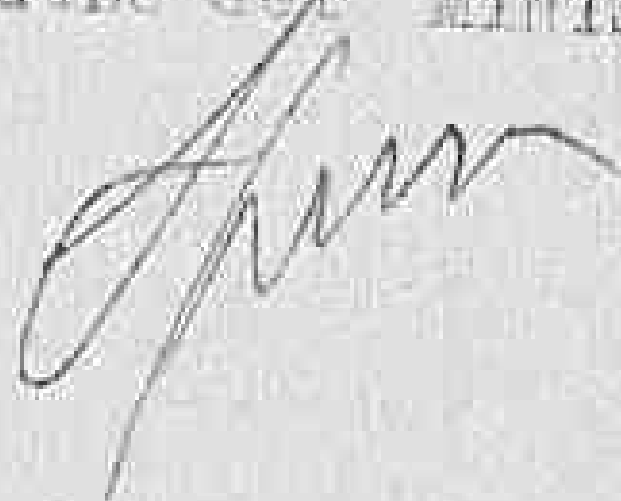
Il Procuratore Generale di Napoli informa che il summinato TORINO fu arrestato a Napoli il 2 agosto 1944, per violazione delle norme di cui al Proclama n° 2, Sez. 16 - 17, e per omicidio volontario in persona di un militare dell'Esercito Alleato, reati commessi il 1° agosto di detto anno.- Dalle Carceri fu trasferito al Manicomio Giudiziario di Napoli e in data 25 Luglio 1945 a quello di Aversa, dove tuttora è ricoverato, a disposizione del Commissario Capo della Commissione Alleata di Controllo.-

Altro non è stato comunicato e qualora il

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detto detenuto verrà posto a disposizione
delle Autorità Giudiziarie Italiane, si darà
seguito alla presente nota fino a definizione.

d'ordine del MINISTRO

A handwritten signature in dark ink, appearing to be 'A. Moro', is written over the typed text 'd'ordine del MINISTRO'.

" R A I O N I O N "

MINISTRE DE LA JUSTICE

17 Oct 1946

Rome

Subject : TOKIO Francesco, son of Gastone

With reference to letter AC/4043/23/E of the 17th September 1946, the Ministry of Justice informs this legal Sub-Commission that the Procureur Generale d'Appel has communicated that the above mentioned person was arrested on the 2nd August 1944 at 14h 30. For having violated Proclamation of 1, Paragraphs 15-17 and for having not complied with the Allied order. Such charges were notified on the 1st August 1944.

The person was transferred from the 1st to the 2nd Military Region of the 1st, 1st 1946, on the 15th July 1946, to the 2nd Military Region of Varese, where he is presently being held under treatment, at the disposal of Chief Commissioner of the Allied Control Commission.

There is no other information. In case that the above-mentioned person would be put at the disposal of the Italian judicial authorities, the instructions contained in above-mentioned letter will be carried out.

By order of the Minister

Signature illegible

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

FILE

FILE

SPECIAL
AC/4083/23/E

/ns
Date: 17 September 1946

SUBJECT : TORINO Francesco di Gaetano.

TO : Ministry of Pardon and Justice.

1. This Sub-Commission is informed that the above mentioned is held in the judicial ~~jailed~~ insane asylum at Aversa.

2. Would you kindly inform us of :

- a) the exact date of arrest of the above mentioned;
- b) the charges (if any) which are being brought against him;
- c) the authority who has ordered his arrest;

and whether :

- 1) inquiries are still pending and if there is a case for prosecution;
- 2) ~~an Allied Military Court has been set up for the hearing of the case~~

3. Needless to say that any further detail concerning the matter will be greatly appreciated.

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4. Please consider the matter as very urgent.

FILE

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

MODULARIO
G.G. - a.c. - 402Mod. N. 23 (Carceri)
" " 51 (Riformatori)

1

Verso, add. 20/8/1946

Ministero di Grazia e Giustizia

DIREZIONE
DEL

Ospedale Psichiatrico Provinciale

N. 1000 Tit. 3 Fasc. I Lett. 3808

HEADQUARTERS ALLIED

COMMISSION APO 794

Legal Sub Commission

Risposta alla lettera

del 1° agosto 1946

Ufficio N. 10/4083/33/L.

Allegati N.

OGGETTO: Torino Francesco di Gaetano.

Questa Direzione risponde con ritardo alla lettera controdistinta, perchè pervenutaci dal locale Ospedale Psichiatrico Civile, al quale era stata erroneamente trasmessa.

L'internato in oggetto trovavasi qui ricoverato dal 26 luglio 1945, quale imputato di violazione al proclama N° 2, Sez. IV-VI, per aver il 22 luglio 44 in Napoli ucciso un militare delle forze alleate. Arrestato il 2.8.44 fu, dopo qualche tempo, trasferito all'Ospedale Psichiatrico Provinciale di Napoli; in seguito, per disposizione del Presidente della Corte Militare Generale di Napoli, essendo stato ritenuto ammalato di mente, in data 12.10.44 fu assegnato al Peni-

...///...

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comio Giudiziario di Napoli, a disposizione del Commissario Capo della Commissione Allocata di controllo. Dal predetto Istituto è stato poi qui trasferito.

L'osservazione compiuta fece constatare all'epoca dell'ammissione, una deficienza psichica di lieve grado con particolare labilità della sfera umorale-emotiva, con facili strati di depressione. Tale sindrome psicopatologica aveva per substrato organico una condizione di accentuato adenoideismo potenziata da una lue ereditaria.

È ritenuto pertanto necessaria una cura specifica antiluetica la quale ha apportato sensibile miglioramento ai disturbi psichici in atto all'epoca dell'internamento; e per tale miglioramento il soggetto attualmente presenta migliore orientamento, più valida funzione mnemonica, maggiore capacità critica e minore instabilità della sfera emotiva, rispetto al passato.

L'Ispectore Generale Sanitario
(Dr. Uff. Prof. Filippo Saperito)

LEGAL SUB COMMISSION	
CHIEF LEGAL ADVISOR	
DEPUTY CHIEF LEGAL ADVISOR	
CHIEF COUNSEL	
SECT. OFFICER	
ITALIAN SECTION	
MEMBERS REVIEW BOARD	
AUG 29 1946	

file

HEADQUARTERS ALLIED COMMISSION
APO 700
LEGAL DIVISION

AC/4083/23/1

SUBJECT : PAOLELLA, Domenico fu Vincenzo e di Papa, Caterina
nato ad Acerra il 18-2-1897

TO : THE MINISTRY OF PRISON AND JUSTICE.

1. The above named person was tried by an Allied Military Government Court sitting at Napoli on 25 May 44

2. He was sentenced as follows : To serve 2 years imprisonment and to pay a fine of 20,000 lire, or, in default of payment thereof, to serve an additional 9 months imprisonment.

3. On reconsideration the above sentence has been modified as follows : The sentence is affirmed; the fine, if unpaid, is remitted.

4. Unless held for other lawful cause, the above named person will be released (see letter attached)

5. It is believed that the defendant ^{was} confined at Poggioreale and later at Procida.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

AMENDED COPY



[Signature]
JOHN E. WELCH,
Colonel Infantry
Chief Legal Advisor.

31.1.47.

*Escaped
rel letter
off 12 18964-9*

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

file

AC/4083/23/L

TV/ns
31 January 1947

SUBJECT : PAOLILLA Domenico in Vincenzo e di Papa,
Catarina, nato ad Acerra il 1862-1897.

TO : The Minister of Pardon and Justice.

1. Reference is made to our letter AC/4083/23/L of 23 December 1946 and to your letter Uff. VI, Prot. N° 161257/77574, dated 16 Jan. 47, subject as above.

2. On or about 18 Apr. 44 at Via Casanova, Naples, the above-mentioned person, whose address was Ponte di Casanova, 45, Napoli, was arrested for violation of Allied Military Government Proclamation (Bribery).

3. On 26 May 44, at Naples, he was convicted and sentenced to 2 years in jail and fined 20,000 lire; in default of payment of fine an additional 9 months in jail was to be served, by a Superior Allied Military Government Court. He was represented in court by CORTESI, Guido.

4. By letter dated 16 Jan. 47, Minister of Grace and Justice 161257/77574, this office was advised that the defendant unlawfully escaped jail on 27 October 1944 and has remained at liberty since such date.

5. On 29 December 1946, on review of the case of the accused it was ordered that the accused be released on 24 December 1946. The fine, if unpaid, was remitted. 126

6. It was not known at such time that the

- 2 -

accused was unlawfully at liberty from 27 October 1944. Because of such unlawful escape, there remains to be served by the accused the sentence existing from 27 October 1944 until 24 December 1946. This amounts to 25 months and 28 days. The accused should be arrested and imprisoned on the unexpired sentence and caused to serve the unsatisfied sentence of 25 months and 28 days yet remaining.

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

Incl.: 1 Amended copy of
release order.

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

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AG/4083/23/L

31 Jan 47.

SUBJECT : GIAMM' Salvatore di Francesco.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. On or about 25 Mar 44, at Naples, the above-mentioned person, who gave as his address, Via St. Attanasio, 26, as his occupation, truck driver, and as his age, 23, was arrested for violation of an Allied Proclamation (Stealing a truckload of sugar).

3. On 27 Mar 44, at the Port Security Building at Naples he was brought before a Summary Allied Military Government Court for trial. Because of the seriousness of the charge the court remanded the accused for trial by a Superior A.M.G. Court. On 27 Apr 44, by Superior Court No 6, Tribunale, Naples, he was convicted and sentenced to 5 years imprisonment and fined 150,000 lire. If the fine was not paid within the five year period, the accused was to serve an additional 2 years imprisonment. Two years of the five year sentence were suspended, conditioned on good behaviour of accused during confinement. On review, 13 June 44, the sentence was amended to read: Five years imprisonment and a fine of 150,000 Lire. Two years of such term are suspended provided that

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- (a) the prison Director certifies that the accused has been of good behaviour while in jail, and
- (b) the fine of 150,000 lire has been paid.

The accused was represented in Court by SERRA Giuseppe.

4. Thereafter it is believed that the

- 2 -

release of the accused was secured through the use of unlawful or unauthorized means.

5. The conviction and sentence in this case have been considered on review and the sentence has been reduced to 2 years imprisonment from the date of arrest.

6. If the accused has been released through fraudulent conduct against Italian sovereignty as set out in Para 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information which would indicate that the accused is in jail at the present time.

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

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HEADQUARTERS ALLIED COMMISSION
APO 700
LEGAL DIVISION

AC/4083/23/1

SUBJECT : GIAME ' Salvatore di Francesco

TO : THE MINISTRY OF PARDON AND JUSTICE.

1. The above named person was tried by an Allied Military Government Court sitting at Salerno on 27 Apr 44

To serve 5 years imprisonment and to pay a fine of 200,000 Lira. If the fine is not paid within the five year period, two additional years imprisonment will be served. Two years of the five year sentence are suspended providing the Director of the prison states that the behaviour of the accused was good during imprisonment. On review 13 June 44, it was ruled that the fine must be paid within the first 5 years in order to have the suspension of last 2 years come into effect. In consideration the above sentence has been modified as follows :

The sentence is reduced to 2 years imprisonment from the date of arrest (25 Mar 44).

4. Unless held for other reasons, the defendant has served 2 years imprisonment from 25 Mar 44 under the provisions of the above mentioned sentence.

It is believed that the defendant is confined at Voglioreale.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



Blomberg
JOHN W. WEBER,
Colonel Infantry
Chief Legal Advisor.

31 Jan 47.

GIANNI Salvatore

25 January 1947

The prisoner was arrested on or about 25 March 1944 charged with violation of 7000.2, Art. 1, Sec. 11, stealing any property of the Allied Forces valued at more than 10,000 lire, to wit, stealing a truckload of sugar.

He was tried 24-27 April 1944 by Major Rolf sitting as a Superior Court.

He was sentenced to 5 years imprisonment, 2 years of which were to be suspended if the prison director certified he had been of good behavior while imprisoned, and a fine of 150,000 lire, which has been paid.

Conviction and sentence affirmed 13 June 1944 by Lt. Col. Campbell.

The record is in extremely poor condition.

The prisoner was a driver of an AMO truck was tried for stealing a truckload of sugar.

He is not in jail and his present whereabouts is unknown.

It is recommended that the accused serve a total prison sentence of 2 years.

The time served in prison by the accused should be ascertained and if it is less than 2 years he should be required to serve a total of 2 years imprisonment.

LIONEL WASH
Major, Inf.
Member of Review Board

I concur:

The prisoner was arrested on or about 25 March 1944 charged with violation of Procs. Art. 1, Sec. 11, stealing any property of the Allied Forces valued at more than 10,000 lire, to wit, stealing a truckload of sugar.

He was tried 24-27 April 1944 by Major Golf sitting as a Superior Court.

He was sentenced to 5 years imprisonment, 2 years of which were to be suspended if the prison director certifies he had been of good behavior while imprisoned, and a fine of 150,000 lire, which has been paid.

Conviction and sentence affirmed 13 June 1944 by Lt. Col. Campbell.

The record is in extremely poor condition.

The prisoner was a driver of an 855 truck was tried for stealing a truckload of sugar.

He is now in jail and his present whereabouts is unknown.

It is recommended that the accused serve a total prison sentence of 2 years.

The time served in prison by the accused should be ascertained and if it is less than 2 years he should be required to serve a total of 2 years imprisonment.

I concur:

JAMES J. CAMPBELL
Colonel, Inf.
Chief of Review Board

LEONEL MANN
Major, Inf.
Member of Review Board

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HEADQUARTERS ALLIED COMMISSION
APO 704
LEGAL DIVISION

AC/4083/23/L

SUBJECT : PASTORS Giovanni

TO : THE MINISTRY OF PARDON AND JUSTICE.

1. The above named person was tried by an Allied Military Government Court sitting at Asinara on 2 Feb 44

2. He was sentenced as follows :

1st charge - death	}	On review 26 Feb 44, conviction on 1st charge quashed; conviction and sentence on 2nd charge affirmed.
2nd charge - 20 years		

3. On reconsideration the above sentence has been modified as follows :

The sentence is reduced to 8 years imprisonment from the date of arrest (21 Jan 44).

4. Unless held for other lawful cause, the above named person will be released on 20 Jan 1952

5. It is believed that the defendant is confined at Asinara.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



[Signature]
JOHN K. WEBER,
Colonel Infantry
Chief Legal Advisor.

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31 Jan 47.

4083/23

TRANSLATION.

Min. of Pardon & Justice.

Rome, 17 January 1947.

TO : Procuratore Generale,
Court of Appeal, FLORENCE.

Ref : Illeg. A.P. 131.5/16/47

Subject : CAIANI Alfredo detained in the Prison
of FLORENCE in expiation of sentence.For Information : Allied Commission,
Legal Division
(reference letter No.
AC/4083/23/L of 6.11.46)

With reference to letter AC/4083/23/L of the 6th November 1946, the Ministry of Pardon and Justice communicates to this Legal Division, for information and for eventual action, a copy of the above-mentioned letter relating to the prisoner CAIANI.

The Ministry invites the "Procuratore Generale" of the Court of Appeal in Florence to give his opinion in this regard, in view of the fact, that the Allied Authorities think that CAIANI should have been released since June 1946, and that his remaining penalty, imposed by the Italian Judicial Authority, should be remitted, the sentenced person having had totally served the sentence of twelve months imprisonment, passed against him by a Summary Allied Military Court.

For the Minister

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original in
case record.

CRO

4.3.47

HEADQUARTERS ALLIED COMMISSION
APO 711
LEGAL DIVISION

AC/4083/23/1

SUBJECT : INCHIARDI Angelo di Guido e di Gioia Adele, nato a Milano
il 16/3/1917.
TO : THE MINISTRY OF PRISON AND JUSTICE.

1. The above named person was tried by an Allied Military Government Court sitting at Milano on 17 August 1945

2. He was sentenced as follows :

To serve 18 months imprisonment; on review, 18 Sep 45,
the conviction and sentence were affirmed

3. On reconsideration the above sentence has been modified as follows :

The sentence is reduced to end forthwith.

4. Unless held for other lawful cause, the above named person will be released on immediately.

5. It is believed that the defendant is confined at Verona.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



John W. Weber
JOHN W. WEBER,
Colonel Infantry,
Chief Legal Adviser.

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31 January 1947

40851/93 *Telescopio*
 Ministero della Giustizia
 DIREZIONE GENERALE
 ISTITUTO PENITENZIARIO DI PALERMO
 file
 Uff. VI
 154262/71638
 Roma 12-12-1946
 Alla Commissione Allesta - Sottocommissione Legale
 ROMA

Oggetto

Richiesta di notizie sul conto del
 detenuto Lopez Guido fu Francesco.

In relazione al foglio suindicato, si comunica a codesta Commissione Allesta che il detenuto Lopez Guido fu Francesco fu escarcerato dalle carceri giudiziarie di Palermo il 1° luglio 1946 per ordine della Procura presso il Tribunale di quella città.

Dalla posizione giuridica trasmessa dalla Direzione delle carceri di Palermo si rileva che egli non è stato condannato dall'A.M.G. ma invece dal Tribunale di Palermo, con sentenza del 14 agosto 1944, per il reato di furto, ad anni 3 e mesi 6 di reclusione.

Pel Ministro



713.3.47



HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

31 January 1947

AC/4083/23/L

SUBJECT : RACCIA VINCENZO di Francesco
TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendant.

2. On or about 20 January 1944, at Naples, the above mentioned person, residing at Corso S. Giovanni a Teduccio #179, Naples, was arrested for theft of U.S. mail.

3. On 26 January 1944, he was brought before a Summary Allied Military Government Court for trial. Because of the seriousness of the charge the Court remanded the accused for trial by a Superior AMG Court. On 15 February 1944, at Naples, the accused was convicted and sentenced to 6 years imprisonment by a Superior AMG Court.

4. Thereafter it is believed that the release of the accused was secured through the use of unlawful or unauthorized means.

5. The conviction and sentence of the case of the accused have been reduced to 4 years imprisonment from the date of arrest.

6. If this accused has been released through fraudulent conduct against Italian sovereignty as set out in Para. 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that RACCIA is in jail at the present time.

JOHN X. WEBER
Colonel, Infantry
Chief Legal Adviser

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/L

SUBJECT : BASCIA Vincenzo di Francesco
TO : THE MINISTRY OF PRISON AND JUSTICE.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 18 Feb. 44

2. He was sentenced as follows :

To serve 5 years imprisonment

3. On reconsideration the above sentence has been modified as follows :

The sentence is reduced to 4 years imprisonment from the date of arrest (20 Jan. 44).

4. Unless held for other lawful cause, the above named person will be released on xx when he will have served 4 years imprisonment from 20 January 44 under the above mentioned sentences.

5. It is believed that the defendant is confined at Naples

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



Monroe
JOHN K. MONROE,
Colonel Infantry
Chief Legal Advisor.

31 January 1947

HEADQUARTERS ALLIED COMMISSION
APC 794
LEGAL DIVISION

JKN/ns

31 January 1947.

AC/4083/23/E

SUBJECT : Mandato di Cattura.

TO : The Minister of Pardon and Justice.

1. See your letter of 26 November 1946
(HFF VI, 157322/73214).

2. Under procedure followed by Allied Military Government Courts, at the time of sentence of an offender, the trial court issued a "commitment" (MANDATO DI CATTURA) form 8, which was the authority for prison authorities to detain the body of the accused until the sentence was served.

3. Such commitment (MANDATO DI CATTURA) remained in force until the sentence was satisfied. For example suppose a prisoner was sentenced to a term of two years. After being in jail for a month, he escapes and remains at large for one year. He is recaptured and returned to prison. Under the commitment by the court he was sentenced for two years. As he has served but one month, he has twenty-three additional months to serve. This is so because the commitment was a valid, continuing order of the court until the full twenty-four months were satisfied.

4. The commitment (MANDATO DI CATTURA) gets its legality from the court. Nothing that the accused can do, as for example escape or obtain release thru forged order, can alter such commitment. Once issued, it remains in force until the accused serves his sentence.

5. The term of the sentence in the commitment may be altered by the reviewing authority. It is here pointed out that the reviewing authority in no way alters the commitment. Merely the term of the sentence is altered.

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file

- 2 -

6. Pardon or amnesty does not alter the commitment. They simply shorten the term of sentence.

7. From what has been said, once issued by the trial court, the commitment is the continuing order for the accused to be in prison until his sentence comes to its end. Nothing the accused does alters the commitment. If the accused escapes, the order is authority for his re-arrest. Why issue a new order? It is unnecessary. To do so would place it within the power of an accused by his unlawful conduct to cause no end of work for the courts. The law is otherwise.

8. The request contained herein for a new commitment is denied for the reasons here given. The commitment being sufficient without any change is returned.

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

Incl. : Commitment

DISTRIBUTION

copy to 1005

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HEADQUARTERS ALLIED COMMISSION
AID 794
LEGAL DIVISION

AG/1006/23/L

BY NAME NASTA Michele fu Giovanni

TO THE Ministry of Prison and Justice

1. The above named person was tried by an Allied Military Government Court sitting at Palermo on 7 Jan 44

2. He was sentenced as follows: To serve 7 years imprisonment; on review 28 Feb 44, the conviction and sentence were affirmed.

3. On reconsideration the above sentence has been modified as follows: The sentence is reduced to 4 years imprisonment from the date of arrest (11 Oct 43).

4. Unless held for other lawful cause, the above named person will be released on 10 Oct 47.

5. It is believed that the defendant is confined at Manicomio of Barcellona Pozzo di Gotto.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

31 January 1947



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

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

FW/rs

31 January 1947

AC/4083/23/L

SUBJECT : COCUZZA Serafino di Carmelo.

TO : The Minister ofardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.
2. On or about 16 Jan 44, at Leonforte, the above-mentioned subject person, residing at Via Longo 35, Leonforte, occupation mechanic, and aged 24 years, was arrested for violation of an Allied Proclamation (possession of arms).
3. On 1 Feb 44, at Enna, he was convicted and sentenced to 3 years imprisonment by a Superior Allied Military Government Court. He was represented in court by Avv. Salomone.
4. Thereafter it is believed that the release of the accused was secured through the use of unlawful or unauthorized means.
5. The conviction and sentence in his case have been considered on review and the sentence is reduced to 2½ years imprisonment from the date of arrest.
6. If the accused has been released through fraudulent conduct against Italian sovereignty as set out in Para 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here reduced.
7. We have no information that would indicate that the accused is in prison at the present time.

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

Copy To
4083/23
AC/4083/4/1

TF/na
31 January 1947.

SUBJECT : TONUCCI Salvatore di Attilio
CIBELLI Salvatore fu Primo.
TO : The Minister of Pardon and Justice.

1. There are attached hereto the decisions on review on the cases of the above-mentioned defendants.

2. On or about 11 Oct. 44 at Santa Maria near Pesaro, the above-mentioned subject residents of Pesaro were arrested for violations of Allied Proclamations (Having damaged a petrol pipe line and having wrongful possession of Allied petrol).

3. On 20 Oct. 44, at Pesaro, they were each convicted and each sentenced to serve 4 years imprisonment by a Superior Allied Military Government Court. They were represented in court by Avvocato Paolini.

4. On 1 Sep. 45, the accused were each illegally released from the Prison of Pesaro. Although it has been communicated previously that their releases were secured through unlawful and unauthorized means, they have never been returned to prison.

5. The convictions and sentences have been considered on review and the sentence of each accused is reduced to 2 years imprisonment from the date of arrest.

6. These two accused should be returned to prison and caused to serve the remaining unexpired portions of their respective sentences as here reduced.

JOHN K. WEBER,
Colonel, Infant
Chief Legal Ad

1721

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TW/na

31 January 1947.

AO/4083/23/L

SUBJECT : FERRARISE Arrigo fu Secondo

TO : The Minister of Pardon and Justice.

1. On or about 11 July 45, at Revere, the above-mentioned subject person, residing at Argine Po, 29 Revere, aged 45 years was arrested for violation of Allied Proclamations (Wrongful possession of Allied Forces property and firearms).

2. On 1 Sept. 45, at Mantova, he was convicted and sentenced to 18 months imprisonment and fined 6,000 lire; in default of payment, on or before 12 Sept. 45, an additional 6 months imprisonment was to be served. The fine was paid 12 Sept. 45, thus leaving the sentence stand at 18 months imprisonment.

3. On review, 18 Dec 46 the sentence was reduced to to end 23 Dec 46.

4. On the list of prisoners submitted by II Procuratore del Regno, Mantova 31.1.46 was the following notation concerning Ferrarise: "Detenzione armi e furto; mesi 18 recl.; di cui 6 cond. e 46,000 multa; scad. 11/7/46".

5. Nowhere in the record of the accused is the notation in Para 4 substantiated and it is not known where this information was obtained by the jail of Revere.

6. It is desired that a report be secured concerning the release of this accused.

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

*The info received by
in order to release
the prisoner by Capt. J. J. [unclear]
the [unclear] Commission
that [unclear] [unclear]
be [unclear] [unclear]
and no further action
necessary
4/4/47
See 932.16
25 March 1947*

103

HEADQUARTERS ALLIED COMMISSION
APS 794
LEGAL DIVISION

AC/4083/23/1

31 January 1947

SUBJECT : MARCHETTI, Ivo di Pietro and
CLARIONI, Valentino di Martino

TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendants.

2. On or about 12 January 1946, at Ancona Province, the above mentioned subject persons, both farmers residing in OTRAVETTERA and aged 20 and 19 years respectively, were arrested for violations of Allied proclamations. (Being in wrongful possession of firearms and ammunition and being out of doors after curfew hours without permits.)

3. On 2 February 1946, at Ancona, they were convicted and sentenced (Marchetti to 6 years, and Clarioni to 6 years) by a Superior Allied Military Government Court. They were represented in Court by Avvocato Banni of Sengallia and Sparapasi of Ancona.

4. Thereafter it is believed the releases of the accused have been secured through unlawful or unauthorized means.

5. The convictions and sentences of their case have been considered on review and the sentences have been modified: MARCHETTI, 3 years; CLARIONI, 2 years; both sentences to run from date of arrest.

6. If the accused have been released as set out in Para. 4, they should be caused to serve the remaining unserved portions of their sentences as here reduced.

7. We have no information that would indicate that the accused are in jail at the present time.

JOHN E. WEBER
Colonel, Infantry
Chief Legal Adviser

112

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TJ/na

31 January 1947.

AC/4085/23/L

SUBJECT : CONTI, Arturo di Ettore.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. On or about 25 March 45, on the road Falconara-Castellerrate, the above-mentioned subject person, who gave as his address, Via Leopardi, Monte San Vito, as his occupation shoemaker, and as his age 33, was arrested for violation of Allied Proclamations (wrongful possession of Allied property and firearms).

3. On 16 April 45, at Ancona, he was convicted and sentenced to 3 years imprisonment by a Superior Allied Military Government Court. He was represented in Court by Avv. Catalini.

4. Thereafter, it is believed that the release of the accused was secured through the use of unlawful and unauthorized means.

5. The conviction and sentence of his case have been considered on review and the sentence is reduced to 2 yrs from the date of arrest.

6. If the accused has been released through fraudulent conduct against the Italian sovereignty as set out in para 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that the accused is detained in prison at this time.

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

WJ

Copy 4083/23

HEADQUARTERS ALLIED COMMISSION
APO 734
LEGAL DIVISION

31 January 1947

AC/4091/4/L

SUBJECT : D'AGOSTINO Rino fu Raffaele
TO : The Minister of Foreign and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendant.

2. On or about 7 February 1946, at Ancona, the above mentioned person, who gave his address as Via Villarey 10, Ancona, his occupation as clerk, and his age as 30 years, was arrested for violations of Allied proclamations (receiving and being in wrongful possession of Allied property).

3. On 26 February 1946, at Ancona, he was convicted and sentenced to 3 years imprisonment by a Superior Allied Military Government Court. He was represented in court by Avv. Catalini of Ancona.

4. On 20 June 46 his release from Ancona prison was secured through unlawful and unauthorized means. This accused has never been returned to prison, although it has been communicated that his release was obtained by fraudulent conduct against Italian sovereignty.

5. The conviction and sentence in this case have been considered on review and the sentence is reduced to 18 months imprisonment from the date of arrest.

6. This accused should be returned to prison and caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information which would indicate that D'Agostino is in jail at this time.

100

JOHN K. WEBER
Colonel, Infantry
Chief Legal Advisor

M2

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

file

AG/409I/4/L

TW/ns
31 January 1947.

SUBJECT : CARIOLI Giovanni di Giovanni.

TO : The Ministry of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. On or about 7 Feb. 45, at Ancona, the above-mentioned subject person, student, age 20, and residing at Corso Italia 40 Arezzo, was arrested for violation of an Allied Proclamation (Stealing Allied property from the Sea Transport Office, Ancona).

3. On 26 Feb 45, at Ancona, he was convicted and sentenced to 3 years imprisonment by a Superior Allied Military Government Court.

4. On 21 August 45 the accused was released from the prison at Ancona by unlawful or unauthorized means. He has never been returned to prison even though it has been communicated that he obtained his release through fraudulent conduct against Italian sovereignty.

5. The conviction and sentence in this case have been considered on review and the sentence has been modified to 2 years imprisonment from the date of arrest.

6. This accused should be returned to prison to complete his sentence.

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

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

file

AC/4083/23/L

/ns
31 January 1947.

SUBJECT : MAFPETTONE Biagio di Lorenzo.

TO : The Ministry of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 29 June 1944.

2. He was sentenced as follows: To serve 6 years imprisonment and to pay a fine of 1,000,000 lire, or in default of payment thereof, to serve an additional 4 years imprisonment; on review, 19 Aug 44, the conviction and sentence were affirmed.

3. On reconsideration the above sentence has been modified as follows: The sentence is reduced to 4 years imprisonment from date of arrest (5 April 1944) The fine is NOT remitted nor the imprisonment in default of payment thereof. If the fine of 1,000,000 lire is not paid when the 4 years sentence is served, the 4 years additional imprisonment in default of payment shall come into full force and effect.

4. Unless held for other lawful cause, the above named person will be released when he will have served the required amount of imprisonment from 5 April 1944 under the above-mentioned sentence.

5. It is believed that the defendant was confined at Naples.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



John K. Weber
JOHN K. WEBER, Jr.
Colonel, Infantry,
Chief Legal Advisor.

17 January 1947

FR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

fill

TS/ns

31 January 1947.

AB/4083/23/L

SUBJECT : CAFFETTONI Biagio di Lorenzo e di Lombardo
Bagnaserta, nato il 21/8/1899 a Palma Campania.
TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. On or about 5 April 1944, at Palma Campania the above-mentioned subject person, who has his address at Capella Mariola 151, was arrested for violation of Allied proclamations (offering a bribe and used a stolen Allied vehicle to convey grain to black market).

3. On 29 June 1944, at Naples, he was convicted and sentenced by a Superior Allied Military Government Court to 6 years imprisonment and fined 1,000,000 lire with 4 years additional imprisonment to be served in default of payment of fine. He was represented in court by Sig. Pece and Sig. Rotti.

4. Thereafter, it is believed that the release of the accused has been secured through unlawful or unauthorized means.

5. The conviction and sentence of his case have been considered on review and the sentence has been reduced to 4 years imprisonment from the date of arrest. The fine is NOT remitted not the imprisonment in default of payment. If the fine of 1,000,000 lire is not paid at the end of the 4 years sentence, the term in default shall come into full effect.

6. If the accused has been released as set out in para 4, he should be caused to serve the remaining unserved portion of his sentence as here reduced. This is especially desired due to the previous long penal record of accused.

MR

./.

file

- 2 -

7. We have no information that would indicate that the accused is in jail at this time.

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

1102

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

file

AC/4083/23/L

31 January 1947

SUBJECT : CESARANO, Carmine fu Pasquale
TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendant.

2. On or about 28 June 1944, at Naples Port, the above mentioned subject person, who gave his address as Via Veterinaria 82, Napoli, and his age as 40 years, was arrested for the violation of Allied proclamations (Stealing truckload of Allied sugar and offering a bribe to employee of Allied Forces).

3. On 10 August 1944, at Naples, the accused was convicted and sentenced to 6 years imprisonment by a Superior Allied Military Government Court. He was represented in court by Libero Russo.

4. Thereafter, it is believed that the release of the accused was secured through unlawful or unauthorized means.

5. The conviction and sentence in his case have been considered on review and the sentence is reduced to 3 years from the date of arrest.

6. If the accused has been released as set out in Para. 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that the accused is in prison at the present time.

10

JOHN K. WEBER
Colonel, Infantry
Chief Legal Advisor

for reply
A-10 II A.P.
Anal No 89,59,816
dated 22 May 47
MK

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/L

31 January 1947

SUBJECT : RIZZO, Alfonso

TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendant.

2. On or about 1 December 1943, between Campofranco and Milocco, the above mentioned subject person, of Racalmuto, who gave as his occupation plasterer, and as his age, 32, and who was described as being of medium height and slight build, and having florid complexion, brown hair and eyes, was arrested for violation of an Allied proclamation (having illegally in his possession on the highway a loaded revolver, ammunition and hand grenades).

3. On 23 December 43, at Mussomeli, he was convicted and sentenced to 5 years imprisonment, 2 of which were suspended on good behavior, by a Superior Allied Military Government Court. He was represented in court by Mistretta, Salvatore.

4. Thereafter, it is believed that the release of the accused was secured through the use of unlawful or unauthorized means.

5. The conviction and sentence in his case have been considered on review and are affirmed.

6. If the accused has been released by fraudulent conduct against Italian sovereignty as set out in Para. 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence.

7. We have no information that would indicate that the accused is in prison at the present time.

JOHN K. WEBER
Colonel, Infantry
Chief Legal Adviser

Copy to 4083/23

HEADQUARTERS ALLIED COMMISSION
APO 796
LEGAL DIVISION

AC/4081/4/1

31 January 1947

SUBJECT : PIAGGESI, Ezio di Antonio

TO : The Minister of Pardon and Justice

1. There is attached hereto the corrected copy of decision on review on the case of the above mentioned defendant.

2. On or about 26 October 1944, at Ancona Province, the above mentioned subject person, who gave his occupation as a farmer of Chiesano and his age as 20 years, was arrested for violation of Allied proclamations (stealing and conspiring with others to steal property of the Allied Forces - clothing).

3. On 3 February 1945, at Ancona, he was convicted and sentenced to 4 years imprisonment by a Superior Allied Military Government Court. He was represented in Court by Avvocato Spadolini of Senigallia.

4. On or about 16 October 1945, the release of the accused was secured through unlawful and unauthorized means and later re-arrested.

5. On 3 May 1946, his case was reviewed and the sentence was reduced so as to end 23 December 1946. However, as the irregular release of PIAGGESI was not taken into consideration at the time of review, it is decided to modify the sentence at this time to read 2 years imprisonment from the date of arrest. The order of 3 May 1946 is hereby rescinded.

6. If the accused has not served 2 years imprisonment under the provisions of the sentence as set out above, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here modified.

JOHN E. WEBER
Colonel, Infantry
Chief Legal Adviser

for reply see
mgt 7 letter 22.5.47
in 934.41
ref 14441
Plot 2 174113/1772

112

99

Copy to 083/23

HEADQUARTERS ALLIED COMMISSION
APO 734
LEGAL DIVISION

31 January 1947

AG/4081/4/L

SUBJECT : SCANDALI, Guerriero, et al
TO : The Ministry of Pardon and Justice

1. There is attached hereto the decision on review of the case of the above mentioned defendants.

2. There were arrested, at Ancona, on the dates specified, the following persons, for the violations of Allied Proclamations (wrongful possession of truckload of Allied sugar):

- a. SCANDALI, Guerriero di Vittore e di Vasetti Carola nato 11 10 Aug. 1913, dealer in accordions, residing at Via Roma 16, Camerano, arrested on or about 3 March 1945.
- b. ALESSANDRINI Emilio di Attilio, occupation industrialist, aged 31 years, residing at Via Strada Nuova Grazie 207, Ancona, arrested 3 March 1945.
- c. TACCALUTI, Giovanni di Guido e di Sabini Carola, nato 31 Feb. 1913 in Camerano, manufacturer of shirts, residing at Via Garibaldi, Camerano, arrested on or about 3 March 1945.
- d. MASCIONI Emilio, aged 31 years, occupation driver, residing at Via S. Cosma 8, Ancona, arrested 3 April 1945.

3. On 20 April 1945 at Ancona they were convicted, sentenced and fined as set out below by a Superior Allied Military Government Court:

- a. SCANDALI, 2 years
- b. ALESSANDRINI, 1 year, 100,000 lire or 2 years in default
- c. TACCALUTI, 2 years
- d. MASCIONI, 4 years, 1,330,000 lire or 4 years in default.

They were represented in court, respectively, by a. Catalini, b. Sparapani, c. Catalini, and d. Spadolino.

112

copy to 4083/23

- 2 -

4. Thereafter, it is believed that their releases were secured through the use of unlawful or unauthorized means. TACCALITI and ALESSANDRELLI are known to have been illegally released from Ancona prison on 19 May 1945.

5. The convictions and sentences in this case have been considered on review and have been affirmed.

6. The accused who have been released as set out in Para. 4 by fraudulent conduct against Italian sovereignty should be returned to prison and caused to serve the remaining unserved portions of their sentences.

7. We have no information that would indicate that any of the accused are in prison at the present time.

JOHN K. WEBER
Colonel, Infantry
Chief Legal Adviser

Incls.

- 2 -

4. Thereafter, it is believed that their releases were secured through the use of unlawful or unauthorized means. TACCALITI and ALESSANDRELLI are known to have been illegally released from Ancona prison on 19 May 1945.

5. The convictions and sentences in this case have been considered on review and have been affirmed.

6. The accused who have been released as set out in Para. 4 by fraudulent conduct against Italian sovereignty should be returned to prison and caused to serve the remaining unserved portions of their sentences.

7. We have no information that would indicate that any of the accused are in prison at the present time.

JOHN K. WEBER
Colonel, Infantry
Chief Legal Adviser

Incls.

Copy to 4083/23

Copy 4083/23

and caused to leave the remaining members of their
organization and to leave the country.

Chief of Staff,
Department of Defense,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

JRW/ns

31 January 1947.

AO/4083/23/L

SUBJECT : PARACI Salvatore et al.

TO : S.C.A.O. VENEZIA GIULIA
(Attn: Chief Legal Officer).

1. The records of trial of PARACI, Salvatore et al, Trieste Nos. 488-488c, Venezia Giulia No 6182 has been reviewed. The Petitions for review have been duly considered.

2. The conviction and sentences are affirmed. The evidence and law sustain the judgments rendered therein. It has been concluded that the appeals are without legal merit.

3. The record will be retained along with others from Venezia Giulia until such time as decision is rendered by higher authority on the matter of further review. All such records are to be returned to your office.

By command of Rear Admiral STONE :

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

HEADQUARTERS ALLIED COMMISSION
APC 794
LEGAL DIVISION

file

AC/4083/23/L

31 January 1947

SUBJECT : DI Stefano, Rttore

TO : The Ministry of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendant.

2. On or about 5 January 1944, at Naples, the above mentioned person residing at Rampe Francaccia 55, Napoli, aged 49 years, was arrested for violation of an Allied proclamation (wrongful possession of clothing of the Allied Forces).

3. On 14 April 1944, at Naples, he was convicted and sentenced to 3 years imprisonment by a Superior Allied Military Government Court. He was represented in court by Avv. POZZIO Francesco, Via Carlo Poerio 90, Napoli.

4. Thereafter, it is believed that the release of the accused was secured through the use of unlawful or unauthorized means.

5. The conviction and sentence in his case have been considered on review and the sentence is reduced to six months imprisonment from the date of arrest.

6. If the accused has been released as set out in Para. 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that DiStefano is in prison at the present time.

JOHN K. WEBER
Colonel, Infantry
Chief Legal Adviser

Incl.

121

HEADQUARTERS ALLIED COMMISSION
APO 784
LEGAL DIVISION

AC/4083/23/L

31 January 1947

SUBJECT : Garofalo, Gino

TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendant.

2. On or about 26 March 1944, at Pompeii, the above mentioned person, residing at Via Plinio, Pompeii, aged about 55 years, about 5 feet 9 inches tall, having grey hair and weighing about 165 pounds, was arrested for violations of Allied proclamations (wrongful possession of Allied flour and illegally having firearms in his possession).

3. On 20 April 1944, at Torre Annunziata, he was convicted ^{+ sentenced} to 3 years imprisonment and fined 50,000 lire by a Superior Allied Military Government Court. On review, 23 May 1944, the sentence was modified to read: 3 years imprisonment and 50,000 lire fine; in default of payment of fine, one year additional imprisonment must be served. The accused was represented in court by Maresca Raffaello.

4. Thereafter, it is believed that the release of the accused was secured through the use of unlawful or unauthorized means.

5. The conviction and sentence in his case have been considered on review and the sentence is reduced to 2½ years from the date of arrest. The fine, if unpaid, is remitted.

6. If the accused has been released through fraudulent conduct against Italian sovereignty as set out in Para. 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here modified.

7. We have no information that Garofalo is in jail at the present time.

JOHN K. WEBER
Colonel, Infantry
Chief Legal Adviser

Copy to 4083/27

HEADQUARTERS ALLIED COMMISSION
APC 79
LEGAL DIVISION

40/4083/27

27/40
31 January 1947.

SUBJECT : DOMINA Silvia di Ivo
ANTONIO di Giuseppe
BARNABICHIA Giuseppe di Domenico.
TO : The Minister of Justice.

1. There are attached hereto the decisions announced with stated reasons and no review on review on the case of the above-named persons.

2. On or about 3 January 1947, at Santa Maria, the following persons were arrested for violation of Allied laws (acquiring illegally property of Allied forces):

- (a) DOMINA Silvia di Ivo, residing at Locanda di Car-
toccia 14, occupation, Miller, aged 40 years
- (b) DOMINA Antonia di Giuseppe, residing at Santa Ma-
ria 14, occupation, Merchant, aged 37 years
- (c) BARNABICHIA Giuseppe di Domenico, residing at Santa
Maria 14, occupation, Farm Agent, aged 44 years.

3. On 10 Jan 47, at Santa Maria they were convicted
and sentenced by a Military Tribunal. The following
Military Tribunal Court:

- (a) DOMINA Silvia di Ivo: sentenced: fine: 100,000 lire 4 years
- (b) DOMINA Antonia di Giuseppe: sentenced: fine: 100,000 lire 4 years
- (c) BARNABICHIA Giuseppe di Domenico: sentenced: fine: 100,000 lire 2 years

In court Mr. BARNABICHIA represented
DOMINA Silvia and BARNABICHIA while Mr. BARNABICHIA represented
BARNABICHIA Antonia.

4. On 18 Jan 47, the 3 persons were released
from Santa Maria through the use of military force.

Copy to 4083/50

it has been previously communicated that the released were secured through fraudulent conduct against Italian sovereignty the accused have never returned to prison.

1. The convictions and sentences in this case have been considered on review and the sentence of each accused is reduced to 18 months imprisonment from the date of arrest. The fine of each accused, if unpaid, is remitted.

2. These accused should be returned to prison and caused to serve the remaining unexpired portions of their respective sentences as here reduced.

JAMES E. WELLS,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
ATC 704
LEGAL DIVISION

AC/4083/23/L

SUBJECT : INTERLIGORI Pietro di Stefano
TO : THE MINISTRY OF PRISON AND JUSTICE.

1. The above named person was tried by an Allied Military Government Court sitting at Rome on 8 Sept 44.
2. He was sentenced as follows : To serve 7 years imprisonment.
3. On reconsideration the above sentence has been modified as follows : The sentence is reduced to 5 years from the date of arrest (1 Aug 44).
4. Unless held for other lawful cause, the above named person will be released on 1 August 1949.
5. It is believed that the defendant is confined at Rome.
6. Please issue the necessary instructions for the release of the defendant. Please confirm.

-CORRECTED COPY-



John V. Weber
JOHN V. WEBER,
Colonel, Infantry
Chief Legal Advisor.

31 January 1947.

RECEIVED AND FILED
AUG 794
LEGAL DIVISION

file

6/10/72/1

31 January 1947

Subject: ESTABLISHMENT Pietro di Martino

To: The Minister of War and Justice.

1. Reference is made to your letter
of 21. Nov. 46 14300/53000 dated 12 July 46, subject
as above.

2. There is enclosed herewith a corrected
copy of the decision on review on the case of the above-
mentioned person.

JOHN A. WALKER,
Colonel, Infantry,
Chief Legal Advisor.

*Howell**file*

HEADQUARTERS ALLIED COMMISSION
A.D. 794
LEGAL DIVISION

for

13/10/45/25/a

SUBJECT

PARAGIANI Giovanni di Carlo e fu Rusconi Luigia
nato a Milano il 13/7/1913.

TO

The Ministry of Pardon and Justice

1. The above named person was tried by an Allied Military Government Court sitting at Milano on 17 August 1945

2. He was sentenced as follows:

To serve 18 months imprisonment; on review, 18 Sep 45,
the conviction and sentence were affirmed.

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced so as to end 23 February 1947.

4. Unless held for other lawful cause, the above named person will be released on 25 February 1947.

5. It is believed that the defendant is confined at Milano.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



Howell 85
JOHN F. WHEELER,
Colonel, Infantry,
Chief Legal Advisor.

31 January 1947

Froietta

file

HEADQUARTERS ALLIED COMMISSION
APO 734
LEGAL DIVISION

for

AG/AG-3/25/1

SUBJECT: VALT RFA Carlo di Create e di PIVA Rosa, nato il
20/4/1920

TO: The Ministry of Justice and Public Security

1. The above named person was tried by an Allied Military
Government Court sitting at Milano on 17 August 1945

2. He was sentenced as follows:

To serve 2 years imprisonment; on review, 13 Sep 45, the
conviction and sentence were affirmed.

3. On reconsideration the above sentence has been modified
as follows:

The sentence is reduced so as to end 25 February 1947.

4. Unless held for other legal cause, the above named
person will be released on

25 February 1947

5. It is believed that the defendant is confined at

Perma

6. Please issue the necessary instructions for the release
of the defendant. Please confirm.



Monroe
JOHN K. WELLS,
Colonel, Infantry,
Chief Legal Advisor.

8.

11 January 1947

HEADQUARTERS ALLIED COMMISSION
APO 74
LEGAL DIVISION

AC/4083/23/L **GIORDANO Salvatore in Michele**

SUBJECT :

TO : THE MINISTRY OF PARDON AND JUSTICE.

1. The above named person was tried by an Allied Military
Government Court sitting at Catania 5 Nov 43
on _____

2. He was sentenced as follows
to serve 10 years imprisonment

3. On reconsideration the above sentence has been modified
as follows : The sentence is reduced to end 15 March 47.

4. Unless held for other lawful cause, the above named
person will be released on 15 March 1947.

5. ~~It is~~ It is believed that the defendant is confined at

6. Please issue the necessary instructions for the release
of the defendant. Please confirm.



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

81

31 January 1947

file

LIAISON AND CIVIL AFFAIRS BRANCH
Legal Division

LACAT/4085/23/3

SUBJECT : **PIRMIAN Lattanzio di Lattanzio e fu Tedrella Tomazzoli**
date a Innsbruck il 23-1-1946.
TO : The Ministry of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at TRENTO on 15 Dec 45.

2. He was sentenced as follows :

To serve 3 years imprisonment; on review 31 Dec 45, the conviction and sentence were affirmed.

3. On reconsideration the above sentence has been modified as follows :

The sentence is reduced to end 26 Mar 47.

4. Unless held for other lawful cause, the above named person will be released on 26 March 1947.

5. It is believed that the defendant is confined at Trento.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



John E. Weber
JOHN E. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

83

31 January 1947

9889
408823
file

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
~~XXXXXXXXXX~~

G/Mc

VENEZIA GIULIA

30 January 1947

File Ref. : VG/AMG/LD/137/368
Subject : Case of Basso Stellio and Brachetti Bruno
No. 6280 Sup.Trieste No. 502

To : CHIEF COMMISSIONER (Att.Chief Legal Adviser)
H.Q. A.C. APO 794 ROME

with case record

1. Forwarded herewith Appeal concerning accused
Basso Stellio.

2. The relevant records in this case have been
forwarded to you on Jan. 24th 47. (VG/AMG/LD/136/284)

For the Senior Civil Affairs Officer

Charles M. Murnecke
CHARLES M. MURNECKE
LT. COL. INF.
CHIEF LEGAL OFFICER

4083/23

C O P Y

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

30 January 1947

SUBJECT : Spy and Sabotage Cases.

TO : The Chief Legal Officer

The following is a report of the Review Board on 49 spy cases involving 39 spies, 3 sabotage cases involving 5 saboteurs, and 7 cases where accused were both convicted or doing an act in aid of the enemy. Although most of the accused are spies, all are guilty of espionage or war treason offenses. In the sabotage cases, the accused were caught before they had completed their missions. There is no question about their intent to commit acts of sabotage. They had the necessary explosives etc. in their possession. The sabotage cases are very similar to the spy cases where the spy was caught as he or she was entering our lines and before any work had been accomplished. The offenses these accused committed, or attempted to commit, are considered as war crimes, in that the acts were acts of war against our armed forces, and the normal punishment for these offenses is death. The Review Board is of the opinion that these cases are so similar they should be treated the same. (See Manual of Military Law, 1929 Amendments (a* 1g) (British) the laws and usages of war on land. (iii) The punishment of war crimes Par. 441 and 445).

With reference to the spy cases, your attention is called to the fact that International Law recognizes the well-established right of belligerents to capture spies and other secret agents for obtaining information of the enemy. Resort to the practice involves no offense against international law. Spies are punished, not as violators of the laws of war, but to render that method of obtaining information as difficult, and ineffective, as possible for the enemy. According to international law, the spy is punished with death whether or not he succeeds in obtaining the information or in conveying it to the enemy. (See P.L. 27-10, War Department, Basic Field Manual, Rules of Land Warfare Par. 202, 203, and 204).

- 2 -

All spies were not sentenced to death by the courts. Some were given prison sentences. In this connection it is interesting to note that under International Law, a spy is punishable by death. (See R.S. 27-10, Par. 209, "Rules of Land Warfare" - U.S.; see also, article 22 articles of war, "Manual of Courts Martial, U.S. Army, 1929", wherein death is the punishment for a spy.) The framers of the Proclamations assumed that a sentence less than death might lawfully be imposed upon a spy. In deference to such legal authority Allied Military Courts have imposed terms of imprisonment for some persons convicted of being spies. It is with this situation that we are now confronted.

The following table lists all known accused to whom, because of their age, sex, or some other reason, the courts or the reviewing authority gave a sentence less than death:

No	Name	Offense	Sentence of Court	Original Review
1	Michelson, Gastone	Spy	20 yrs	Affirmed
2	Garrelli, Franco	"	20 "	"
3	Ferrari, Giuseppe	"	Death	15 yrs
4	Manacchini, Giovanni	"	Life	Affirmed
5	Chechi, Fernando	"	Death	Life
6	Accia, Ernesto	"	Death	20 yrs
7	Falleggrini, Carlo	"	Death	20 yrs
8	Alberti, Emilio	"	Death	20 yrs
9	Montalini, Bruno	"	Death	20 yrs
10	Ravero, Valerio	"	Death	20 yrs
11	Macagni, Natale	"	Life	20 yrs
12	Bisoli, Silvio	"	Death	Life
13	Biondini, Francesco	"	Death	Life
14	Gurga, Ida	"	20 yrs	Affirmed
15	Costa, Carla	"	20 yrs	"
16	Gurga, Enrico	"	15 yrs	"
17	Del Brentis Anna Maria	"	20 yrs	"
18	Galvagno, Claudio	"	Death	20 yrs
19	Calanti, Ettore Secondo	"	Life	Affirmed
20	Paoli Aristide	"	Death	25 yrs
21	Magistrini Adolfo	"	Death	10 yrs
22	Gorra Eusebio	"	Death	20 yrs

- 3 -

No	Name	Offense	Sentence of Court	Original Review
23	Mei, Ugo Anna Al Silvio	Spy	Death	20 yrs
24	Mei, Mario Guido	"	20 yrs	Affirmed
25	Pagardi, Francesco	"	15 yrs	"
26	De Santis, Vincenzo	"	20 yrs	"
27	Lucia, Antonio	"	20 yrs	"
28	Piccoli, Isidoro	"	20 yrs	"
29	Antonuccio, Giorgio	"	Death	20 yrs
30	Martini, Ivo	"	Death	Life
31	Carreri, Mario	"	Death	Life
32	Coma, Domenico	"	Death	Life
33	Amadio, Emilio	"	10 yrs	Affirmed
34	Borghioni, Carlo	"	20 yrs	"
35	Spera, Olga	"	18 yrs	"
36	Boni, "Mela"	"	Death	10 yrs
37	Beraldi, Giovanna	"	Death	10 yrs
38	Devilacqua, Emilio	"	20 yrs	Affirmed
39	Cavalli, "Gennaro"	"	Death	20 yrs
40	Landini, Leopoldo	Sabotage	Death	20 yrs
41	Vasconi, Giorgio	"	Death	20 yrs
42	Trifiro, Mario	"	Death	20 yrs
43	Faloni, Mario	"	Death	15 yrs
44	La Vasta, Vincenzo	"	Death	15 yrs
45	Paganotto, Fabio	Aiding enemy	Life	Affirmed
46	Bandino, Carlo	"	10 yrs	"

In all other cases reviewed, the Board of Review were in a position to adjust the sentences, because the offenses were penal in character. Where a deterrent sentence was given, the deterrent factor was removed and a reasonable sentence was recommended as if the offense were committed in time of peace. However, in these war offenses, the Review Board cannot logically adjust a sentence which is not penal in nature. It is the opinion of the Review Board that the above accused were properly tried and convicted of war offenses. All the above accused could have been put to death had the court and reviewing officer desired the death sentence to be imposed. However, these sentences are purely deterrent and do not involve anything of a penal nature.

- 4 -

As pardon is not a function of the Review Board, and as the removal of the deterrent factor becomes in effect full pardon, it is recommended that these cases be referred to competent authority for action.

JAMES J. GARNES
Colonel, Infantry,
Chief of Review Board.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

file

AG/4083/23/L

TW/nz
30 January 1947.

SUBJECT : GARCIOIA Elinto fu Napoleone.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. On or about 1 June 1945, at Via Bocchetto and Via Moneta, Milano, the above-mentioned subject person, who gave his address Via Preresta, Milano, his occupation as commercial traveller and his age as 50 years, was arrested for violation of an Allied Proclamation (Having in his possession 90 counterfeit 1000 lire notes, Allied Military currency, knowing the same to be false).

3. On 13 June 45, at Milan, he was convicted and sentenced to 5 years imprisonment by a Superior Allied Military Government Court.

4. Thereafter it is believed that the release of the accused may have been secured through the use of unauthorized or unlawful means because his name failed to appear on the lists of prisoners submitted as of 31.12.45. The name of the accused does, however appear on the lists of Fivighetone prison as of 13 Oct. 46.

5. The conviction and sentence of the case of the accused have been considered on review and the sentence is reduced to 3 years imprisonment from the date of arrest.

6. If the accused has been unlawfully released and subsequently rearrested as set out in para 4, he should have the expiration date of his sentence adjusted accordingly. If he has been imprisoned from the date of arrest please inform this Division why his name did not appear on the lists submitted as of 31.XII.45.

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M21

- 2 -

7. It would be greatly appreciated if this matter could be dealt with at your earliest convenience .

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

FILE

AC/4083/23/E

HP/ns
29 January 1947.

SUBJECT : Food Said of Moamed -
petition for pardon.
TO : Ministry of Pardon and Justice.

1. Please be advised that your letter, as well as the enclosures, were forwarded to the Liaison Officer of the Ministry of Foreign Affairs with the Chief Commissioner.

2. As verbally stated by Col. Weber to Comm. Volpe all inquiries concerning persons sentenced in Germany both by Allied Tribunals or German Tribunals should be addressed to the appropriate Authorities through diplomatic channels.

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

MF/NS

29 January 1947.

AC/4083/23/L

OGGETTO : Foad Said di Moamed.

A : Console Guido Colonna
Ufficiale di Collegamento
con il Chief Commissioner.

Egregio Console, mi permetto trasmettere
gli allegati trattandosi di informazione che più
opportunitamente dovrebbe essere richiesta per via
diplomatica.

Dott. Mario FIORE,
Counsel,
Legal Division.

All.

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

file

TW/ns

29 January 1947.

AG/4083/23/L

SUBJECT : REPOSITO Francesco fu Gennaro
Via Arenaccio 45, NAPLES.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. On or about 8 June 1944, at Via Vergini n°56, Napoli, the above-mentioned subject person, aged 36 years, was arrested for violation of Allied Proclamation (theft of a truckload of American flour).

3. On 24 July 1944, at Naples, he was convicted and sentenced to 7 years imprisonment by a Superior Allied Military Government Court.

4. Thereafter it is believed that the release of the accused was secured through unlawful or unauthorized means.

5. The conviction and sentence of his case have been considered on review and the sentence is reduced to 2 years imprisonment from the date of arrest.

6. If the accused has been released through fraudulent conduct against Italian sovereignty as set out in para 4, he should be returned to prison and caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that Reposito is in jail at the present time.

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

WV

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TW/ns

29 January 1947.

AG/4083/23/L

SUBJECT : QUASCO Vincenzo, Via Duomo 34, SALERNO.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review of the case of the above-mentioned defendant.

2. On or about 5 June 1944, at Salerno, the above-mentioned subject person, at the address given above, who gave his occupation, merchant, and as his age 27, was arrested for violating Allied Proclamations. (Committing an act of gross indecency prejudicial to good order of Allied Forces).

3. On 22 January 1944, at Salerno, he was convicted and sentenced to 3 years, 3 months imprisonment by a Superior Allied Military Government Court. He was represented in court by Adv. Ippolito Geriello.

4. Thereafter, it is believed that the release of the accused was secured through unlawful or unauthorized means.

5. The conviction and sentence of his case have been considered on review and the sentence is reduced to 2 yrs from the date of arrest.

6. If the accused has been released as set out in para 4, he should be caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that the accused is in jail at the present time.

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

1/2

file

HEADQUARTERS ALLIED COMMISSION
APO 784
LEGAL DIVISION

AC/4082/23/L

28 January 1947

SUBJECT : PICARDI, Vincenzo di Pasquale

TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendant.
2. On or about 12 April 1944, at Naples, PICARDI Vincenzo di Pasquale, shopkeeper, was arrested for violation of Allied proclamations.
3. On 26 April 1944, at Naples, he was convicted and sentenced to 5 years imprisonment and fined 100,000 lire. In default of payment of fine by 31 August 1944, the accused was to serve an additional 12 months imprisonment. He was represented in court by Avvocato Federico Papi.
4. Thereafter, it is believed that the accused secured his release by unlawful or unauthorized means.
5. The conviction and sentence in his case have been considered on review and the sentence has been reduced to 2 $\frac{1}{2}$ years from date of arrest. The fine, if unpaid, is remitted.
6. If the accused has been released as set out in Para. 4, he should be caused to serve the remaining unserved portion of his sentence as here reduced.
7. We have no information that would indicate that PICARDI is in prison at this time.

JOHN E. WEBER
Colonel, Infantry
Chief Legal Advisor

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

file

28 January 1947

AG/4083/23/L

SUBJECT : NALONE Giuseppe di Alfonso e di
Alfano Maria Carmelo nato il 7.9.1898 a
Villalba abitante a Villalunga, inteso
"NALONE"

TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the
case of the above mentioned defendant.

2. On or about 22 December 1943, at Villalba, the above
mentioned subject person, farmer, described as being short, stocky,
having black hair, grey at temples, and hazel eyes, was arrested for
violation of an Allied Proclamation (having illegally in his possession
one loaded Army rifle).

3. On 10 January 1944, at Messine, he was convicted and
sentenced to 3 years imprisonment by a Superior Allied Military Govern-
ment Court. He was represented in court by MISINETTA Salvatore.

4. Thereafter it is believed that the release of the accused
was secured through unlawful or unauthorized means.

5. The conviction and sentence of his case have been
considered on review and the sentence has been modified to 2 years
imprisonment from date of arrest.

6. If the accused has been released as set out in Para. 4,
he should be caused to serve the remaining unserved portion of his
sentence as here reduced. This is especially desired owing to the
previous long penal record of accused.

7. We have no information that would indicate that NALONE
is in jail at the present time.

JOHN K. WISER
Colonel Infantry
Chief Legal Adviser

Incl.

file

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AG/4083/23/L

TW/nc
28 January 1947.

SUBJECT : NESBIA Aldo di Eduardo.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. On or about 11 March 1944, at Vasto, the above-mentioned subject person, who gave his address as 32 Leicchaadt St. Spring Hill, Brisbane, Australia, his occupation as interpreter, and his age as 28 years was arrested for violations of Allied Proclamations (1) Forged a permit, and (2) conveyed information about troop movements contrary to security regulations.

3. On 23 March 1944, at Vasto, he was convicted and sentenced to 3 years imprisonment by a Superior Allied Military Government Court. It is thought that he was represented in court by avv. Domenico Colitto who filed an application for review in favor of the accused on 7 April 1944.

4. Thereafter, it is believed that the release of the accused was secured through unlawful or unauthorized means.

5. The conviction and sentence in his case have been considered on review. The conviction and sentence on the first charge (forgery) are quashed and set aside. The conviction on the 2nd charge is affirmed; the sentence is reduced to 6 months imprisonment from the date of arrest.

6. If the accused has been released as set out in para 4 prior to the serving of six months imprisonment he should be returned to prison to complete his sentence.

7. We have no information that would indicate that the accused is in jail at the present time.

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

MR

file

HEADQUARTERS ALLIED COMMISSION
APO 704
LEGAL DIVISION

AG/4083/23/L

28 January 1947

SUBJECT : MORMONE, Carlo di Alfredo

TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review of the case of the above mentioned defendant.

2. On or about 6 November 1944, at Naples, MORMONE, Carlo di Alfredo, driver, aged 25, of S. Gregorione Armeno 14, Naples, was arrested for violations of Allied Proclamations (having stolen and sold a truckload of American cigarettes).

3. On 23 November 1944, at Naples, he was convicted and sentenced to 8 years imprisonment by a Superior Allied Military Government Court. On review, 7 December 1946, the sentence was reduced to 5 years imprisonment. The accused was represented in court by Libero Russo, of Naples.

4. Thereafter, it is believed that release of the accused was secured through unlawful or unauthorized means.

5. The conviction and sentence in his case have been considered on review and they are affirmed.

6. If the accused has been released as set out in Para. 4, he should be caused to serve the remaining unserved portion of his sentence.

7. We have no information that would indicate that the accused is in jail at this time.

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JOHN F. WEBER
Colonel, Infantry
Chief Legal Adviser

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Incl.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

FILE

AG/4983/23/L

LJG/ns
28 January 1947.

SUBJECT : Case of Walter MURRATY.

TO : Avv. Cesare d'Angelantonio,
Piazza della Libertà 20,
ROMA.

1. Receipt of your communication with enclosure dated 10 December 1946, subject as above, is hereby acknowledged.

2. You are hereby informed that this case has been carefully considered in view of the information contained therein. Decision of the Review Board that the conviction and sentence of this man were affirmed was announced on 15 January 1947 and duly transmitted to the Ministry of Pardon and Justice.

L.J. GILBRIDE,
Major, IGD,
Chief Counsel,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/E

LJG/nh
28 January 1947.

SUBJECT : Case of ANTONINO Pistro.

TO : Avv. Ignazio COCCOLA
Via Dei Bresciani, 23
ROMA.

1. Reference is made to your communication, with enclosures, dated 8 December 1946, subject as above.

2. After careful consideration of this case, in view of the information contained therein, decision has been made that the sentence of 4 years established on review of 9 September 1946 should not be disturbed.

S.J. GILBRIDE,
Major, IGD,
Chief Counsel,
for Chief Legal Advisor.

66

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

T7/ns

28 January 1947.

AG/4083/23/L

SUBJECT : AQUINO Fortunato.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review in the case of the above-mentioned defendant.

2. On or about 17 January 1944, at Gioiosa Jonica AQUINO Fortunato, together with approximately 72 others, was arrested for violations of Allied Proclamations (taking part in unauthorized demonstration, and being in unlawful possession of firearms).

3. On 17-20 February 1944, at Reggio Calabria he was convicted and sentenced to 7 years imprisonment. On review, 25 September 1945, the sentence was reduced to 3½ years imprisonment. All defendants in this case were represented in court by the following advocates :

Avv. Andiloro
Avv. Zuccala
Avv. Tripepi

Avv. Carbone
Avv. Carlato
Avv. Condemi

4. Thereafter, it is believed that the release of the accused has been secured through unlawful or unauthorized means.

5. The conviction and sentence of his case have been considered on review and the sentence has been modified to 2½ years imprisonment from the date of arrest. 66

6. If the accused has been released as set out in para 4, he should be caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that AQUINO is in prison at the present time.

JOHN K. WEBER, Col., Inf.,
Chief Legal Advisor.

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/AC83/23/L

28 January 1947

SUBJECT : BARTOLUCCI, Emilio di Vincenzo

TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendant.

2. On or about 21 November 1944, at Ancona, BARTOLUCCI, Emilio, farmer, aged 45, of No. 78, Castelferretti, Province of Ancona, was arrested for violation of an Allied Proclamation (being in wrongful possession of Allied Forces property).

3. On 11 December 1944, at Ancona, he was convicted and sentenced to 2½ years imprisonment by a Superior Allied Military Government Court. He was represented in court by Avvocato Cattalini of Ancona.

4. Thereafter, it is believed that release of the accused was secured through unlawful or unauthorized means.

5. The conviction and sentence in his case has been considered on review and the sentence has been reduced to 2 years imprisonment from the date of arrest.

6. If the accused has been released as set out in Para. 4, he should be caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that BARTOLUCCI is in prison at the present time.

JOHN K. WEEBER
Colonel, Infantry
Chief Legal Adviser

M/2

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TS/ns

28 January 1947.

AC/4083/23/L

SUBJECT : DRAGOTTA Giovanni di Paolo.
Via Murifabbro 32, Catania.
TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review in the case of the above-mentioned defendant.

2. On or about 16 October 1943, at Catania, the above-mentioned subject person, at the address given above, who was described as being married, a laborer, and aged 28 years, was arrested for violation of an Allied Proclamation. (Being in wrongful possession of a pistol and ammunition without a permit.)

3. On 20 November 1943, at Catania, he was convicted and sentenced to 3 years imprisonment, by a Superior Allied Military Government Court. He was represented by Avv. Gazzardi e Motta.

4. Thereafter it is believed that the release of the accused was secured through unlawful or unauthorized means.

5. The conviction and sentence of his case have been considered on review and the sentence has been modified to 2 years imprisonment from the date of arrest.

6. If the accused has been released as set out in para 4 he should be caused to serve the remaining unserved portion of his sentence as here reduced.

7. We have no information that would indicate that Dragotta is in prison at this time.

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

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HEAD QUARTERS
APO 794
LEGAL DIVISION

FILE

LJG/ns

28 January 1947.

AG/4083/27/1

SUBJECT : Cases of COSTANZO Giuseppe
and GAL Giuseppe.TO : Ministry of Pardon and Justice.
(Attn: Dott. Bonelli)

1. Reference is made to your letters Nos. UC/4432-1 and UC/4438-1 dated 28 October and 27 December 1946, subject as above.

2. Records of this office regarding these matters have been reexamined recently by the Board of Review in view of representations made by another agency of your government, and decision was rendered that there was no just cause for extraordinary action in connection therewith.

3. The sentence imposed upon subject persons was reduced from 42 years to 32 years, by prior action of the Review Board in the regular course, on 4 September 1946. Thus if otherwise eligible conditional release may be invoked in favour of these men in the not distant future.

L.J. GILBRIDE,
Major, 1st,
Chief Counsel,
for Chief Legal Advisor.

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HEAD HARBERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TH/rs

28 January 1947.

AC/40837 3/1

SUBJECT : DE LANA, Carmine di Giuseppe.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review in the case of the above-mentioned defendant.

2. On or about 17 April 1944, at Afragola, DE LANA Carmine di Giuseppe, farmer, aged 29, of Via Pagano 18, Afragola was arrested for violation of Allied Proclamations. (Having in his possession War Department property and an undeclared pistol).

3. On 27 April 1944, at Prattasaggione, he was convicted and sentenced to 3 years imprisonment by a Superior Allied Military Government Court. He was represented in court by Avv. Chertone of Afragola.

4. Thereafter it is believed that the release of the accused was secured through unlawful or unauthorized means.

5. The conviction and sentence in his case have been considered on review and the sentence has been modified to one year imprisonment from the date of arrest.

6. If the accused has been released as set out in para 4, he should be caused to serve the remaining unserved portion of his sentence as here reduced. 61

7. We have no information that would indicate that DE LANA is in jail at this time.

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

7/2

file

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/L

SUBJECT: PIAGGESI Ezio di Antonio

TO: The Ministry of Pardon and Justice

1. The above named person was tried by an Allied Military Government Court sitting at Ancona on 2 February 1945.

2. He was sentenced as follows:

To serve 4 years imprisonment; on review, 16 May 1945, the conviction and sentence were affirmed. On review, 3 May 1946, the sentence was reduced to end 23 December 1946.

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced to 2 years imprisonment.

4. Unless held for other lawful cause, the above named person will be released on ~~xx~~ when he will have served 2 years imprisonment.

5. It is believed that the defendant is confined at Castiadas ^{was}

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

CORRECTED COPY: Our release order AC/4083/23/L of 3 May 1946 is hereby rescinded.

27 January 1947



[Signature]
JOHN E. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TS/na
27 January 1947.

AG/4083/23/L

SUBJECT : GUERRA Umberto
Via Roma 3, SAIVANO.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. On or about 3 April 1944 the accused was arrested at Saivano for violation of Allied Proclamations in that he was found in illegal possession of a firearm and also Government property.

3. On 13 April 1944 he was tried and convicted by a Superior Allied Military Government Court sitting at Prattomaggiore. He was represented in Court by VITALE Bosisio. The accused was sentenced to serve 2 1/2 yrs imprisonment.

4. Thereafter it is believed that the accused secured his release through unlawful or unauthorized means.

5. If he has been so released, he should be caused to serve the remaining unserved portion of his sentence.

6. We have no information which would indicate that Guerra is in jail at this time.

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

FILE

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

27 January 1947

AG/4083/23/L

SUBJECT : Case of Adriano JANO.

TO : Avv. Francesco Vesel
Via Torrebianca 18, Trieste.

1. Receipt by this office of your communication dated 15 January 1947, subject as above is hereby acknowledged.

2. This is for your information.

L.J. GILBRIDE,
Major, IGD,
Chief Counsel.

XXXX.

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

JKW/pa.

27 Jan 1947.

AC/4083/23/L.

SUBJECT : AMATO Giuseppe di Sebastiano.

TO : Mrs. Antonina Reale-Amato
235, Via Umberto I
CANICATTINI Bagni, Siracusa.

1. I have received your recent letters relating to the release of your son on Conditional Liberty by the Italian Government.

2. As I have repeatedly pointed out, conditional liberty is a matter of Italian not Allied concern.

3. In this particular case it appears that a case involving another prisoner having the identical name as your son was dealt with by the Ministry. It follows therefore, that the information given related to the other prisoner.

It has been proposed to institute proceedings in behalf of your son. In view of the fact that by the time such proceedings would be completed the sentence of your son would expire, I have directed the sentence in the case of AMATO Giuseppe di Sebastiano expire on 1 February 1947.

4. The Minister of Grace and Justice has been notified.

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

FILE

AC/4083/23/L

LJG/rs
27 January 1947.

SUBJECT : Escape of a Prisoner - SOLDATI Onorato.

TO : Ministry of Pardon and Justice.

1. Reference is made to your letter
No 153169/74599, dated 23 September 1946, subject
as above.

2. Information is requested regarding
the present status of this case.

L.J. GILBRIDE,
Major, IGD,
Chief Counsel,
for Chief Legal Advisor.

ALLIED [REDACTED] COMMISSION
INTER-OFFICE MEMORANDUM

SUBJECT:

FILE No.

TO

: Major Gilbride

OCT 23 1945

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Sir - The letter referred to is our release order stating that the sentence is reduced so as to end 25 Sep 46. The original sentence was imposed 22 Jan 45 for 2 years. The prisoner escaped after serving 1 year & 10 days. I don't think any action is necessary as this man will automatically have been placed on fugitive lists to be picked up. I recommend filing the original in case record & making copy for Conreg file.

Sgt Wilks

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4083/23



Roma, 11 ottobre 1946

Ministero di Grazia e Giustizia
DIREZIONE GENERALE11a Commissione Alleata
Sottocommissione Legale
ROMA

UFFICIO VI

N. 153169/74599

Deposito del 23/9/46
N. AC/4083/23/L

OGGETTO Detenuto Soldati Onorato.-

S'informa codesta Commissione Alleata che la direzione delle carceri giudiziarie di Forlì, alla quale è stata spedita copia della nota suindicata, ha riferito che il detenuto Salvati Onorato evase da quelle carceri il 2 febbraio 1946.-

LEGAL SUB-COMMISSION

Pel Ministro

RUBIN

DELO

CHIEF COUNSEL

LEGAL SECTION

Recd OCT 17 1946

54

Subject: Prisoner SOLVATI ONORATO

With reference to letter N. AC/4083/23/L dated 23rd September 1946, the Ministry of Justice informs this Legal S/C that copy of the a/m. letter was sent to the prison director of Forlì and that he has replied that the prisoner SALVATI ONORATO escaped from said prison on the 2nd February 1946.

Signature illegible.

53

get letter referred to -

V024-

dated 23rd September 1946, the Ministry of Garden
and Justice informs this Legal Sec that copy
of the a/m letter was sent to the prison
director of Fovli and that he has replied
that the prisoner SALVATI ONORATO esca-
ped from said prison on the 2nd February 1946.

Signature illegible.

55

get letter referred to -

Vol. 24 -

we should have this file now OCT 22 1946

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TF/ns

27 January 1947.

AC/4093/23/E

SUBJECT : VITI Nino.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review in the case of the above-mentioned defendant.

2. On or about 12 April 1943, VITI Nino, State employee, retired, aged 43, of Falconara, Via Bentana 3, was arrested for violation of Allied Proclamations.

3. On 2 May 1943, at Jasi, he was convicted and sentenced to 2 years imprisonment by a Superior Allied Military Government Court. He was represented in Court by CIRIACI, Jasi.

4. Thereafter it is believed that the accused secured his release through unlawful or unauthorized means.

5. The conviction and sentence in this case have been considered on review and are affirmed. If the accused has been released as stated in para 4, he should be ordered to serve the remaining unserved portion of his sentence.

6. We have no information which would indicate that VITI is in jail at the present time.

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

Mo

HEADQUARTERS ALLIED COMMISSION
APO 784
LEGAL DIVISIONCopy in 4083/23
file

AC/2081/4/L

27 January 1947

SUBJECT: PERRELLA, Giuseppe

TO : Minister of Grace and Justice

1. On or about 21 March 1944, at Mariglianello, PERRELLA, Giuseppe of the late Giuseppe, 34 Abate Toscano-Fosigliano D'Arco was arrested for violation of Allied proclamations.
2. On 18 April 1944, at Nola, he was convicted and sentenced to five years imprisonment, and fined 100,000 lire. He was represented by Avv. Enzo, Luigi, of Nola.
3. On 14 August 1944, accused was released from prison on a forged order. For such forgery, APONTE, Claudio and others were tried and convicted and sentenced to imprisonment.
4. PERRELLA, Giuseppe has never been returned to prison, though it has been proven he obtained his release by fraudulent conduct against Italian sovereignty.
5. The conviction and sentence in his case have been considered on review, and the sentence has been modified to two years imprisonment from date of arrest. The fine, if unpaid, is remitted.
6. This accused should be returned to prison to complete his sentence.

JOHN K. WEBER
Colonel, Infantry
Chief Legal Advisor

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/L

25 January 1947

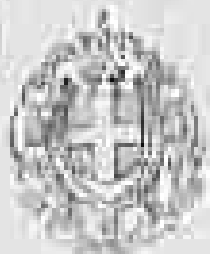
SUBJECT : Magiolani, Fausto

TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned person.
2. The accused was tried on 5 September 45 before a General Allied Military Government Court sitting at Milan. If he has been subsequently released it is believed that this was secured through unlawful or illegal means.
3. If he has been so released, he should be caused to serve the remaining unserved portion of his sentence.
4. We have no information which would indicate that the accused is in prison at the present time.

JOHN K. WEBER
Colonel, Infantry
Chief Legal Adviser

PK

Modulatio
G.G. c. 424MINISTERO
DI GRAZIA E GIUSTIZIA

Milano 25/I/1947

DIREZIONE
CARCERI GIUDIZIARIE DI MILANO
(UFFICIO DI MATRICOLA)HEADQUARTERS
ALIED COMMISSION
APO 794
LEGAL SUB.COMMISSION

96427 Gil. 3 Fasc. I Lett.

OGGETTO

*Vi prego di favorire risposta alla
mia lettera contraddistinta.**Si sollecita risposta alla lettera
del 22/II/1946 N° 6207
relativa a 1*det. MALUSARDI BENVENUTO
con la quale si chiedeva
conferma della scadenza
pena nel giorno 13/4/46.*Il Direttore*

FILE

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
VENEZIA GIULIA

LEGAL DIVISION

Reference : VG/AMB/ID/136/284 24 January 1947
 Subject : Sup. Court Trieste No. 502 L.D. No. 6280
 RASBO Stelio BRACKETTI Bruno
 To : CHIEF COMMISSIONER (Att. Chief Legal Adviser)
 E.I. A.C. APO 794 - ROME

The records in above mentioned cases, where two
 accused were sentenced to more than 2 years imprisonment,
 are forwarded herewith for Review.

For the Senior Civil Affairs Officer :

Charles F. Minnecke
 CHARLES F. MINNECKE
 Lt. Colonel, Infantry
 CHIEF LEGAL OFFICER

LEGAL SUB - COMMISSION	
CJO - GLA	
DCLO	
CHIEF COUNSEL	
ITALIAN SECTION	
Recd	27 JAN 1947

48

HEAD QUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

LJG/ns

24 January 1947.

AC/4083/23/L

SUBJECT : Case of GAGGIANI Giuseppe.

TO : Ministry of Pardon and Justice.
(Attn: Dott. G. Bonelli).

1. Reference is made to your letter UC/4432-2 dated 28 October 1946, subject as above.

2. The records of this office show that after review of this case decision was announced on 2 August 1946 that the sentence therein was reduced to end on 15 August 1946. Subsequently, however, your Ministry provided information that the prisoner, sentenced to serve the term of 2 years on 29 June 1945 had escaped from jail on 17 July 1945, and had been rearrested on 4 August 1946.

3. As requested further review of this matter has been made and it has been determined to reduce the sentence therein to one year of imprisonment. This decision on review is enclosed herewith. Such reduction in sentence permits allowance of conditional liberty to this man should the Ministry of Grace and Justice so desire.

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

file

GAGGIANI Giuliano di Olinio

Bologna

29 June 45

To serve 2 years imprisonment; on review 10 July 1945, the conviction and sentence were affirmed.

The sentence is reduced to 1 year imprisonment.

when he will have served one year imprisonment under the above-mentioned sentence.

Ferrara

AMENDED COPY

24 January 1947.

[Signature]
[Illegible text]

46

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/L

FR/en
24 Gennaio 1947

Oggetto: DEL PRATO Luigi fu Angelo.

Al: On.le Prefetto di VARESE.

Questa Divisione Legale e' stata informata che dai registri della Direzione delle Carceri Giudiziarie di Varese risulta quanto segue in riferimento al nominato in oggetto:

"MESSO IN LIBERTA' IN 2 MARZO 1946 ORE 16
IN SEQUITO AD ORDINE DELLA CUSTODIA DI VA-
RESE PER LIBERTA' DEFINITIVA GIUSTA ORDINE
DEL PREFETTO DI VARESE N.969-DIV.IIa DEL
25-2-1946 IN RELAZIONE AL CORDONO DELLA PE-
NA DISPOSTO DAL COMMISSARIO DEL GOVERNO MILI-
TARE ALLEATO DELLA LOMBARDIA COLONNELLO A.N.
HANSOK IN DATA 31-XII-1945."

Questa Divisione Legale gradirebbe avere copia dell'ordine del Com-
missario Regionale del Governo Militare Alleato della Lombardia in data 31 Di-
cembre 1945.

La richiesta ha carattere di urgenza.

Con perfetta osservanza.

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

45

112

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/L

24 January 1947

SUBJECT : Slop Case

TO : Ministry of Pardon and Justice

1. Reference the conversation between Dott. Bonelli and Dott. Fiore on the same subject.
2. Herewith find attached please two copies of the order of publication of slop sentence duly signed.
3. Copy of the newspaper "Giornale di Sicilia" is returned with many thanks.

LORENZO R. HOLMES
Lt.Col. QMC
Member of Review Board

Encl.2

MRI

42

HEADQUARTERS ALLIED COMMISSION
APO 734
LEGAL DIVISION

AG/4083/23/L.

24 gennaio 47.

OGGETTO : BARDELLI Livio, BALESTRI Iovante and
MONTANARI Giuseppe.

AL DIRETTORE DELLE CARCERI GIUDIZIARIE

BOLOGNA

E' stato comunicato a questa Divisione Legale che i nominati in oggetto, in data 11 dicembre 1945 furono trasferiti dalle carceri di Reggio Emilia a quelle di Bologna.

Si gradirebbe, pertanto, conoscere lo stato attuale dei predetti, e nel caso fossero stati ritrasferiti e incarcerati, si prega di voler indicare la nuova destinazione dei predetti e ogni altra informazione al riguardo.

La presente ha carattere di urgenza.

JAMES E. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

MR

1 copy

urgent

43

HEADQUARTERS ALLIED COMMISSION

APO 794

TRANSLATION

LEGAL DIVISION

AC/4083/23/L.

24 Jan 47/

SUBJECT : BARDELLI Livio, BALESTRI Iovante and
MONTANARI Giuseppe.

TO : Prison Director, BOLOGNA.

It has been reported to this Division that the above three prisoners on the 11th Dec 1945 have been transferred from Reggio Emilia prison to Bologna prison.

It would be very much appreciated if you could inform us of the actual status of the above persons and in case they have been transferred again or released, will you please ~~xxxxxx~~ communicate the new location.

Please treat this as urgent.

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/L

LJC/ns
23 January 1947.

SUBJECT : Claim of Vincenzo GIGLIO.

TO : Assistant Chief of Staff,
G-5, AFHQ.

1. The attached communication, forwarded to this office by the Italian Ministry of Grace and Justice, deals with a matter which pertains to the office of the American, or the British, Judge Advocate General at Allied Force Headquarters.

2. It is transmitted, therefore, for such action, if any, as may be deemed appropriate by the proper authority.

L.J. GILBRIDE,
Major, IGD,
Chief Counsel,
for Chief Legal Advisor.

M2

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

FILE

AC/4083/23/L

MY/ns
23 January 1947.

SUBJECT : Petition for Pardon,
CABIBBO Carmelo.
TO : Avv. Umberto Collamarini
Chief of Cabinet
Palazzo Giustiniani, ROMA.

1. Receipt of you letter dated
15-12-46 concerning the above-mentioned is hereby
acknowledged.

2. Enclosure has been transmitted
"per competenza" to the Procura Generale Militare.

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

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

FILE

AC/4083/23/L

LJG/ns.
23 January 1947.

SUBJECT : Case of TOCCAFONDO, Carlo.

TO : Secretariat of State of the Holy See.
(Attention: Rt. Rev. Mons. Walter S. Carroll)

1. Reference is made to your letter
No 119695/SA, dated 16 November 1946, subject as above.

2. Information is provided that at the
time this case was recently considered by the Board
of Review decision was made that the sentence therein
of 30 years, as adjusted on previous review, should
not be disturbed.

L.J. GILBRIDE,
Major, IGD,
Chief Counsel,
for Chief Legal Advisor.

FILEHEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AG/4083/23/L

MF/na
23 January 1947.

SUBJECT : Avv. Piero MAMOLO.

TO : Ministry of Pardon and Justice.

1. Reference is made to the conversation between Dott. Fiore and Dott. Bonelli on the same subject.

2. Herewith find enclosed please a petition for pardon from the above-mentioned.

3. Your opinion on this matter will be greatly appreciated.

4. Please return the enclosure as soon as dealt with.

G.S. HANNAPORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

58

142

MOD. 10
G. G. - n. 1 - 467

Raccomandata

Modello N. 26 (Carceri)

53 (Riformatori)



Varese 29-XI-1946

Ministero di Grazia e Giustizia

DIREZIONE

Direzione Carceri Giudiziale - Varese

FOGLIO di trasmissione al

COMANDO ALLEATO IN ITALIA

Conto corrente postale N.

N. 203

Tit.

Fasc.

Lett.

PADOVA

Risposta alla lettera del

Div.

Sez.

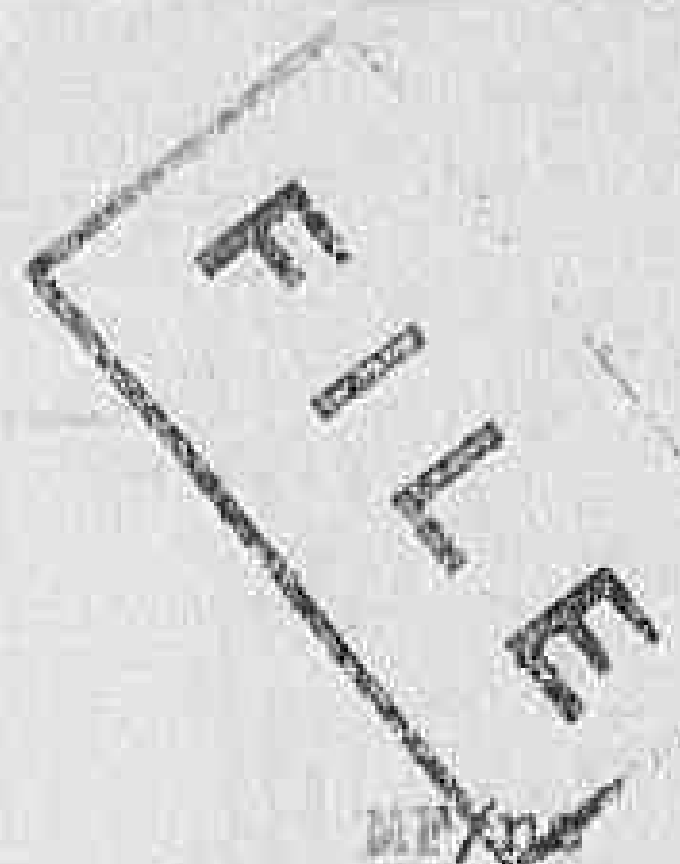
ALLEGATI		Osservazioni
Num.	DESCRIZIONE	
1	Esposto del detenuto MAMOLO AVV. PIERO che si ha l'onore di trasmettere a Cod. Comando con preghiera di benevolo accoglimento.	

Ord. 4 - 12-5-1945 - Tip. Mantellate (50000)

IL DIRETTORE

37

HEAD QUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION



AG/4083/23/L

23 January 1947.

OGGETTO : Esposto.

A 8 NAMOLO avv. Piero,
Carceri Giudiziarie
VARESE.

Si accusa ricevuta di Vs/ esposto
in data 29-11-'46.

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

12

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TT/LS

23 January 1947.

AC/4083/23/L

SUBJECT : MARCHI Enzo fu Mario.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review in the case of the above-mentioned defendant.

2. The accused was tried 29 June 1945 before a Superior Allied Military Government Court sitting at Milano. Thereafter he escaped from confinement and was subsequently rearrested. It is believed that he has since secured his release through illegal or unauthorized means.

3. If he has been so released, he should be caused to serve the remaining unserved portion of his sentence.

4. We have no information which would indicate that the accused is in jail at the present time.

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

HEADQUARTERS ALLIED COMMISSION
APO 784
LEGAL DIVISION

file

AC/4083/23/L

23 January 1947

SUBJECT : Villa, Pietro and Picco, Marcello
TO : The Minister of Pardon and Justice

1. There is attached hereto the decision on review on the case of the above mentioned defendants.

2. The accused were tried 19 - 25 September 1945 before a General Allied Military Government Court sitting at Milano. If they have been subsequently released, it is believed that this was secured through unlawful or unauthorized means.

3. If the accused have been so released, they should be caused to serve the remaining unserved portions of their respective sentences as here reduced.

4. We have no information which would indicate that the accused are in prison at the present time.

JOHN K. WEBER
Colonel, Infantry
Chief Legal Adviser

Incl.

34

NR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION



AC/4083/23/L

MF/ns
23 January 1947.

SUBJECT : CABIBBO Carmelo.

TO : Procura Generale Militare.

Si trasmette per competenza l'acclusa
supplica del menzionato in oggetto erroneamente
trasmessa a questa Divisione legale dalla Casa Civile
del Capo dello Stato.

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

All.: 1

Copia : Avv. Umberto Collamarini
Capo di Gabinetto del
Presidente della Repubblica
Palazzo Giustiniani, ROMA.

M21

4087/23
REPUBBLICA ITALIANA

IL CAPO DI CABINETTO
DEL CAPO PROVVISORIO DELLO STATO

Roma, 15 dicembre 1946

AL COMANDO DELLA COMMISSIONE ALLEATA

ROMA

Si trasmette per competenza la unita istanza di grazia diretta al Capo dello Stato dal Signor CABBIO Carmelo da Tiggiano (Lecce), a favore del figlio Cabbio Ottavio, condannato dal Tribunale Militare Alleato.

Si resta in attesa di un gradito cenno di riscontro.

Distinti saluti.

U

(Avv. Umberto Collamarini)

U. Collamarini

32

*Formando la Procura
Gen. P. C. Tassi*

FILE

HEADQUARTERS ALLIED COMMISSION
APO 734
LEGAL DIVISION

LJG/ns

22 January 1947.

AC/8083/23/L

SUBJECT : Clemency Petition
Gennaro Gioia and Giuseppe Mocerca

TO : Assistant Chief of Staff.
G-5 : AFHQ.

1. Reference is made to letter G-5:
934.44 dated 17 January 1947, subject as above.

2. Copies of replies made regarding
appeals forwarded in these cases were transmitted
with letters of this Division, both AC/8083/23/L,
dated 16 and 17 January 1947. Further copies thereof
are enclosed.

For the Chief Commissioner :

L.J. GILBRIDE,
Major, IGD,
Chief Counsel,
for Chief Legal Advisor.

Encls.

31

H2

HEADQUARTERS ALLIED COMMISSION

APO 794

LEGAL DIVISION

JEW/ps.

21 January 47.

AC/4083/23/L.

SUBJECT : Case of FOCAS Giorgio and CARITATO Tibaldo
Cesare.

TO : Avv. Giovanni PRATO-PISANI
Via Giosuè Carducci, 42
NAPOLI.

1. This office has received an unsigned petition of appeal filed in behalf of FOCAS Giorgio and CARITATO Tibaldo Cesare. It has been concluded from other papers in the record that the appeal was prepared by you. If we are in error, please advise us.

2. All of the premises raised in the appeal have been carefully considered. After due deliberation, it has been determined that the issues raised therein do not have the merit which the petition urges in their behalf.

3. We wish to make favorable comment on the professional care used in preparing the issues and argument in this appeal.

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

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

TS/ne
21 January 1947.

AG/4085/23/1

SUBJECT : GARGINI, Dante fu Enrico.

TO : The Minister of Pardon and Justice.

1. There is attached hereto the decision on review on the case of the above-mentioned defendant.

2. The accused was tried 10 January 1945 before a General Allied Military Government Court sitting at Pesaro. Thereafter he secured his release through illegal or unlawful means.

3. He should be caused to serve the remaining unserved portion of his sentence as here reduced.

4. We have no information which would indicate that the accused is in jail at the present time.

JOHN E. WEBER,
Colonel, Infantry,
Deputy Chief Legal Advisor.

FILE

INTERNATIONAL ALLIED COMMISSION
 AND
 LEGAL DIVISION

AC/COPI/2741

S/MA/CT

SPERA Antonio di Raffaele

TO

THE MINISTRY OF Pardon and Justice

1. The above named person was tried by an ALLIED Military Court at Naples on 17 May 1944

2. He was sentenced as follows:

To serve 4 years imprisonment, on review, 27 June 1944, the conviction and sentence were affirmed.

3. On reconsideration the above sentence has ^{not} been modified.

The conviction and sentence are affirmed.

4. Unless held for other legal cause, the above named person will be released on 16 May 1948.

5. It is believed that the defendant is confined at Naples.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

28

19 January 1947



Monwedy
 JOHN K. WYNN,
 Colonel, Infantry,
 Chief Legal Advisor.

MR

ALLIED COMMISSION
AND
LEGAL DIVISION

AS/4025/25/L

SUBJECT

TO **CAROFALO Ciro**
The Ministry of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at _____ on _____

2. He was sentenced **Costo Annunziata** 20 April 1944

To pay a fine of 50,000 lire and to serve 3 years imprisonment; on review, 23 May 1944, the sentence was modified to read: 3 years imprisonment and 50,000 lire fine; in default of payment of fine further one year imprisonment to be served.

The sentence of accused is reduced to 2½ years imprisonment from date of arrest (26 March 1944). The fine, if unpaid, is remitted.
Unless held for other legal cause, the above named person will be released on _____

3. It is believed xx when he will have served 2½ years at imprisonment from 26 March 1944 under the above mentioned sentence.

was

Naples Province to give the necessary instructions for the release of the defendant. Please confirm.



Monweter
JOHN E. WEBER
Colonel, Infantry,
Chief Legal Advisor.

19 January 1947

142

FILE

HEADQUARTERS ALLIED COMMISSION
LEGAL DIVISION

10/1938/23/1

SUBJECT: MINGONE Costantino fu Gaetano

TO: The Ministry of Justice

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 17 May 1945

2. He was sentenced as follows:

To serve 8 years imprisonment; on review 27 June 1945, the sentence was reduced to 7 years imprisonment.

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced to 5 years imprisonment from the date of arrest. (8 April 1945)

4. Unless held for other lawful cause, the above named person will be released on 8 April 1950

5. It is believed that the defendant is confined at Naples

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

26

19 January 1947



John K. Fisher
JOHN K. FISHER,
Colonel, Infantry,
Chief Legal Advisor.

112

FILE

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AG/1085/23/E

SUBJECT: CIOLEI Valerio fu Ernesto

TO: The Ministry of Foreign and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 17 May 1945

2. He was sentenced as follows:

To serve 15 years imprisonment; on review, 27 June 1945, the sentence was reduced to 12 years imprisonment.

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced to 10 years imprisonment from the date of arrest (8 April 1945).

4. Unless held for other lawful cause, the above named person should be released on 8 April 1946

5. It is believed that the defendant is confined at Naples

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

23

19 January 1947



John R. Williams
JOHN R. WILLIAMS,
Colonel, Infantry,
Chief Legal Advisor.

MR

FILE

ALLIED MILITARY COMMISSION
 ART 794
 LEGAL DIVISION

AG/1003/23/1

SUBJECT: COZZOLINO Luigi fu Aniello

TO: The Ministry of Pardon and Justice

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 17 May 1945

2. He was sentenced as follows:

To serve 15 years imprisonment; on review, 27 June 1945, the sentence was reduced to 12 years imprisonment.

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced to 10 years imprisonment from the date of arrest (29 March 1945).

4. Unless held for other lawful cause, the above named person will be released on 28 March 1955

5. It is believed that the defendant is residing at Pozzuoli

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

21

19 January 1947



John E. White
 JOHN E. WHITE,
 Colonel, Infantry,
 Chief Legal Advisor.

MR

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/2087/23/L

SUBJECT: GIOIA Gennaro fu Giuseppe

TO: The Ministry of Pardon and Justice

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 17 May 1945

2. He was sentenced as follows:

To serve 15 years imprisonment; on review, 27 June 1945, the sentence was reduced to 12 years imprisonment

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced to 10 years from the date of arrest (29 March 1945)

4. Unless held for other lawful cause, the above named person will be released on 28 March 1955

5. It is believed that the defendant is confined at Naples

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

23

19 January 1947



W. Weber
JOHN E. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HR

file
*4083/23**rec'd 28.1.47*

DIREZIONE DEL CARCERI GIUDIZIARIE di MILANO
(Ufficio Matricola)

Ref N° 151

Milano 18th 1947

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

Ref to your letter N° AC/4083/23/L dated 9 Jan 47, we report that ALBINI LUIGI was arrested by Commissariato P.S. Porta Genova the 7th December 1946 and released from prison the 13th December 1946 by order of the same Commissariato of Public Safety.

THE DIRECTOR OF THE PRISON
S. VITTORE

N° 151 di prot.

Milano 18/1/1947

In riferimento alla nota N° AC/4083/23/L emessa da codesto Ufficio in data P/I/1947, si comunica che il detenuto ALBINI LUIGI venne arrestato dal Commissariato P.S. Porta Genova il 7/12/46 e da questo rilasciato in data 13/12/1946

IL DIRETTORE
sgd.: ?

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

10/1057/2371

SUBJECT: NABBIA Aldo di Eduardo

TO: THE Ministry of Justice

1. The above named person was tried by an Allied Military Government Court sitting at Vasto on 23 March 1944

2. He was sentenced as follows:

To serve 3 years imprisonment; on review, 24 May 44, the conviction and sentence were confirmed.

3. On reconsideration the above sentence has been modified as follows: the conviction on the first charge is quashed and set aside; the sentence on the second charge is reduced to 6 months imprisonment from date of arrest (11 March 44). The total imprisonment is 6 months from 11 March 1944.

4. Unless held for other lawful cause, the above named person will be released when he will have served 6 months imprisonment from 11 March 1944 under the above-mentioned sentence.

5. It is believed that the defendant was confined at Chieti Province.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

21

15 January 1947.



Monweta
JOHN R. FERRIS,
Colonel, Infantry,
Chief Legal Advisor

MR

file

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

45/4047/24/1

SUBJECT: GUASCO Vincenzo

TO: The Ministry of Justice

1. The above named person was tried by an Allied Military Government Court sitting at Salerno on 22 Jan 44

2. He was sentenced as follows: To serve 3 years and 3 months imprisonment; on review, 12 March 44, the conviction and sentence were affirmed.

3. On reconsideration the above sentence has been modified as follows: The sentence is reduced to 2 years from the date of arrest (5 January 1944).

4. Unless held for other lawful cause, the above named person will be released when he will have served 2 years imprisonment from 5 January 1944 under the above-mentioned sentence. It is believed that the defendant was confined at Salerno.

5. Please issue the necessary instructions for the release of the defendant. Please continue.

20

18 January 1947.



Monroba
JOHN E. MONROBA,
Colonel, Infantry,
Chief Legal Advisor.

*release ruled regular
see 45 434 48 3 7 June 47*

MR

file

HEADQUARTERS ALLIED COMMISSION
APO 798
LEGAL DIVISION

AS/1043/23/L

SUBJECT: AQUINO Fortunato

TO: The Ministry of War and Justice

1. The above named person was tried by an Allied Military Government Court sitting at Reggio di Calabria on 21 Feb 44.

2. He was sentenced as follows:

To serve 7 years imprisonment; on review, 25 Sept 45, the sentence was reduced to 3½ years imprisonment.

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced to 2½ years imprisonment from the date of arrest (17 Jan 44)

4. Unless held for other lawful cause, the above named person will be released when he will have served 2½ years imprisonment from 17 January 1944 under the above mentioned sentence. It is believed that the defendant was confined at Girola Jonica.

5. Please issue the necessary instructions for the release of the defendant. Please advise.

19

18 January 1947.



Howe
JOHN R. WHEAT,
Colonel, Infantry,
Chief Legal Advisor.

172

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AC/4083/23/L.

JKW/pa.
9 Jan 1947.

SUBJECT : ALBINI Luigi.

TO : Ministry of Pardon and Justice.

1. There is enclosed herewith copies of correspondence had by this office concerning the release from prison of ALBINI Luigi.

2. As this release was not authorized by the Allied Forces, a full report is desired from the local "Procura Generale" explaining why this prisoner was released.

3. Please treat this as urgent.

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

Incls.

Copy to the Director of the Prison of Milano.

lin. please see flog "A" out.

Subject: Prisoner ALBINI LUIGI, son of NATALE.

With reference to letter AC/4083/23/L of December 7th 1946, the prison director of Milan informs this Legal Division that the a/m. prisoner was released on the 1st March 1946, by order of the local "Procura Generale", the remaining penalty having been remitted.

Director

Signature illegible.

Modulatio
GGa c. 401MINISTERO
DI GRAZIA E GIUSTIZIA

Milano addi 20/12/19 46

DIREZIONE
DEL
CARCERE GIUSTIZIALE DI MILANO
UFFICIO DI MATRICOLA
N. 702 bit. 3 Fase 1 Lett 4HEADQUARTERS
ALLIED COMMISSION
AIO 794
LEGAL DIVISIONRisposta alla lettera
del 7/12/1946Ufficio Num.
AC/4083/23/L

Oggetto

Det. ALPINI LUIGI
di Natale

In riferimento alla
controcitata nota signifi-
casi che il detenuto in og-
getto è stato scarcerato in
data 1/3/1946 giusta ordine
emesso dalla locale Procura
Generale per condono del
resto della pena.

Allegati N. 1

IL DIRETTORE

Riprodurre il

Minutato da

Copiato da

file

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL DIVISION

AG/4083/23/L.

JWW/pa.
9 Jan 47.

SUBJECT : SCHWARTZ Ernesto.

TO : The Ministry of Pardon and Justice.
Uff.VI.

1. See your note 160218/78550 of 21 December 1945.
2. You are advised that the Allied Commission has not issued an order No.46 dated 27 June 1946, as stated in your letter. The description is pure fiction.
3. A full report is desired on this unauthorized release. Prison officials have been repeatedly advised that the Allied Commission issues orders concerning prisoners to the Ministry. It appears that this instruction has been disregarded.
4. Please treat this as urgent.

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

Incl.: 1 copy.

Copy to the Prison Director of PIZZIGHETONE (Lombardia). 10

hi,
please see file "B"

Subject: Prisoner SCHWARTZ ERNESTO.

With reference to letter AC / 4083 / 23 / L of December 4th 1946, the Ministry of Prison and Justice informs this Legal Division that they have received from the prison director of PIZZI-Ghettoni the communication that the a/m prisoner was released on July 4th 1946 by telegraphic order of the "Procura" of Milan, following an order No 46 of the A.C., dated 27 June 1946.

For the Minister

Signature illegible.

4083/23
 Ministero di Grazia e Giustizia
 DIREZIONE GENERALE
 PER GLI ISTITUTI DI PREVENZIONE E DI PENALE

Uff. VI

Aut. N. 160216/70536

Roma 21 DIC. 1946

La Commissione Alleata
 Sottocommissione Legale
 ROMA

Risposta del
 Dir. 4-12-1946
 N. 40/4083.23/L

Oggetto: detenuto
 Solovayev, Ermesee.

Dr. Krivsho, please translate - P.

In riferimento alla nota sopra indicata,
 si comunica che la direzione della casa penale
 di Pizzighetta, dove il detenuto in oggetto
 trovandosi ristretto, ha comunicato che il medesi-
 mo è stato riacquiescente il 4 luglio 1946 al con-
 cilio telegrafico della Procura di Milano provo-
 cato da nota 27 giugno 1946 n. 45 della Commis-
 sione Militare Alleata.

Tal. Ministro



A.C.

4083/23

Mod. 2



Ministero di Grazia e Giustizia

Gabinetto di S. E. il Ministro

Roma, 6. 2. 1947 19

Protocollo n. 4083/23

OGGETTO *Avv. Piero Mamolo.*

ALLA COMMISSIONE ALIENATA
Divisione Legale

ROMA

Con riferimento al foglio AC/4083/23/L del 23 u.s. questo Ministero ritiene molto conveniente che in casi simili il Ministero esprima il parere al riguardo.

Si prega pertanto chiarire se ciò potrà essere effettuato per tutte le condanne emerse da Tribunali italiani nella Zona A della Venezia Giulia. In tal caso sarebbe necessario ricevere per ogni domanda di grazia la relativa pratica debitamente istruita dall'autorità giudiziaria locale.

L'UFFICIALE DI COLLEGAMENTO 2
(Dr. G. Bonelli)

G.B.

no action
sent. To Venezia Giulia
Letter of Piero Mamolo, superior

FILE

HEADQUARTERS ALLIED COMMISSION

APO 794
LEGAL DIVISION

AG/4003/23/L.

SUBJECT :

CARUTO Giuseppe fu Vito

CC :

The Ministry of Foreign and Justice.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Procura Generale Militare, presso il Tribunale Supremo Militare;

e Ufficio del Giudice Militare di Sorveglianza.

1. The above named person was tried by an Allied Military Government Court sitting at

Bari

on

19 January 1945

2. He was sentenced as follows:

To serve 3 years imprisonment from 23 November 1944 and to pay a fine of Lire 10,000.

On review, 6 Mar 45, the conviction and sentence were affirmed.

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced so as to end on 23 December 1946.

4. Unless held for other lawful cause, the above named person will be released on 23 December 1946.5. It is believed that the defendant is confined at Corpo della CroceRossa Centro Mobilitazione di Bari.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



[Signature]
 J. P. WIER,
 Colonel, Infantry,
 Chief Legal Advisor.

4 December 1946.



Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIO

Roma 16 novembre 1946

ALLA COMMISSIONE ALLEATA
ITALIA - Sotto commissione
Legale ROMA

Ufficio II. R.

Prot. N° 131.1395/2946

17.9.946
Dir. Dir. N° 4683/23/3

Oggetto: LESCHUR Giovanni fu Martina.

e per conoscenza:
ALL'UFFICIO COLLEGAMENTO - Gabinetto
SEDE

Con riferimento alla precorsa corrispondenza, si partecipa che il Procuratore Generale presso la Corte d'Appello di Milano, con foglio del 2 novembre c.m., ha comunicato che dagli accertamenti fatti eseguire risulta che LESCHUR Giovanni fu Martino trovasse detenuto nelle carceri di S. Vittore di Milano dal 13 marzo 1946 a disposizione della 427 F.S.S. del Comando Alleato, e che si riconosce il motivo per cui è stato arrestato.

d'ordine del MINISTRO

Fin

Subject: LESCHUR GIOVANNI, son of the late
MARTINO.

With reference to letter AC/4083/23/L of
the 14th September 1946, the Ministry of Gordon
and Justice informs this Legal Division that the
'Generale' of the Court of appeal in
Milan has communicated on November 2nd
inst. that the named LESCHUR GIOVANNI,
son of the late MARTINO, is being detained from
March 13th 1946 at the S. Vittore prison in Milan,
at the disposal of the 42nd F. S. S. of the Allied
Command, and the reasons for his arrest are
unknown.

By order of the Minister

Signature illegible

400/23

FILE

Bma - Do you have any record of
this man still being in jail?

6.3.47.

(TW)

Capt. Wills.

We do not have any record of
this man still being in jail.

6.3.47

Crew

Major Gilbride

Subj is not being
held for us. Recommend filing
with no further action due to time
elapsed and sense of further
inquiries.

14.3.47 (D)

Mrs. Thompson has gone over our
records again & didn't find
any mention of this case

22/21/46

(W)

4583623
✓*Ministero di Grazia e Giustizia*DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIO

Roma, 8 NOV. 1946

Alla COMMISSIONE ALLEA
TA Sottocommissione Legale
ROMA

Ufficio I° A.P.

Arch. A° 107

Ripresentato al fedel.

Dir. Sec. A°

OGGETTO PROIETTI Antonia - ricorso.-

All. n. I

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO

S E D E

Per competenza, si trasmette l'unito
ricorso nell'interesse del detenuto WARDI
Virgilio.-

d'ordine del MINISTRO

Signor Ministro,

Sono la Sig.ra Proietta Antonia ved. Nardi, domiciliata in Roma via Manfredonia Totto VII., madre di Nardi Virgilio fu Totto VII., arrestato il 6 luglio

1946 in Roma su richiesta della II2 Provost Coy di Udine, perchè ritenuto responsabile del furto di 7 motociclette e attualmente a disposizione di detta autorità nelle camere di sicurezza della Questura di Udine.

Non sta alla istante precisare, Signor Ministro, quale della summentovate autorità sia competente a rilasciare in libertà mio figlio, Nardi Virgilio, ma è ben vero che l'inerzia delle autorità di cui sopra ha impedito che venissero espletate le necessarie indagini atte a mettere nella sua vera posizione di mio figlio.

Dopo trascorsi così circa tre mesi e nulla lascia sperare che le cose possano prendere un diverso andamento. Mentre nessuna colpa può essere addebitata a Nardi Virgilio e ciò emerge luminosamente tanto è vero che sino ad oggi si continua a trattenerlo

Signor Ministro,

Sono la Sig.ra Prietti Antonia Ved. Mardi, comp. 35
ciliata in Roma via Manfredonia Intero VII., madre di
di Mardi Virgilio fu Luigi, arrestato il 6 luglio

1946 in Roma su richiesta della I12 Provost Coy di
Udine, perché ritenuto responsabile del furto di 7
metropolelette e attualmente a disposizione di detta
Autorità delle camere di sicurezza dell'A Questura
di Udine.

Non sta alla istante precisare, Signor Ministro,
quale delle summentovate Autorità sia competente a
rilasciare in libertà mio figlio, Mardi Virgilio, ma
è ben vero che l'inerzia delle Autorità di cui so-
pra ho impedito che venissero espletate le necessa-
rie indagini atte a mettere nella sua vera ^{due} pos-
sione di mio figlio.

Sono trascorsi così circa tre mesi e nulla lascia
sperare che le cose possano prendere un diverso svi-
ciamento. Mentre nessuna colpa può essere imputata
a Mardi Virgilio e ciò emerge luminosamente tanto
è vero che sino ad oggi si continua a trattenerlo
in stato di arresto a disposizione della predetta
I12 PROVOST COY, senza che gli venga iscritto il
reato di furto che egli si vuole contestare con una

responsabilità del tutto infondata.

Signor Ministro,

Soltanto il V/ benevolo interessamento potrà impedire che mio figlio rimanga ancora sotto il peso di un accusa che va a ledere il suo onore e quello della famiglia.

Neppure quest'ultima attenua ansiosa il suo ritorno, reso indispensabile a causa della malattia della letante e quindi della impossibilità di provvedere al sostentamento di sé stessa e della figlia minore.

Risponderò nel V/ intervento

al fine

Proietti Antonia ved. Nardi

ROMA

Via Manfredonia Lotto VII.

Proietti Antonia

Signor Ministro

della GRAZIA e GIUSTIZIA

ROMA

Note to Major Seltz,

The attached petition deals with a
prisoner arrested in Rome at request
of 112 Provost Coy, Udine.

We have no record of the case.
Recommend sending it to C.L.O.
Udine for disposal.

14/11/46

Sgt Wills

Sgt. Wills

I checked everywhere and I did
not find any previous correspondence
in the above.

Amn.

21/11/46

Ministero
di Grazia e Giustizia
DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Aut. N. 154206/74422

Roma, 21 OTT 1946

Alla Commissione Alleata
Sottocommissione Legale
R. O. M. A.

Ricevuta al f. del 9.9.46
Dir. Leg. N. 4083/23/L

OGGETTO: Detenuto, Becciu Sebastiano.-

alleg. 1

In riferimento alla nota sopra indicata, si restituisce l'unita nota di codesta Commissione, significando che la Direzione delle carceri giudiziaria di Milano, con nota n. 5109 del 9 ottobre c.m. ha comunicato che il detenuto in oggetto non trovasi ristretto in quello stabilimento.-

Pel Ministro

Mod. 1347 MG.



Ministero di Grazia e Giustizia

DIREZIONE GENERALE ISTITUTI PREVENZIONE E PENA

Roma, li 30 settembre 1946

 Ufficio VI^o
 Prot. n. 152462/74422

 Alla Direzione
 delle carceri giudiziarie di
 MILANO

O G G E T T O : Detenuto BECCIU Sebastiano.

 La Commissione Alleata - Sottocommissione Legale -
 comunica quanto apresso:

 "Il suindicato fu giudicato da un Tribunale del Gover-
 no Militare Alleato di Milano il 25 ottobre 1945

 Fu condannato a 4 anni di reclusione. Nel riesame del 28
 dic. 45 la condanna venne confermata.

 Dopo riesame la suindicata condanna è stata modificata
 come segue: la condanna è ridotta a 3 anni dalla data dell'ar-
 resto 22 settembre 1945.

 A meno che non venga trattenuto per altro motivo le-
 gittimo il suindicato verrà scarcerato il 22 settembre 1946.

Si ritiene che l'imputato sia detenuto a Milano

 Vogliate impartire le istruzioni necessarie per la
 scarcerazione dell'imputato e darne conferma.

9 settembre 1946 - f.to Col. J. K. Weber.

Si prega di provvedere in conformità assicurando.

3

d'Ordine del Ministro

4385/23



Roma, 18 ottobre 1946

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

FILE
 ALLA COMMISSIONE ARREATA
 Sottocommissione Totale
 ROMA

Ufficio II° A.P.

Prot. N° 131.1387/2925

Ripresenta del 17/9/1946

Dir. Gen. N° 4083/23/L.

OGGETTO SANGIORGIO Paolo di Giovanni, SCHIATTI
 Luigi di Giovanni, SANGIORGIO Giulio di Francesco,
 SANGIORGI Cornelio di Paolo, ROCCA Giuseppe di
 Alessandro.-

e per conoscenza;
 ALL'UFFICIO COLLEGAMENTO

S E D E

Con riferimento al foglio sopra richiamato
 si partecipa che il Procuratore Generale presso
 la Corte di Appello di Milano, con foglio del 10
 Ottobre c.m., ha comunicato quanto segue:

1) i processi a carico di SANGIORGIO Giulio,
 di SCHIATTI Luigi e SANGIORGI Cornelio, nonché
 quello a carico di SANGIORGIO Paolo sono pendenti
 avanti la Pretura di Monza. I primi due sono fis-
 sati per l'udienza del 25 Ottobre p.v. ed il ter-
 zo è stato definito con sentenza 1.7.1946 di non
 procedersi per amnistia trattandosi del reato di
 cui all'art. 697 C.P.-
 2) il processo a carico di ROCCA Giuseppe trovasi
 tuttora in istruttoria sommaria presso la Procura
 della stessa città: essa sarà portata a termine
 nel più breve tempo possibile.

2
 d'ordine del MINISTRO

Har

Subject:

SANGIORGI PAOLO, son of GIOVANNI,
 SCHIATTI LUIGI, son of GIOVANNI,
 SANGIORGI GIULIO, son of FRANCESCO,
 SANGIORGI CONELIO, son of PAOLO,
 ROCCA GIUSEPPE, son of ALESSANDRO.

With reference to letter AC/4083/23/L of the

17th September 1946, the Ministry of Justice
 inform this legal S/C that they have received in the
 10th inst. from the "Procuratore Generale" of Milan the

following communication:

1) The trials against Sangiorgi Giulio,
 Sangiorgi Conelio and Sangiorgi Paolo
 Schiatti Luigi, Sangiorgi Pretura" of Monza. The first
 are pending before the "Pretura" of Monza. In
 two have to be heard on the 25th October next. In
 regard to the third trial the Court reached on the
 1st July 1946 the decision that, owing to the amne-
 sty, the proceeding should be considered closed, as
 the offender was committed under Art. 694 of the P.C.
 2) The trial against Rocca Giuseppe is
 actually being investigated by the local "Pretura". The
 investigation will be closed as soon as possible

By order of the Minister

With reference to letter AC/4083/23/L of the 17th September 1946, the Ministry of Pardon and Justice inform this legal S/C that they have received on the 10th inst from the "Procuratore Generale" of Milan the following communication:

1) The trials against Sangiorgi Emilio, Sangiorgi Paolo, Schiatti Luigi, Sangiorgi Cornelio and Sangiorgi Paolo are pending before the "Pretura" of Monza. The first two have to be heard on the 23rd October next. In regard to the third trial the Court reached on the 1st July 1946 the decision that, owing to the amendment, the proceedings should be considered closed, as the offender was committed under art. 697 of the P.C.

2) The trial against Rocca Giuseppe is being investigated by the local "Pretura". The actual investigation will be closed as soon as possible.

By order of the Minister

Signature illegible.

1731